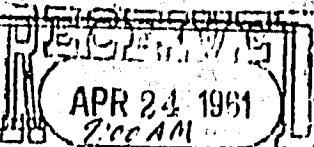


699-2

1. Considered 7-19, 1961
2. Name of Applicant Richard McHenry
3. Post Office Address Philip
4. Amount of water claimed 1.15
5. Source of water supply Ground Water
6. Water to be used for irrigation
Acres to be irrigated 81.1
7. Water to be diverted and used in Hooker County about
17N 3E miles 1 of Philip
8. Proof of Publication Received 1
Not Received 1
9. Application Approved 1
Subject to Proof of Pub
Not Approved 1
Action deferred 1
10. Remarks:

No. 699-2Water Division No. 2 BAD RIVER
(Blanks to be filled by the Engineer for the W. P. C.)STATE WATER RESOURCES COM. S.D.
SIOUX FALLS, S.D.

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

(NOTE—Draw a line through items not applicable.)

1. Name of applicant Richard L. McIlravy Audery Carter
Postoffice address Philip County HARCON State So. Dak.

I. If a corporation Not a Corporation

- (a) Name of same _____
(b) Date and place of incorporation _____
(c) Amount of capital stock _____
(d) Amount paid in _____
(e) Names and addresses of directors _____

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

Contract

- (b) Cash on hand, \$ _____ (c) Treasury stock, \$ _____
(d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work MOILRAVY Irr. Proj. #1
3. Amount of water claimed 1.159 cubic feet per second
4. Source of water supply Buzzard Creek
5. Location of point of diversion See Remarks Section

- _____ on both bank HARCON County.
6. Annual period or periods during which water is to be used Year-Around
7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity

- (a) Number of acres to be irrigated
- 81.1
- acres.

- (b) Legal subdivisions to be irrigated
- See Remarks Section

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

- (c) Statement as to domestic use (giving location, etc.) _____

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

- (a) Nature of use
- Stockwatering and Irr.

Name any of the above uses claimed

- (b) Amount of power to be generated _____ horse power.

Amount claimed for engine cooling _____

- (c) Location of plant _____

- (d) Method of developing power _____

- (e) Point where water will be returned to stream _____

MAP No. 609-2

Remarks by the Applicant:

LOCATION OF LANDS TO BE IRRIGATED					
AREA	LOCATION	SEC.	T'SHP	RANGE	ACRES
1	SW NW	15	3N	21E	5.0
2	SE NW	15	3N	21E	5.8
3	NE SW	15	3N	21E	30.9
4	NE SW	15	3N	21E	7.0
5	SW SW	15	3N	21E	3.0
6	SE SW	15	3N	21E	6.9
7	SE SW	15	3N	21E	2.9
8	SE SW	15	3N	21E	0.5
9	NE NW	22	3N	21E	2.9
10	NE NW	22	3N	21E	1.0
11	NE NE	22	3N	21E	3.8
12	NE NE	22	3N	21E	1.2
13	NE NE	22	3N	21E	3.0
14	NE NW	22	3N	21E	0.2
15	SE NE	22	3N	21E	0.8
16	SW NE	22	3N	21E	3.7
17	SW NE	22	3N	21E	3.5
TOTAL ACRES					81.1

Points of diversion are as follows:

D-1, being a point 130 rods from the NW corner of section 15 on a bearing of S 38° 30' E.

D-2 being a point 82 rods from the NW corner of section 22 on a bearing of S 81° 20' E.

D-3, being a point 13 rods from the West $\frac{1}{4}$ corner of section 15 on a bearing of S 14° E.

D-4, being a point 174 rods from the NE corner of section 22 on a bearing of S 47° 30' W.

All points being in T3N, R21E BHM, Haakon County, So. Dak.

Address any Engineering corrections to: Gigger Surveying
1054 Park Street
Sturgis, So. Dak.

8. Estimated cost of work: Still in planning stage

(a) Head Gates \$-----

(c) Fluming, \$-----

(e) Other structures -----

(b) Pumping plant, \$-----

Rock, \$-----

Total, \$-----

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

Dam, DAM, dikes & Plugs

II. Dimensions of works.

(a) Dam: Height ----- feet; length at bottom ----- feet; length at top ----- feet; thickness at bottom ----- feet; thickness at top -----

feet; slope at front water face -----; slope at back face -----

material used in construction -----

(b) Reservoir: Capacity when filled ----- acre feet. Surface area at highwater mark ----- acres.

DEPTH AT OUTLET-FEET	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE-FOOT CAPACITY

(c)* Head gate: Width ----- feet; height ----- feet;

Material -----

(d) Canal: Total length ----- miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work ----- 3 ----- years.

11. Time required for complete application of water to the proposed beneficial use ----- 3 ----- years.

12. Choice of newspaper for publication of notice of intention to appropriate -----
Philip Pioneer Review

STATE OF SOUTH DAKOTA

County of HOTSPRING

ss.

I, Richard L. McIlravy, 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, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed

Richard L. McIlravy

Subscribed and sworn to before me this

18th

day of

April

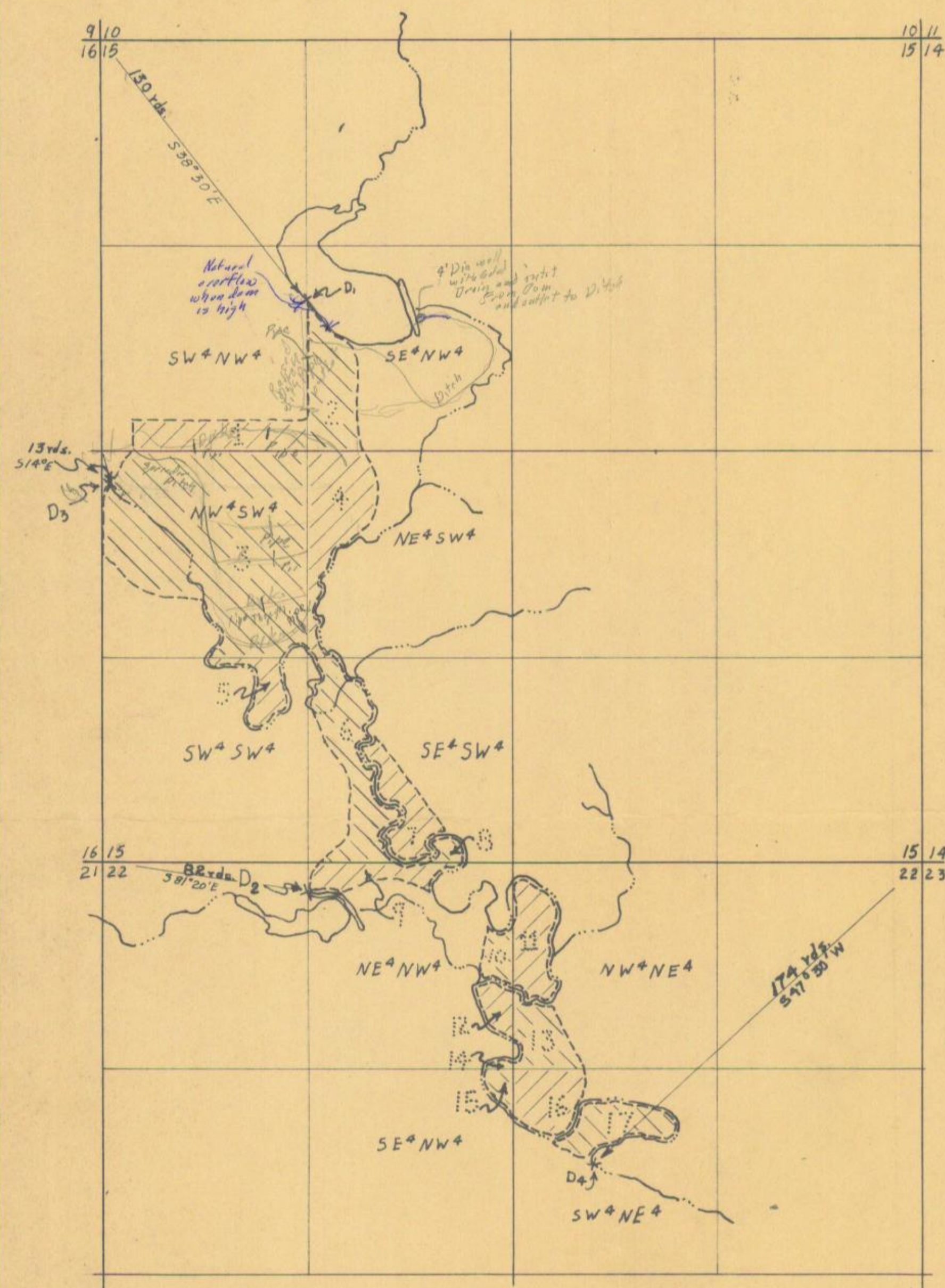
1961

My commission expires 12/7/68

James Blinn

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



Scale: 8" = 1 Mile
(from aerial photo)

Irrigable..... (hatched area)

D₁, D₂, D₃, and D₄ are
points of diversion

Location of Lands to Be Irrigated				
Area	Location	Sec.	T ¹ hp	Range Acres
1	SW ⁴ NW ⁴	15	3N	21E 5.0
2	SE ⁴ NW ⁴	15	3N	21E 5.8
3	NW ⁴ SW ⁴	15	3N	21E 30.9
4	NE ⁴ SW ⁴	15	3N	21E 7.0
5	SW ⁴ SW ⁴	15	3N	21E 2.0
6	SE ⁴ SW ⁴	15	3N	21E 6.9
7	SE ⁴ SW ⁴	15	3N	21E 2.9
8	SE ⁴ SW ⁴	15	3N	21E 0.5
9	NE ⁴ NW ⁴	22	3N	21E 2.9
10	NE ⁴ NW ⁴	22	3N	21E 1.0
11	NW ⁴ NE ⁴	22	3N	21E 3.8
12	NE ⁴ NW ⁴	22	3N	21E 1.2
13	NW ⁴ NE ⁴	22	3N	21E 3.0
14	NE ⁴ NW ⁴	22	3N	21E 0.2
15	SE ⁴ NW ⁴	22	3N	21E 0.8
16	SW ⁴ NE ⁴	22	3N	21E 3.7
17	SW ⁴ NE ⁴	22	3N	21E 3.5
TOTAL				81.1

MO ILVARY IRRIGATION PROJECT #1.

ALL LANDS DESCRIBED HEREIN ARE OWNED BY RICHARD L. MO ILVARY

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA) ss
COUNTY OF MEADE)

I, Meric D. Giegar, Registered Land Surveyor, do hereby certify that this map was made from field notes and aerial photographs of the area, and that to the best of my knowledge, it correctly represents the lands involved and the locations indicated.

IN WITNESS WHEREOF I hereunto set my hand and official seal on this 20th day of April, 1961.

Meric D. Giegar
Registered Land Surveyor #1007

STATE OF SOUTH DAKOTA) ss
COUNTY OF MEADE)

On this 20th day of April, 1961, before me, James B. Kinney, the undersigned officer, personally appeared Meric D. Giegar, known to me to be the person whose name is subscribed to the above written instrument, and acknowledged that he executed the same for the purpose therein contained.

IN WITNESS WHEREOF I have hereunto set my hand and official seal.

My commission expires 12/7/68. *James B. Kinney* Notary Public

Remarks by State Water Resources Commission:

Diversions of water under this permit shall not interfere with downstream domestic use or prior water rights.

STATE OF SOUTH DAKOTA
County of Hughes ss.

Pierre, South Dakota, August 1, 1961

This is to certify that the foregoing application was received by the Commission at 9:00 o'clock a.m. upon the 24th day of April, 1961.

State Water Resources Commission

By:

Barton Lane
for Chief Engineer, Executive Officer

Number of permit 699-2

Date of first receipt of application April 24, 1961

Date of return to applicant for correction, amendments or changes required as follows: 19

Date of receipt of corrected application 19

Date from which applicant may claim right April 24, 1961

Approved July 19, 1961, Recorded in Book 6 Page 297

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before

JANUARY 19, 1963

2nd. The whole of said work is to be completed on or before July 19, 1964

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

July 19, 1967

4th. The water appropriated shall be used for the purpose of irrigation

5th. 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.

6th. The amount of the appropriation herein granted shall not exceed 1.15 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must 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 July 19, 1967, said water to be used during the following described annual period:

when available during annual season

Witness my hand this 1st day of August, 1961

State Water Resources Commission

By:

John L. ...
Chief Engineer, Executive Officer

Certificate of Construction Issued OCTOBER 26, 1971

Water License Issued OCTOBER 26, 1971

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 699-2

(1) WHEREAS, On the 24th day of April A. D. 19 61
Richard E. McIlravy

made Water Right Application No. 699-2 for a permit to use 1.15 cubic feet per second of the waters of Buzzard Creek

County of Haakon, State of South Dakota, for irrigation

purposes; and
 (2) WHEREAS, On the 1st day of August A. D. 19 61
 Permit No. 699-2, with a date of priority of April 24, 1961

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 19th day of July A. D. 19 64 and for the application to beneficial use of said water on or before the 19th day of July A. D. 19 65

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.15 cubic feet per second of water for beneficial use and.

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent.

for irrigating the following land in T3N, R21E

		<u>Acres</u>
Section 15	SW $\frac{1}{4}$ NW $\frac{1}{4}$	5.0
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	5.8
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	30.0
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	7.0
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	3.0
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	10.3
Section 22	NE $\frac{1}{4}$ NW $\frac{1}{4}$	5.3
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	6.8
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	0.8
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	7.2
Total		<u>81.2 Acres</u>

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Richard E. McIlravy

_____ of Philip, S.D.

the holder _____ and owner _____ of said permit No. 699-2 a water right, dating from April 24, 1961

_____ to use of 1.15 cubic feet per second of the waters

of Buzzard Creek

in the County of Haakon and State of South Dakota, or so much thereof as may be necessary for the

purpose: hereinbelow mentioned, to be diverted at D-1, 130 rds from NW Corner, Sec. 15 on bearing S. 38° 30' E.,

D-2, 82 rds, from NW corner, Sec. 22 on a bearing of S. 81° 20' E., D-4, 174 rds, from

NE Corner, Sec. 22, on bearing S. 47° 30' West, T3N, R21E

and conduct to and upon portions of Sections 15 and 22, T3N, R21E, more fully described on

the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 699-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 26th day of October A. D.
Nineteen Hundred and Seventy-one

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIFF

Permit No. 699-2Water Diversion No. 2 BAD RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Richard L. McIlravythe holder of
Permit No. 699-2, issued upon Application No. 699-2, bearing date of priority of April 24, 1961authorizing the diversion of cu. ft. per second of the waters of
Buzzard Creek County of Haakon, State of South Dakota at D-1, 130 rds. from NW Corner, Sec. 15 on bearing S. 38° 30' E., D-2, 82 rds. from NW
corner, Sec. 22 on a bearing of S. 81° 20' E., D-4, 174 rds. from NE Corner, Sec. 22,
on bearing S. 47° 30' W., T3N, R21E irrigation
 , for purposes, has 5 complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 20 cu. ft. per second of water.Date October 26, 1971

WATER RESOURCES COMMISSION

By:

B.W. GRINES, Executive Officer

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County Haakon } ss.

Roy H. McKown being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____

Pioneer-Review 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 _____ Philip _____ County of _____

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

June 22, 1961

June 29, 1961

July 6, 1961

July 13, 1961

in each and every issue of the full number thereof, the first publication being made on the 22 day of June 1961 and the last publication on the 13 day of July 1961, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was editor ~~the printer and publisher~~ of the said newspaper.

Roy H. McKown

Subscribed and sworn to before me this 14 day of July A. D. 1961

Notary Public Heald County, S. D.

No. 670-2
 APPROPRIATION OF WATER
 Office Of State
 Water Resources Commission
 Pierre, S. Dak., June 19, 1961
 Notice is hereby given that Richard McIlravy whose postoffice address is Philip, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.15 cubic feet of water per second of time from Buzzard Creek through the McIlravy Irrigation Project No. 1, the point of diversion of which is to be located on both banks of said stream between a point in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 15, and a point in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 22, Twp. 3N, Range 21E. Said water to be used for the purpose of providing irrigation on portions of the following described land:
 S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 15; E $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 22, all in T 3N, R 21E.
 This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 19th day of July, 1961, at 2 p. m. All interested persons may appear and be heard.
 Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.
 State Water Resources Commission
 By: Burton F. Jones
 Water Right Specialist
 (Publish June 22, 29, July 6 & 13)

RECEIVED
 JUL 20 1961

STATE WATER RESOURCES COMM.
 PIERRE SOUTH DAKOTA

(First Publication on or before June 22, 1961)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., Jan. 19, 1961

Notice is hereby given that Richard M. Ilravy whose postoffice address is Philip S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.15

cubic feet of water per second of time from the Buzzard Creek through the

McIlravy Irrigation Project #1, the point of diversion of which is to be located on the both banks of said stream/ in the between a point in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 15, and a point SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22

Twp. 3N Range 21E Said water to be used for the purpose of providing irrigation portions of the following described land:

SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 15, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 22, all in T 3N, R 21E

under purposes

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 19th day of July, 1961 at 2 P. M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

CC: Publisher
Philip Pioneer Review
Philip, South Dakota

State Water Resources Commission

By:

~~Chief Engineer, Executive Officer~~
~~XXXXXXXXXXXXXXXXXXXX~~
BURTON F. JONES
Water Right Specialist

Permit No. 699-2Water Division 2 BAD RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by Richard L. McIlravy Philip, S.D. holderof Permit No. 699-2, bearing date of priority of April 24, 1961, 77%authorizing the diversion of 1.15 cu. ft. per second of the waters of Suzzard Creek
for irrigation purposes, in Haakon County

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

The Water Use System consists of,

A. Works used to divert the water:
Overflow from Dams, plugs in creek channelB. Works used to transport water to place of use,
Dykes and ditches with tubes to release waterC. Works used to apply water to beneficial use.
Spreader dykes and plugs in creek channel
spreader dykes have one or two 9" tubes each to drain off waterThe system is in the following condition: Fair
L-1, 130 rods from NW Corner, Sec. 15 on bearing S. 38° 30' E., D-2,
The point of diversion is located 82 rds from NW Corner, Sec. 22 on a bearing of S. 81° 20' E., D-4, 174 rods from NE Corner,
Sec. 22, on bearing S. 47° 30' W. T3N, R21EThe works are capable of diverting and conveying to the place of use up to approx. 20 c.f.s.cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: All in T3N, R21E

Section 15	SE $\frac{1}{4}$ SW $\frac{1}{4}$	10.3 acres	Section 22	NE $\frac{1}{4}$ NW $\frac{1}{4}$	5.3 acres
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	5.0 acres		NW $\frac{1}{4}$ NE $\frac{1}{4}$	6.8 acres
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	5.8 acres		SW $\frac{1}{4}$ NW $\frac{1}{4}$	0.8 acres
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	30.0 acres		SW $\frac{1}{4}$ NE $\frac{1}{4}$	7.2 acres
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	7.0 acres			
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	3.0 acres			
comprising a total of		80.2	acres of land.		

Note: Has 15" pipe through dam flowing into 4" standpipe with outlet to ditch and dyke conveying water to upper part of spreader system.
Lower outlet with gate to divert water to creek channel, for use further down stream on system. Estimate approximately 30 acre feet of water could be directed if dam was full.

Date October 1, 1971Marvin Knecht
(Signature)

MARVIN KNECHT, Engineer

December 11, 1979

Audrey Gartner
Philip, SD 57567

Dear Mrs. Gartner:

You returned the Water Management data sheet (pink form) indicating that Mr. Richard L. McIlravy has deceased, also that you did not have an irrigation system nor did you irrigate in 1979.

You do have a water spreading system and it has been licensed by the Water Rights Commission. Water spreading systems are considered irrigation systems. However, this Water Management form does not apply to your system.

The Water Permit No. 699-2 of Richard L. McIlravy needs to be transferred to the new owner according to the South Dakota Water Laws. Therefore, I am enclosing a nearly completed Form 20, "Notice of Transfer of Water Permit". The new owner should fill in his name and address in the proper place on the new form. Have it signed and notarized and return it to this office with a check for \$2.50 to cover the filing fees.

If you have any questions, please feel free to contact this office.

Sincerely,

LEROY J. MERRAUGH
Water Resources Engineer

LJM/gy

encl.

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 12-28-1979

This is to notify you that the title to the lands described as follows:

W $\frac{1}{2}$ Section 15 and the NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 22, T3N, R21W

formerly owned by Richard L. McIlravy, Philip SD

has been transferred to X Audrey Hartner, Box 299, Philip
together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 699-2 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit"
in its appropriate file at the Office of the Board of Water Management as evidence
of the change of ownership.

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

STATE OF SOUTH DAKOTA }
County of Harmon } ss.

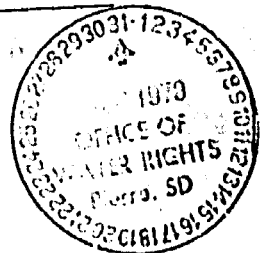
I, Audrey Hartner being first duly sworn on my oath depose and say:
That my relation to the above described undertaking is that of Owner, that I have read
the above foregoing statement, and I know of my own personal knowledge that the infor-
mation herein stated is true.

Audrey Hartner
(Signed)

Subscribed and sworn to before me this 28th day of December, 1979.

My Commission Expires 4-5-87

Jelene Steiner
(Notary Public)





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

May 21, 2025

699-2

Arthur & Tanya McIlravy
21820 SD Hwy 73
Philip SD 57567

Dear Mr. & Ms. McIlravy:

I am writing you today in regard to SD Water Right No. 699-2, which is presently held in the name of Audrey Gartner, and authorizes the diversion of water from Buzzard Creek for the irrigation of 81.2 acres.

The property on which the authorized acres are located is now reflected as being owned by you.

With this letter, I intend to confirm whether you are the current property owners of the acres authorized for irrigation, located in portions of the S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Section 15 & portions of the N $\frac{1}{2}$ Section 22; all in T3N, R21E, Haakon County, South Dakota, and the status of irrigation practices on the property.

Please contact me via email or telephone to discuss.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

RECEIVED

JUN 06 2025

OFFICE OF
WATER

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: SD DANR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 699-2

Date: 6-1-2025

PAID

JUN 05 2025

Ck# 004695

Rec't# _____

I/We request that Water Right/Permit No. 699-2 formerly owned by:

Audrey Gartner

be transferred to:

New Owner Name:

Arthur McIlwain

Address:

21820 SD HWY 73

mobile:

(605) 685-3016

City, State, Zip

Philip SD 57567

email:

arthurmc@gnk.net

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

All in T3N, R21E
61.1 acres in Section 15
20.1 acres in Section 22
Total - 81.2 acres

- ☒ I understand that the validity of Water Right/Permit No. 699-2 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Arthur McIlwain, the new owner, certify that the above information is true and correct.

(signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five-year construction period has expired. Once a water permit is developed, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following 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.

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date June 9th, 2025

RECEIVED OF Arthur or Tanya McIlravy 21820 Hwy 73 Philip SD 57567

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 #699-2 _____	\$50.00
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	TOTAL
	\$50.00

By Mark Mayke
Chief Engineer