

1. Considered: OCTOBER 7, 1982 Water Right No. 1264-1
2. Name of Applicant ROY PHILLIPS
3. Post Office Address STAR ROUTE, NEW UNDERWOOD 57761
4. Amount of Water Claimed 0.29 maximum acre feet _____
5. Source of Water Supply DRY DRAWS
6. Water to be used for IRR. acres to be irrigated 20
7. County MEADE about SE, 25 miles of Hanford
8. PROOF OF PUBLICATION: Received for 9-23-82 Not Received _____
- APPLICATION: Approved 10-7-82 Subject to OK. WS system
- Not Approved _____ Action Deferred _____

PRIORITY Dated Received 8-10-82 Application complete-yes / no _____ FEE 150⁰⁰

8-10-82 Remarks Originally received Aug 1980 - needed WQ - could not get it on

SW⁴ Sec 26 - deducted it from appl. on corrected appl also deducted the

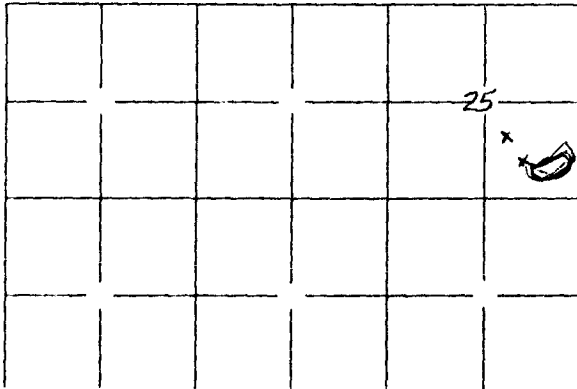
5 acres in SW⁴ SE⁴ Corrected Application received 8-10-82 Period of Annual Use march thru Oct.

TER ALITY Received yes 8/10/80 no _____ APPROVED CONDITIONAL (Circle one)

WI-1 Description same as application yes no _____ Remarks _____

only for Sec 25

Disapproved _____ Returned _____



Diversion Point S E 1/2 SE⁴

Land to be irrigated SE⁴ SE⁴

Section 25 - T5N-R11E

ELL LOG Driller _____ Licensed - yes _____ no _____

Depth _____

Remarks _____

MAP Map No. 1071-1 Map located in Water Right _____ Map file _____
 Type of Map Sails Map Prepared by S.C.S. Sturgis

+++++

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:

August 11, 1982.

Deety Westlund
 (Signed)

+++++

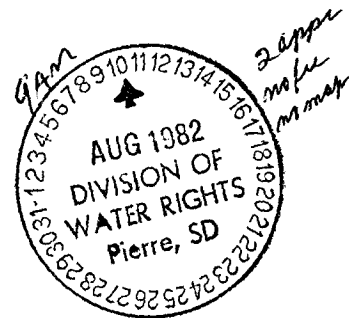
PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS, Date
 F.F. & C. Final Decision, including F.F. & C. of Law were adopted _____

IF LAW, Date
 FINAL Final Decision mailed to parties and/or parties notified that Final Decision was
 DECISIONS adopted _____
 TC.

Remarks _____

No. 1264-1
 Map No. 1071-1 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 ☒ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant Roy Phillips Phone No. 985-5262
 Post Office Address Star Route New Underwood State South Dakota 57761
 (Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract3. Name of diversion work Roy Phillips Waterspreading System4. Amount of water claimed (cubic feet per second) 360.29 (MAXIMUM ALLOWABLE)5. Source of water supply dry draw

6. Location of point of diversion 260 rods west and 110 rods north of SE Corner, Section 25 -
T5N - R11E (points in E $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$)

County Meade7. Annual period or periods during which water is to be used March thru October8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use, Total number of acres to be irrigated 2520

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.	Land Description	No. Acres Irr.
SE $\frac{1}{4}$ SE $\frac{1}{4}$	20		
SW $\frac{1}{4}$ SE $\frac{1}{4}$	5		
All in Section 25 - T5N-R11E			
25 -			

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. Times12. Principal Features of the Proposed Water Supply System. Sturgis, SD

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

Divert water out of a silted in dam that does not store water

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

Diversion ditch W.S. SYSTEM

C. Works proposed to apply water to beneficial use.

Retention dikes and level - lip ditches

Estimated Total Cost \$ _____

Attachments: 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 Pennington) ss.I, Roy 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 Roy PhillipsSubscribed and sworn to before me this 9th day of August, 1982

Notary Public (or other qualified officer)

my Commission Expires 2-7-83

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1264-1

Roy Phillips (Applicant) Star Route, New Underwood (Post Office Address)
South Dakota 57761 (State) With the following qualifications

Date of first receipt of application August 10, 1982
Date of return to applicant for correction, amendments or changes required, 19____
Date of receipt of corrected application, 19____
Approved October 7, 1982, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. 1264-1

The Water Management Board hereby grants and issues this Water Right Permit No. 1264-1 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 August 10, 1982
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before April 7, 1985
3. The whole of said work is to be completed on or before October 7, 1987
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is October 7, 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 0.29 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 October 7, 1991; said water to be used during the following described annual period: March 1 to October 31

Witness my hand this 12th day of October, 1982

THE WATER MANAGEMENT BOARD

By:

Chief Engineer, Water Rights

JOHN HATCH

Certificate of Construction Issued, 19____

Water License Issued, 19____

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411141

Pierre, February 2, 1968, 19__

RECEIVED OF Roy Phillips, SR, Box 18, New Underwood, SD 57761

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
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>1264-1</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer JOHN HATCH (MS)

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7635

PIERRE, August 12, 1980

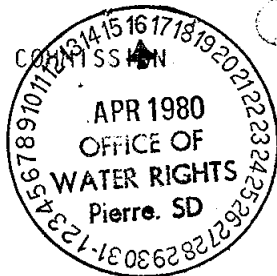
RECEIVED OF Roy Phillips, Star Route, New Underwood SD

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

Fee for Application for Permit to Appropriate Water No. 1264-1 (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
kw



SOIL/WATER COMPATIBILITY APPLICATION FORM
STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

OWNERS NAME: Roy Phillips OWNERS ADDRESS: New Underwood, SD 57291
COUNTY LAND LOCATED IN: Meade PHONE: 985-5262
TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

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

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

1. WELL LOCATION OR DIVERSION POINT: Davis Draw below stock dam (Sec 25-5-11)
 2. SURFACE WATER SOURCE: Drainage area above system (800-1000 Ac)
 3. LOCATION OF AREA TO BE IRRIGATED: S 1/2 25-T5N-R1W (160ac) R1E
 4. INDICATE NON-IRRIGATED AREAS AND (APPROX.) ACRES ON MAP: (Farmstead, shelterbelts, wetlands, etc.)
- TYPE OF IRRIGATION: (Show approximate acres under each type of system)
5. GRAVITY _____ TOWLINE _____ CENTER PIVOT _____ GUN _____ OTHER (Specify) Water pump
 6. CROPS TO BE IRRIGATED: Native Grass
 7. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: N/A
LAND: _____
IN WHAT NAME: _____

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

8. SAMPLE NUMBER: 80-03
9. SALINITY (EC X 10⁶) 85
10. SODIUM (SAR) 0.15 ADJUSTED (SAR) 0.10

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 back) were followed, and that the sample was taken at 2:00 A.M./P.M., on 2/27, 1980, at the following location: Just above dam in center of Section 25-5-11, by Roy Phillips (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 also hereby certify that a chemical analysis of the irrigation water representative of that used to irrigate shall be acquired from South Dakota State University and the soils information has been acquired from Elk Creek Conservation District, County Extension Office or Soil Conservation Service; and further, that the legal description for the location of the well and land to be irrigated is true and correct.

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
28 DAY OF February, 1980

Beverly M. Frost
(NOTARY PUBLIC)

Roy Phillips
APPLICANT'S SIGNATURE

Keith L. Harner
Director, Division of Conservation

APPROVED

DISAPPROVED

☒ CONDITIONALLY APPROVED

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 RIGHT must be obtained from the State Water Rights Commission.

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Roy Phillips, New Underwood, SD

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED: - Unless kept in native grass and under water spreader system.

St - Stetter Clay

SyB - Swanboy Slickspots

RECOMMENDED MANAGEMENT:

1. Water should not be applied more than NA times during the irrigation season.
2. Each uninterrupted application (one rotation of center pivot) should be of at least NA inches of water.
3. ☐ Yes ☐ No Surface drainage suggested on _____.
4. ☐ Yes ☐ No Subsurface drainage suggested on _____.
5. ☒ Deep tillage (for the purpose of aiding movement of water through dense subsoils).

COMMENTS: See below

6. ☐ Heavy fall application of irrigation water.
7. Type of irrigation system recommended for use on this application water spread via dikes.

GENERAL COMMENTS:

Stetter and Swanboy Clayey soils are subject to cracking under dry conditions. Normally, these cracks are the means of getting water into your subsoil.

Deep chisel-type tillage may help the overall uniformity of moisture absorption into the subsoil. The effects of deep chisel points will be more lasting if done under dry or semi-dry conditions.

It will be more difficult to accomplish leaching of alkaline salts in the Swanboy soils, because they are already strongly alkaline in the top 60 inches. It seems that Stetter soils will give the better response.

Copy to applicant
Copy to Water Rights
Copy on File



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

October 10, 1980

Roy Phillips
Star Route
New Underwood SD 57761

Dear Mr. Phillips:

The maps received showing the actual lands to be irrigated do not correspond with your application. The application is enclosed and it shows as follows:

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 25, T5N, R11E	20
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 25, T5N, R11E	5
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 26, T5N, R11E	25
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 26, T5N, R11E	5

The map show lands in: (copies are enclosed)

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 25, T5N, R11E	?
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 25, T5N, R11E	
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 25, T5N, R11E	
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 25, T5N, R11E	
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 26, T5N, R11E	
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 26, T5N, R11E	
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 26, T5N, R11E	

Please check this over and correct.

Also we have a conditional soil/water compatibility approval on the S $\frac{1}{2}$ of Section 25, T5N, R11E, but the soil/water compatibility approval must be received from the State Conservation Commission on the N $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26, T5N, R11E before further processing can proceed.

If you have any further questions, please contact this office.

Sincerely,

BETTY WESTLUND
Water Rights Specialist

BW:kw

cc: Wym Sudtelgte
State Cons. Comm. *Equal Opportunity Employer*

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 _____ of Sturgis

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

September 15, 1982

September 22, 1982

Dorothy Allison
(Signature)

Publicist
(Title)

Sept. 16, 1982
(Date Signed)

Cost of Printing: \$22.80

62 lines @ 20.44 first publication

62 lines @ 16.35 second publication

NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER
Pierre, South Dakota 57501
No. 1264-1

September 6, 1982

Notice is hereby given Roy Phillips, whose post office address is Star Route, 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, 46-5-4) and Board Rules ARSD 74:02:01:01 thru 74:02:01:15 for a permit to appropriate for beneficial use 0.29 cubic feet of water per second of time from a dry draw through the Roy Phillips Water-spreading System, the point (s) of diversion which (are) to be located between E $\frac{1}{2}$ SE $\frac{1}{4}$ adn SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, Twp. 5N, Range 11E. Said water to be used for purpose of providing irrigation on portions of the following described land: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25, T5N, R11E.

This application No. 1264-1 will be considered by the Water Management Board at Meeting Room No. 1, Kneip Building, Church and Illinois, Pierre, SD upon the 7th day of October, 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, DWRN, Joe Foss Building, Pierre, SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water
Management Board
(s) Betty Westlund
BETTY WESTLUND,
Water Rights Specialist
Publ Sept. 15 and 22, 1982
Times-Tribune



Publish first publication, on or before September 15, 1982

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

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0.29 cubic feet of water per second of time from a dry draw

through the Roy Phillips Waterspreading System, the point (s) of diversion which ~~is~~ (are) to be located ~~in the~~ between E $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$

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For the Water Management Board

cc: applicant

BETTY WESTLUND, Water Rights Specialist

WNR-806-2/82

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USEPost Office 701 Greenwood St.Date Nov. 15, 1982

TO: Water Rights
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No.

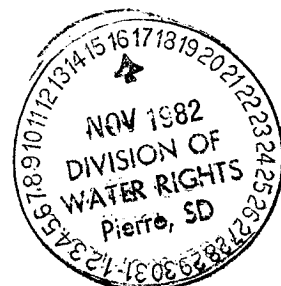
1264-1

Water Right Permit No. 1264-1 states that the diversion system is to be constructed by April 7, 1985, and that the water is put to beneficial use by Oct. 7, 1987.

The diversion system was completed on 1980. Applying the water to beneficial use was completed on 1980.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Roy Phillips
(Signature)





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1264-1

January 27, 1988

Roy Phillips
SR, Box 18
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. 1264-1 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.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1264-1

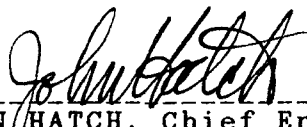
(1) Roy Phillips of Star Route, Box 18, New Underwood SD 57761 made Application No. 1264-1, August 10, 1982 for a water permit to appropriate 0.29 cubic feet of water per second from a dry draw, Meade County, South Dakota for irrigation purposes. Permit No. 1264-1 with a priority date of August 10, 1982 was approved October 7, 1982 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before October 7, 1987 and for the application to beneficial use of said water on or before October 7, 1991.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.29 cubic feet of water per second for beneficial use. The location of the diversion point(s) is: 2020 feet north and 2340 feet west of the SE corner of Section 25, T5N, R11E (NW 1/4 SE 1/4).

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

T5N, R11E Section 25 SE 1/4 SE 1/4 20 acres

(4) Pursuant to Section 46-5-30.1 Roy Phillips of SR Box 18, New Underwood SD 57761 the holder(s) and/or owner(s) of Water Permit No. 1264-1 is issued a license to appropriate water, the right to use 0.29 cubic feet of water per second from a dry draw with a priority date of August 10, 1982 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 1264-1 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Division
Department of Water and Natural
Resources

SEP 14 1989

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

SEP 14 1989

1264-1

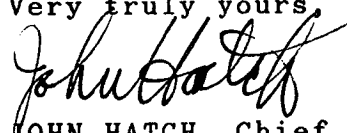
Roy Phillips
Star Route, Box 18
New Underwood SD 57761

Dear Mr. Phillips:

Enclosed is Water License No. 1264-1. This is the final water right document completing your process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, the State Water Law provides that you have a continuing right to use the water.

Very truly yours,



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

enclosures





1264-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 2, 1994

William Scott Phillips
HCR 18, Box 17
New Underwood, SD 57761

Dear Mr. Phillips:

Per your request, enclosed are copies of all your water rights/permits. Three of the water permits have not been licensed yet. However, all three have been inspected and are in the process of being licensed.

You also may have to change the names on three of your water rights to reflect the present ownership of the land and the water rights. I have enclosed partially completed transfer forms. Please review them for accuracy and sign them in the presence of a notary public and return them with the required filing fees. The filing fee for each transfer is \$2.50 (total of \$7.50).

If you have any questions, please do not hesitate to contact me.

Sincerely,

M. Rassool Ahadi
Natural Resources Engineer
Water Rights Division
(605) 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 21, 1994

SECOND NOTICE
Permit Nos. 985-1
986-1
1264-1

William Scott Phillips
HCR 18, Box 17
New Underwood, SD 57761

Dear Mr. Phillips:

On August 2, 1994, notice was sent to you concerning the transfer of Water Right Nos. 985-1, 986-1 and 1264-1 in the name of Roy O. Phillips. To date, we have not heard from you on this matter.

Transfer forms were previously sent to you, enclosed are additional forms. Please sign, have notarized and return the forms to this office with the required filing fee of \$2.50 per transfer, a total of \$7.50. The water rights can then be transferred to your name. If you are not the present owner of the land covered under these water rights, please notify this office. It is very important that ownership records be kept current. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

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

Very truly yours,

RON DUVALL
Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Division

enclosure

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

985-1
986-1
1264-1

William Scott Phillips
HCR 18, Box 17
New Underwood, SD 57761

4a. Article Number

P 318 052 681

4b. Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

11-4-94

5. Signature (Addressee)

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991

*U.S. GPO: 1992-323-402

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

RECEIPT

414340

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ November 22, 19 94

RECEIVED OF Wm Scott Phillips, HC 81 Box 17, New Underwood, SD 57761

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Right No. 1264-1</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John W. Hatch
Chief Engineer

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1264-1

Date: 11-21-94

I/We request that Water Right No. 1264-1

formerly owned by: Roy O Phillips

be transferred to: (name & address) Helen Phillips, HC 81 Box 8,
New Underwood, So. Dak., 57761 (Telephone No) 605-985-5262

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

20 acres - SE¼ SE¼ Section 25, T5N, R11E

I/We understand that the validity of Water Right No. 1264-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Meade)

I/We Helen Phillips being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Helen Phillips
(Signed)

Subscribed and sworn to before me this 21st day of November, 1994.

Larry L. Graham
(Notary Public)
Commission Expires 4-27-01

NOTE: Water permits may be canceled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 12, 1995

No. 985-1

986-1

1264-1

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

Dear Mr. Phillips:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 985-1, 986-1 and 1264-1.

Our records now show you as the owner of Water Right Nos. 985-1 and 986-1, and Helen Phillips as the owner of Water Right No. 1264-1.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

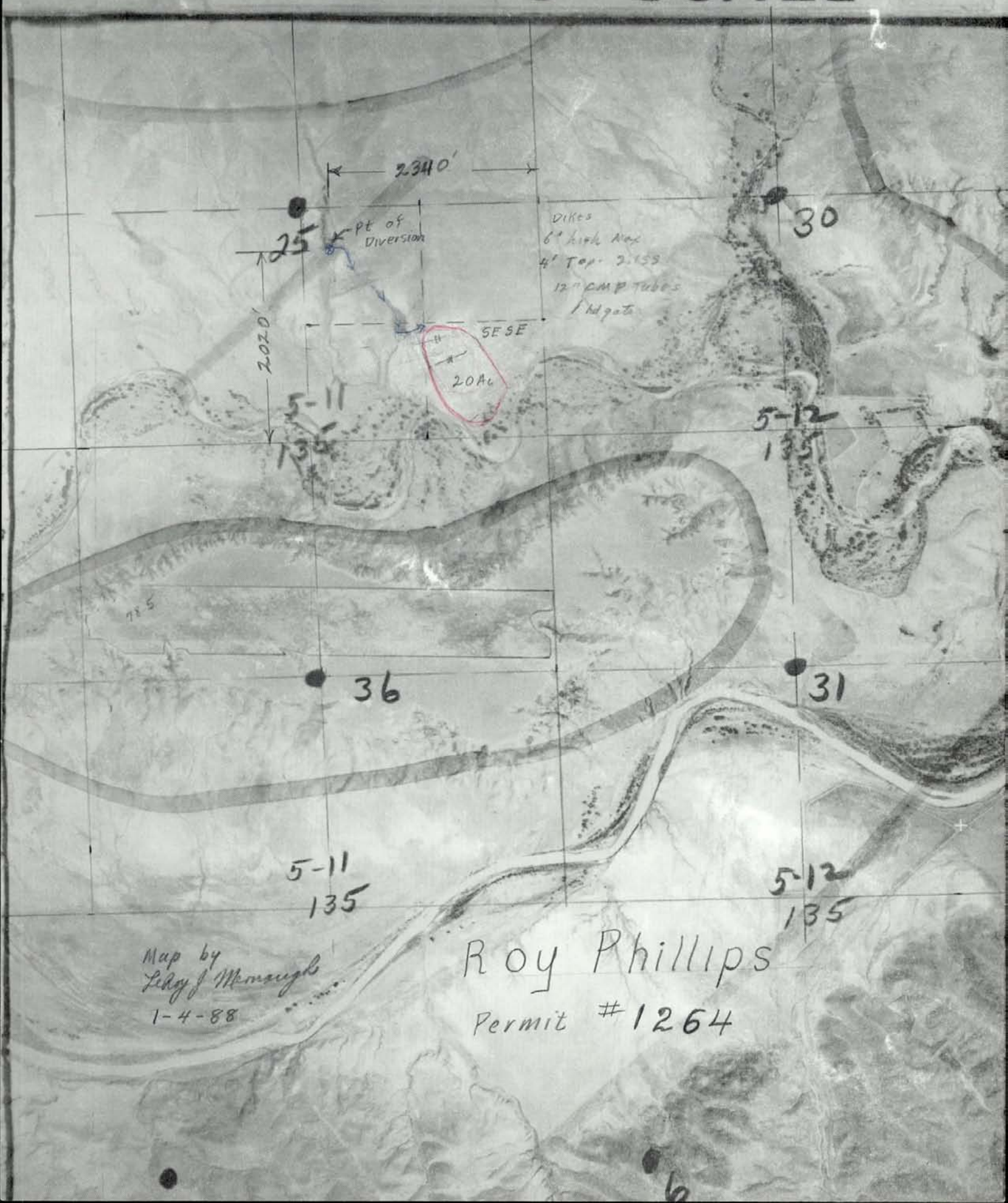
enclosure

c: Helen Phillips, HC 81, Box 8, New Underwood, SD 57761

Roy. Phillips

#1264-1

NOT TO SCALE

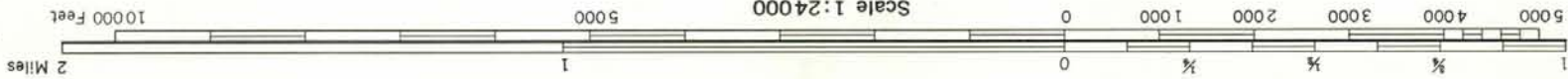


Map by
Lloyd J. Munnigh
1-4-88

Roy Phillips

Permit #1264

MEADE COUNTY, SOUTH DAKOTA, SOUTHERN PART NO. 60



Note: On-site determination by Soil Scientist indicated that The SWB (Swampy) in this area was more Kyle-like with Salts below 16 inches.

Roy Phillips

Map # 1071-1 (Appl. 1264-1)