

WATER PERMIT NO. 1618-1

Phone: 605 985-5573

Name of Applicant: Wm. Scott Phillips

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

Amount of Water Claimed: 84
0.84 cfs Total Acres: 59 acres

Source of Water Supply: runoff (Doman Draw)

Water to be used for: irrigation County: Meade

Location: 30 miles east of Sturgis

PRIORITY Date Received: 3-9-95 Fee: \$150.00

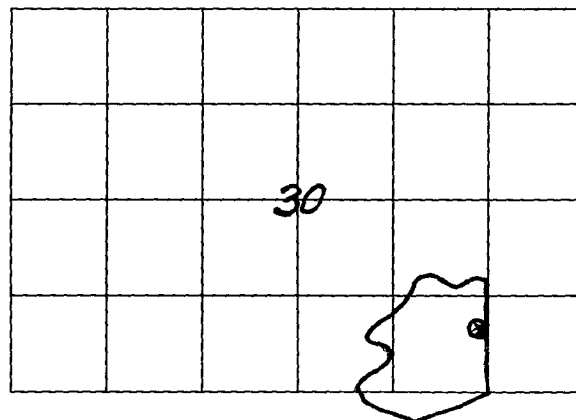
Corrected Application Received: _____ Period of Annual Use: Mar 1 - Nov 30

Remarks: waterspreading system

Diversion Point: SE 1/4 SE 1/4 Sec 30-T5N-R11W

Land to be Irrigated: SE 1/4 Sec 30; N 1/2

NE 1/4 Sec 30; all in T5N-R11W



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

Depth of Well: _____ REMARKS: _____

Type of Map: aerial Prepared By: David Pesicka, NRSC Reviewed and the Number

Assigned on: 3-10-95 By: Karen Schlaak

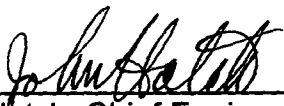
SOUTH DAKOTA
WATER PERMIT NO. 1618-1

Date of first receipt of application March 9, 1995.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1618-1 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. 1618-1 appropriates 0.84 cubic feet of water per second from runoff from Doman Draw located in the SE 1/4 SE 1/4 Section 30 for irrigation, via a waterspreading system, of 59 acres located in the S 1/2 SE 1/4, NE 1/4 SE 1/4 Section 30; N 1/2 NE 1/4 Section 31; all in T5N-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 - November 30.
3. The date from which applicant may claim right is March 9, 1995.
4. The date of approval of Permit No. 1618-1 is June 12, 1995.
5. One-fifth of the construction is to be completed on or before December 12, 1997.
6. All construction is to be completed on or before June 12, 2000.
7. ~~Water is to be put to beneficial use on or before June 12, 2004.~~
8. 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, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources

SEP 5 1995
date

(See instructions)

No. 1618-1 Hydrologic Unit 10120202
Basin Belle Fourche River
Newspaper Meade Co Times-Tribune, Box 69

Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____

- Name of Applicant Wm. Scott Phillips Phone No. 605-985-5573
Post Office Address HC81 Box 17 New Underwood State SD 57761
(Street, RR or Box) (City) Zip Code
- Amount of water claimed (c.f.s) 0.50 cfs (770 gpm) Total acres irrigated 59 acres
- Source of Water supply Runoff from dry draw (Doman Draw)
- Location of point of diversion 1050' north of SE corner of Section 30 - T5N - R11W E
(SE 1/4 SE 1/4)
County Meade
- Counties where water will be used Meade
- Annual period during which water is to be used March/through November 30
- 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 1/4 SE 1/4 Sec 30-T5N-R11W E	40
SW 1/4 SE 1/4 Sec 30-T5N-R11W E	7
NE 1/4 SE 1/4 Sec 30-T5N-R11W E	5
NE 1/4 NE 1/4 Sec 31 T5N-R11W E	5

Land Description	No. Acres Irr.
NW 1/4 NE 1/4 Sec 31-T5N-R11W E	2

Attach sheet if more space is needed

- Type of Irrigation: Gravity: N/A Towline: _____ Center Pivot: _____ Gun: _____ Other: _____ (Specify)
- Crops to be Irrigated: Western wheatgrass and/or alfalfa
- Give a description of proposed project. (Attach sheet if more-space is needed)
A dike will be installed across existing draw to back up water during rainstorms and spring snow melt.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of Meade)^{ss}

I, Wm. Scott Phillips, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Wm Scott Phillips

Subscribed and sworn to before me this 3rd day of March 19 95

Carlene M. Rosenbaum
Notary Public

My commission expires 8/19/98



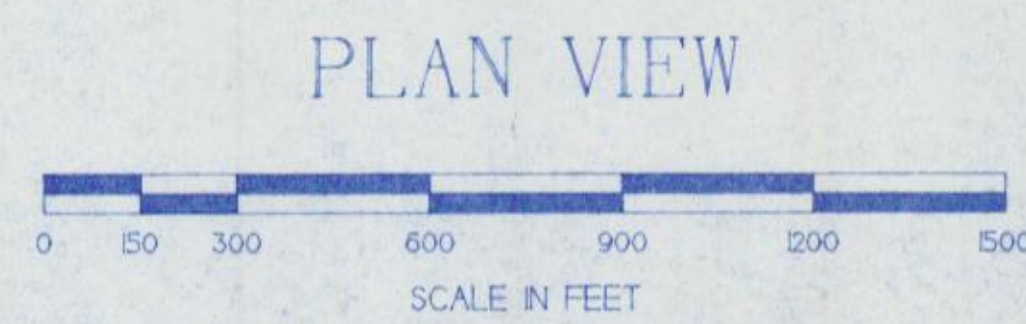
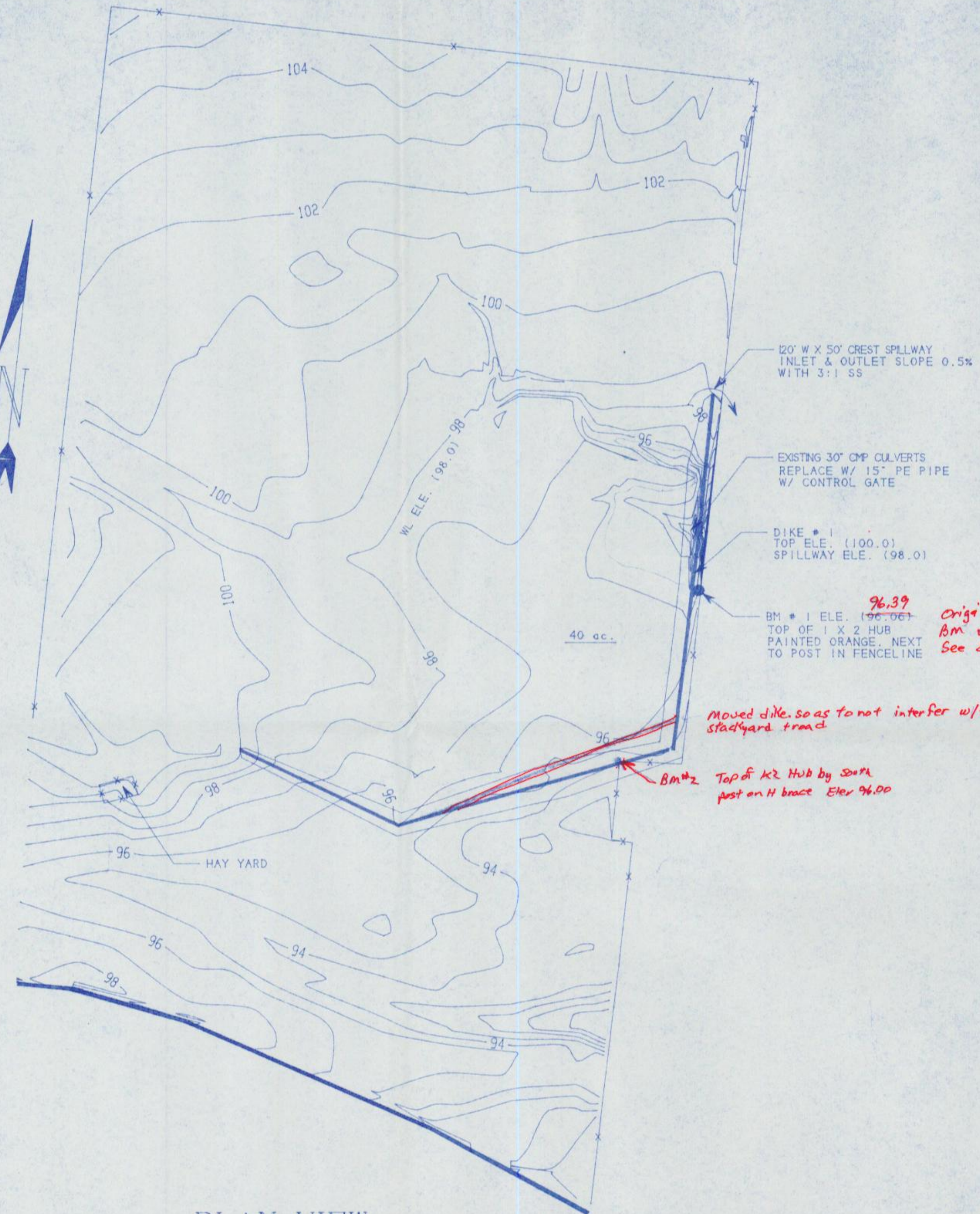
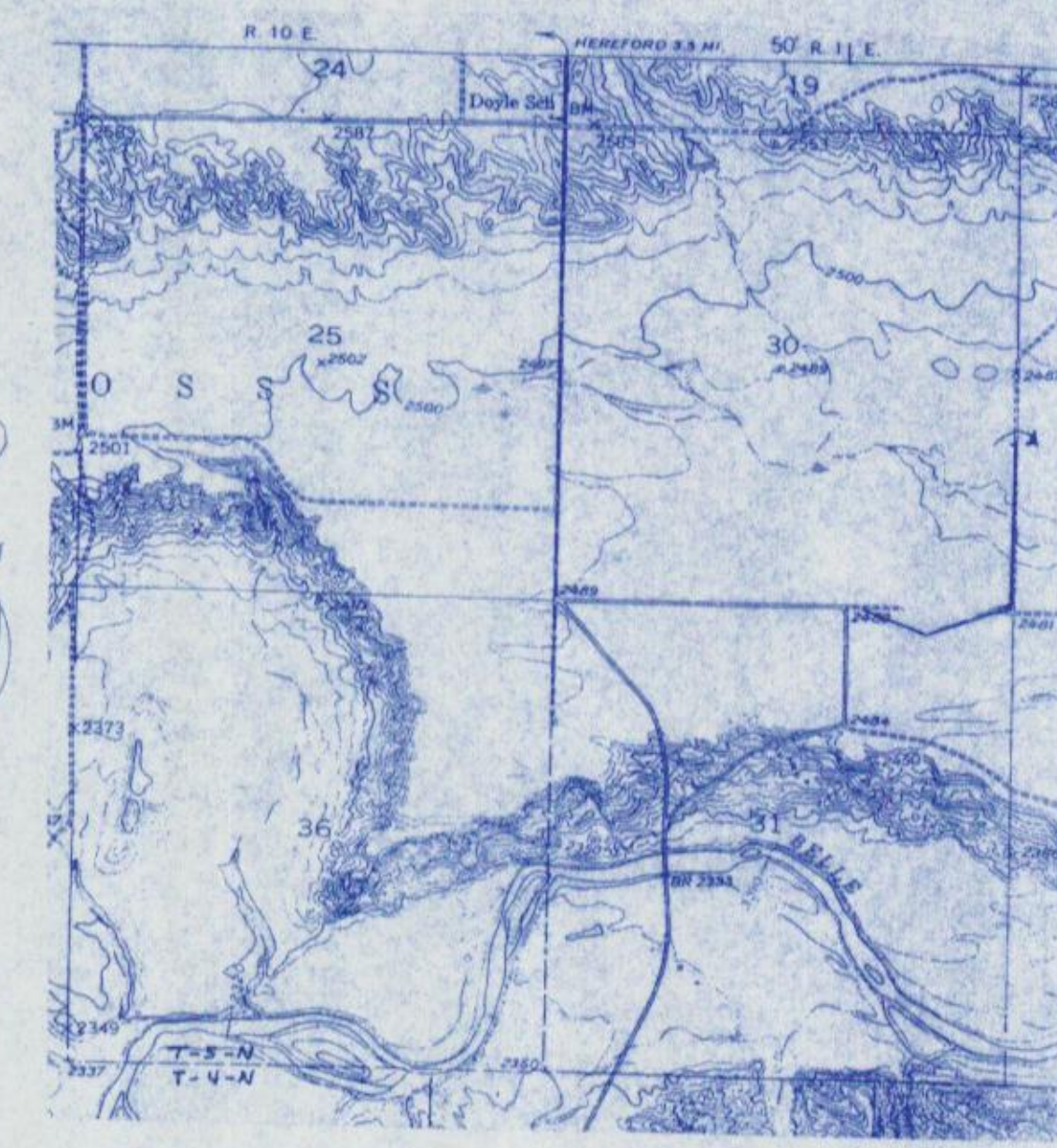
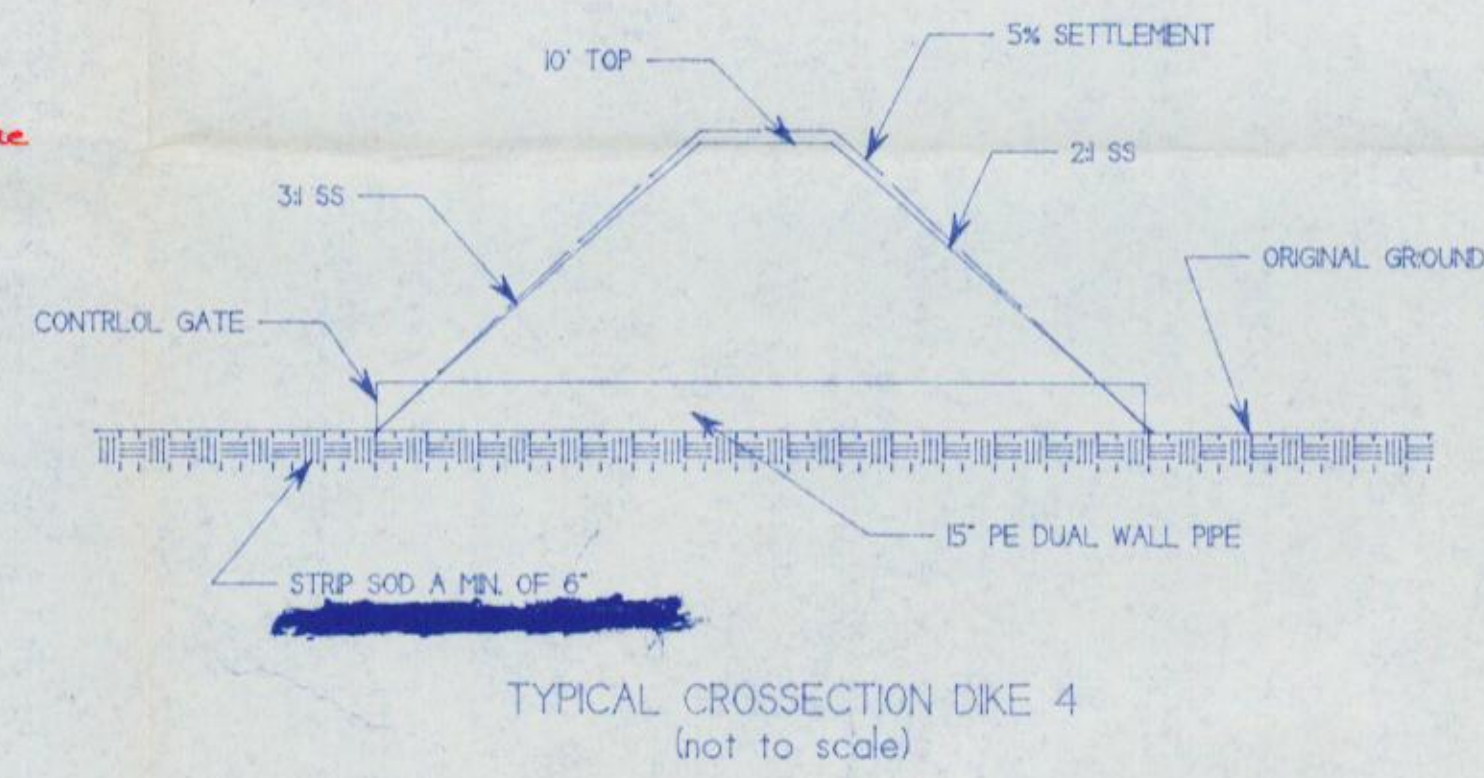


TABLE OF QUANTITIES			
ITEM OR MATERIAL	UNIT	QUANTITY	As Built
EARTHFILL			
1. DIKE #1	cy.	7000	8174.9
EXCAVATION			
2. STRIPPING	cy.	1500	1534.9
3. 15" POLYETHYLENE DUAL WALL	lf.	60	60.0
SMOOTH INSIDE PIPE			
4. 15" CONTROL GATE	ea.	1	1

1/ Not installed at time of cert chg. Producer will install this winter



LOCATION MAP
SCALE 1:24000
or 1" = 2000'



See SD-ENG-29 Construction notes for "As Built" information 12/10/99

"As Built" 12/10/99
Dell M. Heggen

SOUTH DAKOTA CONSTRUCTION
AND MATERIAL SPECIFICATIONS

SD-4 STRIPPING
SD-7S EARTH FILL (method type comp.)

SCOTT PHILLIPS WATERSPREADING FIELD 38 MEADE CO., SD. - ELK CREEK CD. SE1/4 SEC 30 & NE1/4 SEC 31 T-5N R-1E	
U.S. DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE	
DESIGNED... g. miller	APPROVED BY <i>Scott Phillips</i>
DRAFTED... g. miller	TITLE <i>Waterspreading Field 38</i>
DATE... 1/94	DWG NO.
SHEET 1 OF 1	

App. # 1618-1

RECEIPT

414429

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, March 9, 1995

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>1618-1</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)

U.S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SCS - CPA - 16

2 - 81

CONSERVATION PLAN MAP

Owner Wm Scott Phillips Operator Same
County MEADE State South Dakota Date 3-3-95
Approximate acres 59 ac. to be waterspread Approximate scale 4" = 1 mile
Cooperating with ELK CREEK Conservation District
Plan identification _____ Photo number _____
Assisted by David Lee Pesicka USDA ^{NR} Conservation Service
David Lee Pesicka Range Land Management Specialist, NRCS, Sully's F.O.



Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit Application No. 1618-1, Phillips

ADDRESS: COUNTY: Meade

DATE: 4/14/95

TELEPHONE: 605 985-5573

RE: Called Mrs. Phillips regarding the diversion rate for application

COMMENTS:

I contacted Mrs. Phillips regarding the diversion rate for their Water Permit Application No. 1618-1. I stated that the statutory limit for irrigation of 59 acres is 0.84 cfs. Their application had requested 0.5 cfs which is less than the statutory limit. Since this application is for irrigation via waterspreading, I explained that it would probably be wise to apply for the statutory limit of 0.84 cfs. Mrs. Phillips agreed and asked me to amend the application.

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: Eric Hurlburt

Report on Water Permit Application No. 1618-1
William Scott Phillips
March 30, 1995

Background

Water Permit Application No. 1618-1 requests to appropriate 0.84 cubic feet of water per second (cfs) of runoff from Doman Draw. The diversion point is located in the SE1/4 SE1/4 Section 30, T5N-R11E, in Meade County. Water will be used to irrigate 59 acres located in the S1/2 SE1/4, NE1/4 SE1/4 Section 30; and N1/2 NE1/4 Section 31, T5N-R11E.

Discussion

The applicant proposes to construct a dike across Doman Draw to divert the flow on the 59 acres. The draw is a tributary of the Belle Fourche River. There are no flow records for the draw. Irrigation return flows from the Belle Fourche Irrigation Project and other individual irrigation projects supply sufficient water to the Belle Fourche River.

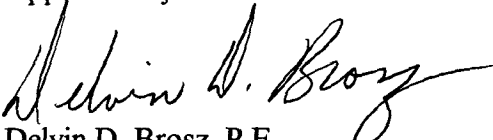
According to the Division files, there are no other diversions for irrigation from Doman Draw.

Conclusions

1. Water will be diverted whenever it is available.
2. Approval of Water Permit Application No. 1618-1 will not adversely affect other water users.


M. Rassool Ahadi
Natural Resources Engineer III

Approved By:


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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1618-1, 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. 1618-1, Wm. Scott Phillips, HC 81 Box 17, New Underwood, SD 57761.

The Chief Engineer is recommending APPROVAL of Application No. 1618-1 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.

A handwritten signature in black ink, appearing to read "John Hatch", is positioned above the printed name.

JOHN HATCH, Chief Engineer
May 1, 1995



**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.

May 16, 1995

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

Dear Mr. Phillips:

Water Permit Application No. 1618-1 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

May 16, 1995

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

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1618-1 to be published twice. Please publish the first notice on May 24, 1995, 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
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 May 24, 1995, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1618-1 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 0.84 cubic feet of water per second from runoff from Doman Draw located in the SE 1/4 SE 1/4 Section 30 for irrigation via a waterspreading system of 59 acres located in the S 1/2 SE 1/4, NE 1/4 SE 1/4 Section 30; N 1/2 NE 1/4 Section 31; all in T5N-R11E.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1618-1 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 June 12, 1995.

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. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.



AFFIDAVIT OF PUBLICAT

STATE OF SOUTH DAKOTA

CO

Faye D. Pate, being duly sworn, says: That the M Tribune, is and, during all the times hereinafter m newspaper as defined in SDCL 17-2-2, as amended, Meade County, South Dakota, by Allison Publishi is and, during all of said times, was employed as a publisher of such newspaper and has personal kn stated in this affidavit; that the notice, order o printed copy of which is attached, was published for successive issues, bearing the following date

May 24 199 5

May 31 199 5

199

Water application

NOTICE OF APPLICATION
NO. 1618-1 to Appropriate Water.

Notice is given that Wm. Scott Phillips, HC 81, Box 47, New

that the full amount of the sum of \$ 34.28, inures solely to publisher of said newspaper; that no agreement the division of the fee has been made with any per of the fee has been agreed to be paid to any oth

Underwood, SD 57761, has filed an appli- cation for a water permit to appropriate 0.84 cubic feet of water per second from runoff from Doman Draw located in the SE 1/4 SE 1/4 Section 30 for irrigation via a waterspreading system of 59 acres located in the S 1/2 SE 1/4, NE 1/4 SE 1/4 Section 30; N 1/2 NE 1/4 Section 31; all in T5N-R11E.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1618-1 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 June 12, 1995.

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 sup-

porting 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. Nettie H. Meyers, Secretary, Department of Environment and Natural Resources.

Publ May 24 and 31, 1995
Meade County Times-Tribune

Subscribed and sworn to before me this

31 day of May, 199 5

Notary Public, South Dakota

Melinda S. Burt
Notary Public

My Commission Expires July 2, 2002

18545c(11)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 5 1995

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

Dear Mr. Phillips:

Enclosed is Water Permit No. 1618-1 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**Date Sep. 1, 2000

TO: Water Rights Division, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM: Wm. Scott Phillips HC 81 Box 17
(name) (address)
New Underwood SD 57761 605-985-5573
(city) (state) (zip) (phone)

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 1618-1.

Water Permit No. 1618-1 states that the diversion system is to be constructed by June 12, 2000, and that the water is put to beneficial use by June 12, 2004.
(date) (date)

The diversion system was completed on Fall 1999.
(date)

Applying the water to beneficial use was completed on April 2, 2000.
(date)

You may schedule an inspection so that the Water License may be issued.

Wm Scott Phillips
(signature)



June 28, 2002

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

1618-1

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

Dear Mr. Phillips:

On April 16, 2002 the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 1618-2 was completed by Tim Schaal, a staff engineer with our program. Your final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee from you, we will complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Karen Schlaak
Water Rights Program
(605) 773-3352

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N~~2~~ 417211

Pierre, JULY 2, 2002

RECEIVED OF Wm. Scott Phillips, 16453 Hope Rd., 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. 1618-1

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

50 00

By

Dorland Erbe

Chief Engineer

gm

Permit No. 1618-1
Bell 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

I have this day, April 16, 2002, 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. 1618-1, bearing the priority of March 9, 1995 authorizing the diversion of 0.84 cu. ft. per second of the waters of runoff (Doman Draw) for irrigation purposes, in Meade County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

8 foot high water spreader dike, approximately 3150 feet long, with gated 15 inch plastic pipe

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

N/A

C. Works used to apply water to beneficial use:

8 foot high water spreader dike, approximately 3150 feet long, with gated 15 inch plastic pipe

The system is in the following condition good. The point of diversion is located 1050 feet north of the SE corner of Sec. 30-T5N-R11E (SE 1/4 SE 1/4). The works are capable of diverting and conveying to the place of use 0.84 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:

Sec. 30-T5N-R11E

NE 1/4 SE 1/4 -- 5 ac.

SW 1/4 SE 1/4 -- 7

SE 1/4 SE 1/4 -- 40

Sec. 31-T5N-R11E

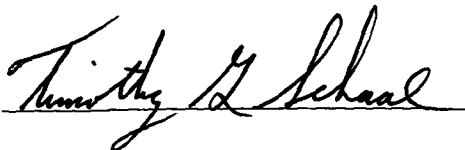
NE 1/4 NE 1/4 -- 5 ac.

NW 1/4 NE 1/4-- 2

comprising a total of 59 acres of land and the license should be issued for 0.84 cfs.

Applicable permit qualifications have been complied with: Yes X

Exceptions to compliance are: none Date Report Completed: June 27, 2002



Timothy G. Schaal, P.E.
Natural Resources Engineer Specialist
DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 1618-1

Other permit(s) associated with the project: XXXX

DATE OF INSPECTION: April 16, 2002

NAME & ADDRESS OF INSPECTION CONTACT/ Wm. Scott Phillips

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: owner

NAME & ADDRESS OF PERMIT HOLDER: Wm. Scott Phillips, HC 81 Box 17, New Underwood,
SD 57761

DIVERSION POINT LEGAL LOCATION: 1050 feet north of the SE corner of Sec. 30-T5N-R11E
(SE 1/4 SE 1/4).

DAM INFORMATION:

- 1) Height to crest 8 feet
- 2) Height to primary spillway 6 feet
- 3) Height to secondary spillway N/A feet
- 4) Crest width 10 feet
- 5) Crest length approx. 3150 feet
- 6) Spillway length 50 feet
- 7) Spillway width 120 feet
- 8) Approx. storage (Normal) N/A acre-feet
- 9) Approx. storage (Maximum) N/A acre-feet
- 10) Date constructed: 1999

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit N/A
- 2) Special qualifications to permit being abided by N/A
- 3) All structures, wells and lands on map yes
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period N/A

Water Permit Application No. 1618-1



Timothy G. Schaal
Timothy G. Schaal, P.E. 6/27/02
Natural Resources Engineer Specialist
Water Rights Program

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1618-1

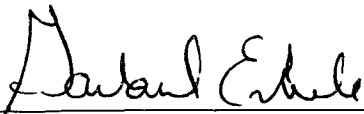
(1) Wm. Scott Phillips, 16453 Hope Rd, New Underwood SD 57761 made Application No. 1618-1, March 9, 1995 for a water permit to divert 0.84 cubic feet of water per second from runoff (Dorman Draw), Meade County, South Dakota for irrigation purposes. Permit No. 1618-1, with a priority date of March 9, 1995 was approved June 12, 1995 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 12, 2000 and for the application to beneficial use of said water on or before June 12, 2004.

(2) It is certified that the permit holder 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 0.84 cubic feet of water per second for beneficial use. The location of the diversion point is 1,050 feet north of the southeast corner of Section 30-T5N-R11E (SE ¼ SE ¼).

(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 via a waterspreading system:

Sec 30-T5N-R11E		Sec 31-T5N-R11E	
NE ¼ SE ¼	5 acres	NE ¼ NE ¼	5 acres
SW ¼ SE ¼	7 acres	NW ¼ NE ¼	2 acres
SE ¼ SE ¼	40 acres		
Total 59 acres			

(4) Pursuant to South Dakota Water Law 46-5-30.1 Wm. Scott Phillips, 16453 Hope Rd, New Underwood SD 57761 the holder and/or owner of Water Right No. 1618-1 is issued a license to appropriate water, the right to use 0.84 cubic feet of water per second from runoff (Dorman Draw) with a priority date of March 9, 1995 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 Right No. 1618-1 and subject to South Dakota State Law.



GARLAND ERBELE, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL 31 2002

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 31 2002

1618-1

Wm Scott Phillips
16453 Hope Rd
New Underwood SD 57761

Dear Mr. Phillips:

Enclosed is Water License No. 1618-1. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 417211 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

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.

Sincerely,

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

enclosures