

WATER PERMIT NO. 1606-1

Phone: 985-5573

Name of Applicant: Wm. Scott Phillips

Post Office Address: HC 81, Box 17, New Underwood SD 57761

Amount of Water Claimed: 0.17 cfs Total Acres: 12

Source of Water Supply: dry draw

Water to be used for: irrigation County: Meade

Location: 30 miles east of Sturgis

PRIORITY Date Received: 8-22-94 Fee: \$150.00

Corrected Application Received: _____ Period of Annual Use: March 1 - Oct 31

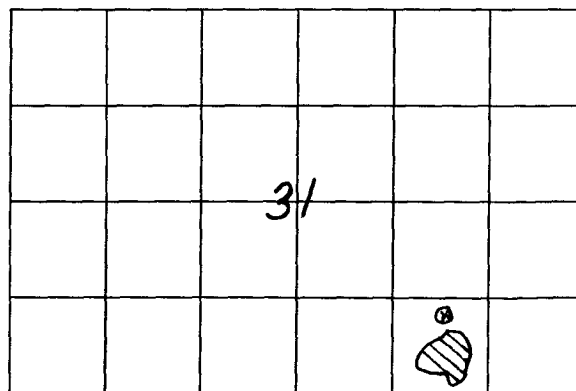
Remarks: Based on an inspection by LeRoy Mernaugh and subsequent inspection by

Rassool Ahadi

Diversion Point: SE 1/4 SE 1/4 Sec 31-T6N-R11E

Land to be Irrigated: SE 1/4 SE 1/4 Sec 31-T6N

R11E



Well Log: Driller: _____ Licensed: YES _____ NO _____

Depth of Well: _____ REMARKS: _____

Type of Map: plat Prepared By: LeRoy Mernaugh Reviewed and the Number

Assigned on: 8-22-94 By: Karen Schlaak

**SOUTH DAKOTA
WATER PERMIT NO. 1606-1**

Date of first receipt of application August 22, 1994.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1606-1 to Wm. Scott Phillips, HC 81, Box 17, New Underwood SD 57761 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. 1606-1 appropriates 0.17 cubic feet of water per second from a dry draw located in the SE 1/4 SE 1/4 Section 31 to irrigate 12 acres located in the SE 1/4 SE 1/4 Section 31; all in T6N-R11E.
 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: March 1 - October 31.
 3. The date from which applicant may claim right is August 22, 1994.
 4. The date of approval of Permit No. 1606-1 is October 24, 1994.
 5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.
-

WATER MANAGEMENT BOARD

By: John Hatch
John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

NOV 12 1997

date



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

Mail to:
Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
605 773-3352

No. 1600e-1 Hydrologic Unit 10120202
Basin Belle Fourche River
Newspaper Meade Times-Tribune
(office use only)



Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____
(check one) (Use predates Mar 2, 1955)

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

1. Name of Applicant Wm. Scott Phillips Phone 985-5573
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address HC 81, Box 17 New Underwood State SD 57761
(Street, RR, or Box) (City) (Zip Code)
2. Amount of water claimed .17 *CFS or **GPM ***AF Total Acreage 12
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout if applicable)
3. Source of water supply Dry Draw
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) _____
1220 ft. N and 450' W of the SE cor. Sec. 31, T6N R11E
County Meade
5. County or counties where water will be used _____
6. Annual period during which water is to be used March thru October
7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

(Attach sheet if more space is needed)

Land Description
SE 1/4 SE 1/4, T6N R11E
<u>Section 31</u>

Acres
12

Land Description

Acres

8. Give a description of the project. (Attach sheet if more space is needed)

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)

STATE OF SOUTH DAKOTA)

County of Meade)^{ss}

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

Signed Wm Scott Phillips
Subscribed and sworn to before me this 19th day of August 1994

Cheryl J. [Signature]
Notary Public

RECEIPT

414259

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, August 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. <u>1606-1</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. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	150 00

By John Hatch
Chief Engineer

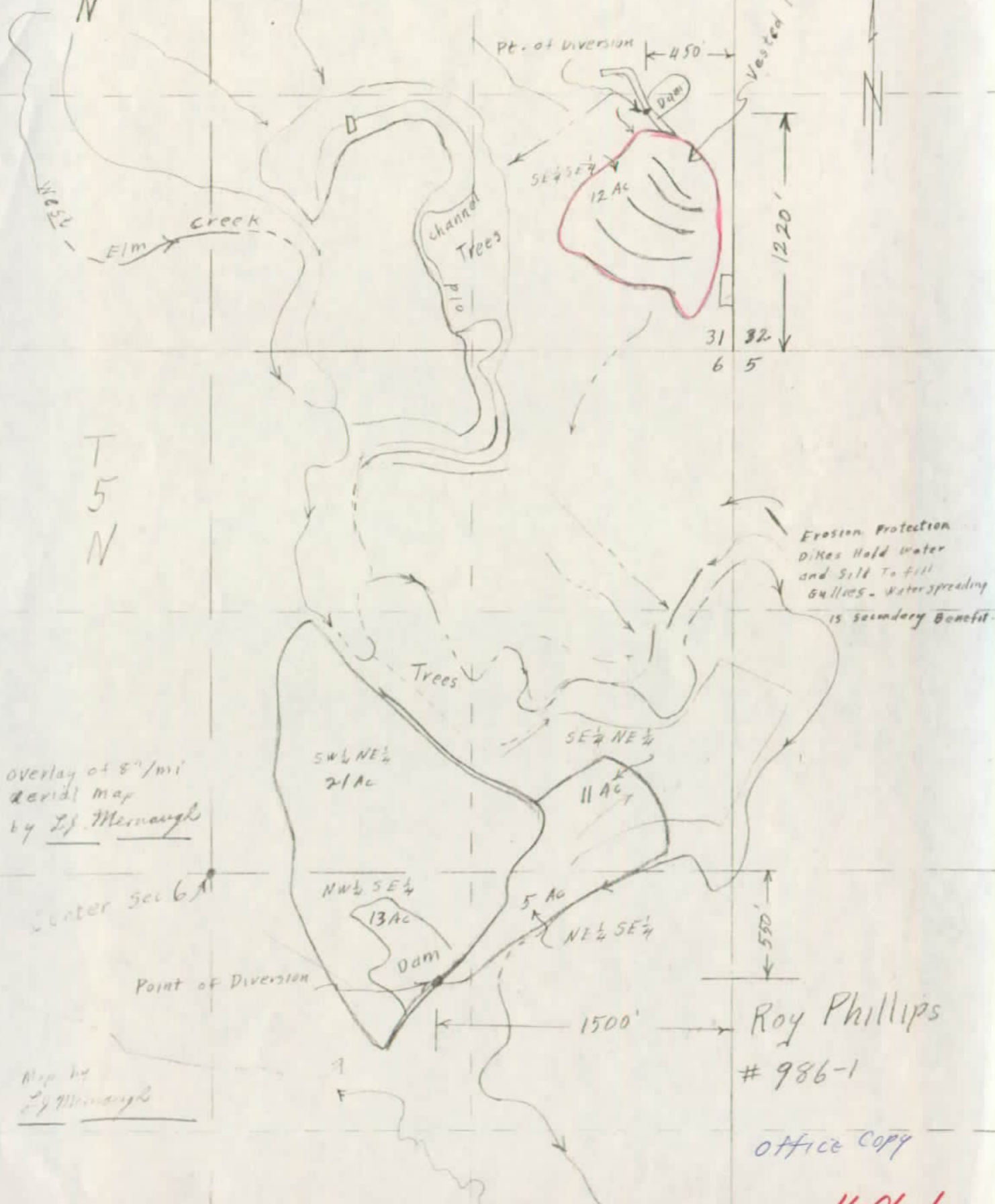
JOHN HATCH

KS

T
6
N

R 11 E

T
5
N



Roy Phillips
986-1

Office Copy

1606-1



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

December 8, 1982

Roy O Phillips
Star Rt, Box 18
New Underwood SD 57761

Dear Mr. Phillips:

In July 1982 I visited with you regarding Water Permit No. 986-1. I found that you are irrigating 12 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, T6N, R11E. There is no permit covering this area. In order to comply with the South Dakota Water Laws we decided at that time that you should submit an application for a Vested Right for this area.

Enclosed are two copies of completed Form 2, "Application for Permit to Appropriate Water" and a completed copy of Form 2B, "Affidavit of Water Use". Please check these two forms and make any corrections necessary. Then sign have the form notarized and return all of the forms to this office with a check for \$13 to cover the cost of the filing fee, the examination fee and the Water License.

Enclosed is a copy of the Water Right map which you may keep for your use. Enclosed also is a copy of the instructions for submitted an application for a Vested Right.

If you have any questions regarding the matter please feel free to contact this office.

Sincerely

LEROY J MERNAUGH
Water Resources Engineer

LJM:ks

enclosure

SOUTH Dakota Department of
Water & Natural Resources

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

August 18, 1986

NOTICE

TO: Roy O Phillips, St Rt, Box 18, New Underwood, SD 57761

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352 *John Hatch*

SUBJECT: Notice of Requirement to File Vested Water Right Claim

This Notice is in regard to your water spreading system located in Meade County, along a dry draw in the SE 1/4 SE 1/4 of Section 31, T6N, R11E. LeRoy Mernaugh, Staff Engineer with the Division of Water Rights inspected your system July 19, 1982. On December 8, 1982, partially completed application forms were sent to you for filing a vested right claim for your system. To date, we have not received the application from you.

In order for a water right to be considered as a "vested right", under South Dakota law, the system would have had to been constructed or under construction on or before March 2, 1955. If the system was constructed after this date, a new application will need to be filed.

South Dakota Water Law SDCL 46-5-49 as passed by the 1986 Legislature states that if the Chief Engineer is aware of a water use system for which the owner claims vested right status, the owner may be required to file the vested right claim within 90 days. Any claim filed after the 90 days will be considered a new application and receive a new priority date, which would be the date the application is received in this office. You have 90 days from the date of this notice to submit your application. The filing fee for filing a vested right application is \$15.00.

Enclosed is a partially completed set of application forms to claim vested rights. If your system does not qualify for vested right status, the filing fee for your application will be \$150.00. We will be glad to help you complete the application and answer any questions you may have.

CERTIFICATION

I hereby certify that on August 19, 1986 I have personally deposited with the U.S. Mail a postage prepaid envelope containing a Notice pertaining to Requirement to file a vested right claim addressed: Roy O Phillips
St Rt, Box 18
New Underwood SD 57761

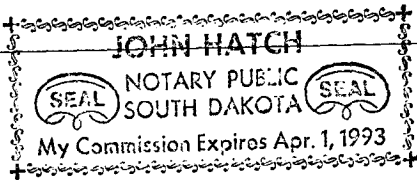
Harro Lott

KAREN SCHLAAK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 20th day of August, 1986.

John H. H. H.
Notary Public





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 5, 1994

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

Dear Mr. Phillips:

On July 26, 1994, I inspected your land located in Section 31, T6N-R11E, which showed that you still irrigate the 12 acres located in SE1/4 SE1/4 of that section. On August 18, 1986, the Chief Engineer issued a notice (copy enclosed) to Roy O. Phillips to comply with water rights law and file the claim for the 12 acres within 90 days. Since the claim was not filed within the 90 day period, the 12 acres will receive a priority date which would be the date when Division of Water Rights receives your application. To file your application, I have enclosed completed application forms. Please read them for accuracy, sign and notarize them and return them with a \$150.0 application fee.

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

Report on Water Permit Application No. 1606-1
William Scott Phillips
September 13, 1994

Background

Water Permit Application No. 1606-1 requests appropriation of 0.17 cubic feet per second of water (cfs) for irrigation of 12.0 acres located in the SE1/4 SE1/4 Section 31, T6N-R11E. The diversion point is on a dry draw and located in the SE1/4 SE1/4 Section 31, T6N-R11E, in Meade County.

Discussion

On July 19, 1982, Water Right No. 986-1, Roy O. Phillips, was inspected. The inspection showed that 12.0 acres were being irrigated without a permit. Roy Phillips had claimed a priority date of 1948 for the 12.0 acres. On August 18, 1986, the Chief Engineer issued a notice requiring Roy O. Phillips to file a vested water right application for the 12.0 acres within 90 days, as required by SDCL 46-5-49. Mr. Phillips did not respond to the Notice. On July 26, 1994, I inspected the 12.0 acres and found that they are still being irrigated without a permit.

Water for the 12.0 acres is diverted from a dry draw and spreader dikes are used as the irrigation system.

Conclusions and Recommendation

1. Water from the dry draw is used whenever it is available.
2. Since the applicant did not file a vested water right application within the 90 day period, as required by SDCL 46-5-49, the priority date for the 12.0 acres is the date at which the Division of Water Rights received the application.
3. It is recommended that Water Permit Application No. 1606-1 be approved with no qualification.

NR Ahadi

M. Rassool Ahadi
Natural Resources Engineer III

Approved By:

Delvin D. Brosz

Delvin D. Brosz, P.E.
Natural Resources Engineer IV

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1606-1, Wm. Scott Phillips

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 1606-1, Wm. Scott Phillips, HC 81 Box 17, New Underwood, SD 57761.

The Chief Engineer is recommending APPROVAL of Application No. 1606-1 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) in the public interest.

See report on application for additional information.


JOHN HATCH, Chief Engineer
September 26, 1994



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

September 28, 1994

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

Dear Mr. Phillips:

Water Permit Application No. 1606-1 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Meade Co. Times-Tribune printed at Sturgis, SD (Ph # 605-347-2503). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application 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 Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 28, 1994

Meade Co. Times-Tribune
Box 69
Sturgis, SD 57785-0069

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1606-1 to be published twice. Please publish the first notice on October 5, 1994, with the second publication 7 days later.

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 Wm. Scott Phillips, HC 81 Box 17, New Underwood, SD 57761 (Ph # 605-985-5573).

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on October 5, 1994, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1606-1 to Appropriate Water

Notice is given that Wm. Scott Phillips, HC 81 Box 17, New Underwood, SD 57761 has filed an application for a water permit to appropriate 0.17 cubic feet of water per second from a dry draw located in the SE 1/4 SE 1/4 Section 31 to irrigate 12 acres located in the SE 1/4 SE 1/4 Section 31; all in T6N-R11E.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1606-1 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 the 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 the 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 Division, 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 October 24, 1994.

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 Division address to request copies of information pertaining to this application. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Meade) ss

I, Faye D. Pate

certify that the attached printed Notice was

taken from the _____

Meade County Times-Tribune

printed and published in Sturgis

County of Meade and State of

South Dakota. The notice was published in
the newspaper on the following two dates:

October 5, 1994

October 12, 1994

Cost of Printing: 38.69

Faye D. Pate

(Signature)

Accountant

(Title)

10-12-94

(Date Signed)



Appropriate water

NOTICE OF APPLICATION

NO. 1606-1 to

Appropriate Water

Notice is given that Wm. Scott Phillips, HC 81 Box 17, New Underwood, SD 57761 has filed an application for a water permit to appropriate 0.17 cubic feet of water per second from a dry draw located in the SE 1/4 SE 1/4 Section 31 to irrigate 12 acres located in the SE 1/4 SE 1/4 Section 31; all in T6N-R11E.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1606-1 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 the 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 the 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 Division, 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 October 24, 1994.

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 Division address to request copies of information pertaining to this application. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

Publ Oct. 5 and 12, 1994
Meade County Times-Tribune



**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,

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

enclosures

ks

RECEIPT

415550

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ December 8, 1997

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. <u>1606-1</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer

SCOTT & PAULA PHILLIPS

605-985-5573

NORTH STAR RANCH

HCR 81 Box 17 • New Underwood, SD 57761

Dept. of Environment etc.

Joe Foss Building
523 East Capitol
Pierre, S.D.

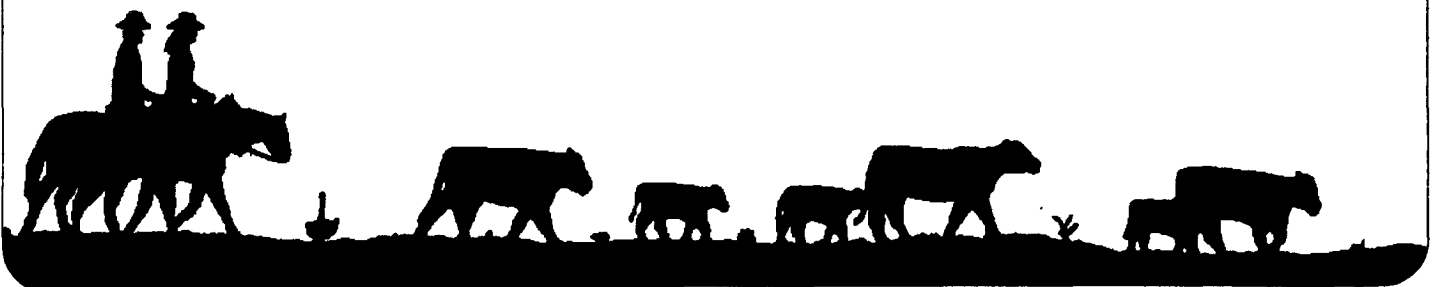


Dear Sir;

Enclosed please find \$50 for investigation and issuance of water liscence No. 1606-1, as requested in correspondence dated 11-12-97. I understand my water liscence will now be issued.

Sincerely,

Wm Scott Phillips



Permit No. 1606-1
Belle Fourche River - Water District

**Report Of Examination Of Works And/Or Application of Water To
Beneficial Use**

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

On, July 19, 1982, LeRoy Mernaugh made a thorough examination of the water use system constructed by Wm Scott Phillips of HC 81, Box 17, New Underwood SD 57761 holder of Permit No. 1606-1, bearing the priority of August 22, 1994 authorizing the diversion of 0.17 cu. ft. per second of the waters of a dry draw for irrigation purposes, in Meade County.

LeRoy Mernaugh reported on the conditions of the same as follows:

A. Works used to divert the water:

Diversion dam - 300 feet long, 8 feet high, 12 foot top width, 15 foot spillway, no storage.

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

Diversion ditch

C. Works used to apply water to beneficial use:

Spreader dikes

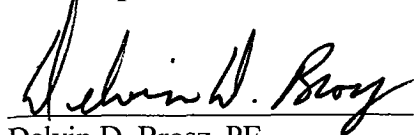
The system is in the following condition good. The point of diversion is located 1220 feet north and 450 feet west of the SE corner of Section 31, T6N-R11E. The works are capable of diverting and conveying to the place of use estimated 5 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

SE 1/4 SE 1/4 Section 31-T6N-R11E

comprising a total of 12 acres of land and the license should be issued for 0.17 cfs.

Applicable permit qualifications have been complied with: Y

Exceptions to compliance are: A water permit application was filed after the works were inspected.



Delvin D. Brosz, PE
Natural Resources Engineer
DENR, Water Rights Program

10-9-97
Date

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1606-1

(1) Wm. Scott Phillips, HC 81, Box 17, New Underwood SD 57761 made Application No. 1606-1, August 22, 1994 for a water permit to divert 0.17 cubic feet of water per second from a dry draw, Meade County, South Dakota for irrigation purposes. Permit No. 1606-1, with a priority date of August 22, 1994 was approved October 24, 1994 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

(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 0.17 cubic feet of water per second for beneficial use. The location of the diversion point is 1,220 feet north and 450 feet west of the southeast corner of Section 31-T6N-R11E (SE 1/4 SE 1/4).

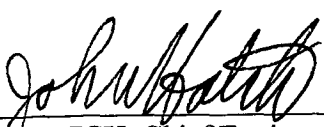
(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 31-T6N-R11E

SE 1/4 SE 1/4

12 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Wm. Scott Phillips, HC 81, Box 17, New Underwood SD 57761 the holder and/or owner of Water Permit No. 1606-1 is issued a license to appropriate water, the right to use 0.17 cubic feet of water per second from a dry draw with a priority date of August 22, 1994 from the location specified in (2) of this license. The water 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. 1606-1 and subject to South Dakota State Law.



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

JAN 07 1998

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JAN 07 1998

1606-1

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

Dear Mr. Phillips:

Enclosed is Water License No. 1606-1 and Receipt No. 415550 for \$50.00 which was assessed for an investigation and issuance of the license. Water License No. 1606-1 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.

Very truly yours,

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

ks
enclosures