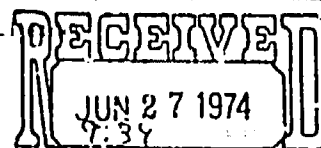


1074-1

1. Considered 9-11 ~~7-17~~, 1974
2. Name of Applicant MARK X. TRASK
3. Post Office Address ELM SPRING
4. Amount of water claimed 9.14
5. Source of water supply ELK CREEK
6. Water to be used for IRRIGATION
Acres to be irrigated 640
7. Water to be diverted and used in MEADE County
about 12N miles of WASTA
8. Proof of Publication Received 8-22-74
Not Received
9. Application Approved
Subject to
Not Approved
Action deferred
10. Remarks: 7-11 -C 10 T 13 - EAST

Map No. 848-1 Water Division No. 1 ELK CREEK
(Bylaws to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE: Draw a line through items not applicable)

1. Name of Applicant Mark A. Frank
Post-office address Elm Spring Meade Co. State South Dakota
If a corporation show date and place of incorporation Not corporation
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract and direct labor
3. Name of diversion work Spanish Five Lower Elk Creek Project
4. Amount of water claimed (cubic feet per second) 9.14 cfs
5. Source of water supply Elk Creek
6. Location of point of diversion Between a point 2700' N 77° 30' W of SE Cor. Sec. 6, T3N, R14E of BHM. and a point 2500' N 90° W of NE Cor Sec. 11, T3N, R14 E, BHM.
7. Annual period or periods during which water is to be used thru out year - PERMANENT (Count) Meade
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation and livestock
9. For irrigation use, Total number of acres to be irrigated 640

Section 6, T3N, R14E.
SE 23

Section 7, T3N, R14E.
NW 3
NE 85

Section 9, T3N, R14E.
NW 34
NE 43
SE 8

Section 8, T3N, R14E.
NW 55
NE 60

Section 10, T3N, R14E.
NW 82
NE 57
SW 73
SE 38

Section 11, T3N, R14E.
NW 56
NE 25

11. Choice of newspaper for Notice of Intent to Appropriate Water publication Sturgis Tribune

12. Principal Features of the Proposed Water Supply System.

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

B. Works proposed to transport water to place of use.
Dikes, Ditches and Pipe

C. Works proposed to apply water to beneficial use.
Dikes, Ditches or Sprinklers

Estimated Total Cost \$ 5,000

Attachment: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of Meade

I, Mark A. Frank 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.

Subscribed and sworn to before me this 14th day of April 1974

Carl M. Cornwell

Notary Public for the State of South Dakota
My Commission Expires 1-1-77

Mark A. Frank
Notary Public (or other qualified officer)

PLAT OF THE SPANISH FIVE LOWER ELK CREEK PROJECT

Located in Sections 6, 7, 8, 9, 10, and 11, Township 3 North, Range 14 East, B1M, in Meade County, South Dakota, drawn and prepared as a part of the Application for Permit to appropriate water of Mark X. Trask, Elm Springs, South Dakota, to supply water for irrigation of areas as shown on this plat.

SURVEYOR'S CERTIFICATE

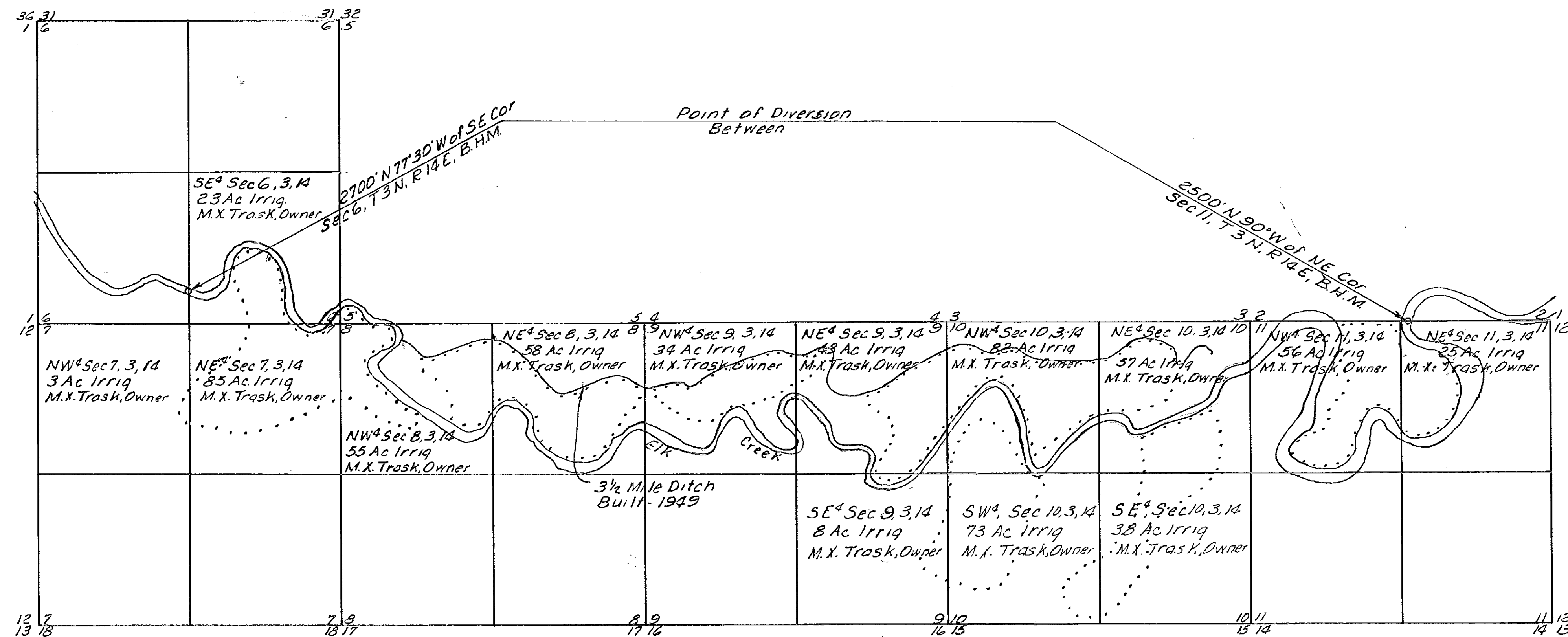
I, William C. Brangle, Registered Land Surveyor in and for the State of South Dakota, do hereby certify that at the request of Mark X. Trask, I have made a survey and have prepared this plat as a part of his application for a Permit to appropriate water for irrigation. I further certify that the bearings and lengths of all lines shown and their location with reference to the Government Land Corners shown, are correct to the best of my knowledge and belief.

William C. Brangle
William C. Brangle (SEAL)
Registered Land Surveyor #1517

Subscribed and sworn to before me this 5th day of June, 1974.

Florence Brangle
Notary Public (SEAL)

FLORENCE BRANGLE
NOTARY PUBLIC HARDING CO., S. DAK.
My Commission Expires Aug. 1, 1978



N
Scale: 1" = 1320'

MAP N° 848-1 (APP. N° 1024-1)

WATER RIGHT APPLICATION APPROVAL

The Water ^{Rights} Commission hereby approves Water Right Application No. 1024-1
MARK K. TRASK ELM SPRINGS
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57736 With the following modifications:
 (State)

PARTIAL "VESTED RIGHT" CLAIMED

Date of first receipt of application: JUNE 27 19 74
 Date of return to applicant for correction, amendments or changes required: — 19 —
 Date of receipt of corrected application: — 19 —
 Approved SEPTEMBER 11 19 74 Recorded in Book 13 Page 58

WATER RIGHT PERMIT No. 1024-1

The Water ^{Rights} Commission hereby grants and issues this Water Right Permit No. 1024-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is 5.63 CES FROM 1949
5.31 CES FROM JUNE 27 19 74
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 11 19 76
3. The whole of said work is to be completed on or before SEPTEMBER 11 19 78
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 11 19 79
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 9.14 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 the irrigation purposes said appropriation must be limited to not more than 3 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 SEPTEMBER 11 19 79; said water to be used during the following described annual period: MARCH THRU NOVEMBER

Witness my hand this 13TH day of SEPTEMBER 19 74

WATER RIGHTS COMMISSION

By Donnell Quisell
 Chief Engineer, Executive Officer

Certificate of Construction Issued — 19 —

Water License Issued — 19 —

NOTE: This Form is supplemental to Form 2, and is to be used when an affidavit pertaining to construction and water use, already completed, is needed.

**AFFIDAVIT OF CONSTRUCTION OF WATER USE
SYSTEM AND APPLICATION OF WATER TO BENEFICIAL USE**

Name of Applicant (Same as Form 2) Mark X. Trask
 Post Office Address Elm Springs, State South Dakota
 If a Corporation show date and place of incorporation _____

13. Notice of Appropriation (If available)
 no prior posting on this ditch
 Date of Posting _____ Date of Recording _____
 Recording Date _____
14. Date of start of construction of water supply system 14 1949
15. Date that water was first applied to beneficial use 1949
16. Name of owner of original water supply system Mark X. Trask
17. Amount of water originally applied to beneficial use 3.63 c. f. s.
18. Present Use of Water
 Amount of water now being used 3.63 c. f. s. (255 acres)
 Date that this amount of water was first used 1949
19. Chronological History of Water Use

Ditch was constructed in 1949, and has been used when water is available since constructed. (Water was used prior to this time under a filing by James Cox, but use was discontinued for a period of time prior to construction of the ditch in 1949)

Attach to this Form 2B, any copies of notices, postings, filings, publications, affidavits, or other records that apply. You may also attach any written statement by you, or by others, that you deem pertinent.

STATE OF SOUTH DAKOTA)

County of Meade) ss.

I, Mark X. Trask, the applicant, certify that I have read the foregoing and that the matters therein stated are true.

Signed

Subscribed and sworn to before me this 26 day of July, 19 74

George J. Lusk
 (Notary Public - or other qualified Officer)

I, the undersigned, do hereby certify that I know about the water use system described above that I have read the foregoing and that the matters therein stated are true.

WATER LICENSE NO. 1024-1

(1) WHEREAS, On the 27th day of June A. D. 19 74

Mark V. Trank

made Water Right Application No. 1024-1 for a partial vested right 9.14 cubic feet per second of the waters of Elk Creek
County of Hand, State of South Dakota, for irrigation

purpose; and
(2) WHEREAS, On the 11th day of September A. D. 19 74

Permit No. 1024-1, with a date of priority of 1949 and June 27, 1974

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 11th day of September A. D. 19 78 and for the application to beneficial use of said water on or before the 11th day of September A. D. 19 79

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 4.03 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,

to irrigate the following lands all in T3N, R14E

Sec 7, T3N, R14E		Section 8, T3N, R14E		Section 10, T3N, R14E (cont)	
NW $\frac{1}{4}$ NE $\frac{1}{4}$	36 acres	NW $\frac{1}{4}$ NW $\frac{1}{4}$	19 acres	NW $\frac{1}{4}$ NE $\frac{1}{4}$	8 acres
NE $\frac{1}{4}$ NE $\frac{1}{4}$	25 "	NE $\frac{1}{4}$ NW $\frac{1}{4}$	29 ac"	SW $\frac{1}{4}$ NE $\frac{1}{4}$	6 "
SW $\frac{1}{4}$ NE $\frac{1}{4}$	7 "	SW $\frac{1}{4}$ NW $\frac{1}{4}$	1 "		
		SE $\frac{1}{4}$ NW $\frac{1}{4}$	3 "		
Section 9, T3N, R14E		NW $\frac{1}{4}$ NE $\frac{1}{4}$	17 "		
NW $\frac{1}{4}$ NW $\frac{1}{4}$	5 acres	SW $\frac{1}{4}$ NE $\frac{1}{4}$	12 "		
NE $\frac{1}{4}$ NW $\frac{1}{4}$	20 "	SE $\frac{1}{4}$ NE $\frac{1}{4}$	18 "		
SW $\frac{1}{4}$ NW $\frac{1}{4}$	7 "				
SE $\frac{1}{4}$ NW $\frac{1}{4}$	2 "	Section 10, T3N, R14E			
NW $\frac{1}{4}$ NE $\frac{1}{4}$	2 "	NW $\frac{1}{4}$ NW $\frac{1}{4}$	4 acres		
NE $\frac{1}{4}$ NE $\frac{1}{4}$	8 "	NE $\frac{1}{4}$ NW $\frac{1}{4}$	11 "		
SE $\frac{1}{4}$ NE $\frac{1}{4}$	9 "	SW $\frac{1}{4}$ NW $\frac{1}{4}$	2 "		
NW $\frac{1}{4}$ SE $\frac{1}{4}$	3 "	SE $\frac{1}{4}$ NW $\frac{1}{4}$	19 "		
NE $\frac{1}{4}$ SE $\frac{1}{4}$	9 "				
					TOTAL 242 acres

(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 Mark X Trask

_____ of Elm Springs
the holder _____ and owner _____ of said permit No. 1024-1 a water right, dating from 1949 and June 27, 1974
_____ to use of 0.03 cubic feet per second of the waters
of Elk Creek

in the County of Hand and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at on Elk Creek between a point north of NE corner,
Section 7 and a point 1000 feet south of NE corner Section 10, T3N, R14E

and conducted to and upon portion of lands in Sections 7, 8, 9 and 10 T3N, R14E, more
fully described on the face of this license

for the purpose of irrigation

This Water License No. 1024-1 is based on a Partial Vested Right Claim recorded and
filed by the Water Management Board.

Subject to any limitations listed in Water Right Permit No. 1024-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 30th day of June A. D.
Nineteen Hundred and Eighty-one

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 1024-1

Water Diversion No. 1 Upper Cheyenne Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Mark X Trask

Partial Vested Right
the holder _____ of
Permit No. 1024-1, issued upon Application No. 1024-1, bearing date of priority of 1949 and
June 27, 1974 authorizing the diversion of 9.14 cu. ft. per second of the waters of _____
Elk Creek County of Deade, State of South Dakota at _____
on Elk Creek between a point north of NE corner, Section 7 and a point 1000
feet south of NE corner Section 10, T3N, R14E
for irrigation

purposes, has _____ 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 13.33 cu. ft. per second of water.

Date June 30, 1981

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 1024-1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County Meade)

I, Teresa Shoun hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Black Hills Press

A newspaper which during the whole time of publication of said notice
has been and is printed and published in the

B. H. Publishers of Sturgis

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

August 10 and 17

Teresa Shoun
(Signature)

Bookkeeper
(Title)

August 21, 1974
(Date Signed)

No. 1024-1
Publish first publication
on or before August 24, 1974

NOTICE
INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501
August 7, 1974
Notice is hereby given that
Mark X. Trask whose post
office address is Elm
Springs, South Dakota, has
made an application in
accordance with the
provisions of the water laws
of South Dakota for a permit
to appropriate for beneficial
use 2.14 cubic feet of water
per second of time from Elk

Creek through the Spanish
Five Lower Elk Creek
Project, the point of
diversion of which is to be
located between point in the
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6, and in
the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11,
Twp. 3N, Range 14E. Said
water to be used for the
purpose of providing
irrigation on portions of the
following described land:
NW $\frac{1}{4}$, W $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11,
Section 10; N $\frac{1}{2}$, N $\frac{1}{2}$, SE $\frac{1}{4}$,
Section 9; N $\frac{1}{2}$ Section 8;
NE $\frac{1}{4}$ E $\frac{1}{2}$, NW $\frac{1}{4}$, Section 7;
S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 6, All in
T3N, R14E.

This application No. 1024-1
will be considered by the
Water Rights Commission at
their office at Pierre upon
the 11th day of September,
1974, at 2:00 p.m. All in-
terested persons may ap-
pear and be heard.

WATER RIGHTS
COMMISSION
By: s-Burton F. Jones
BURTON F. JONES,
Water Rights Specialist
Press, Aug. 19, 1974

RECEIVED
AUG 22 1974
STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

Form 6 - Notice of Intent to Appropriate Water

No. _____

Publish first publication, on or before _____, 19____

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

_____, 19____

Notice is hereby given that **Mark X. Trask**

whose post office address is **Elm Springs**, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use

9.14 cubic feet of water per second of time from the **Elk Creek** through the

Spanish Five Lower Elk Creek Project, the point of diversion of which is to be located **to be**

between points in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6, and in the NW $\frac{1}{4}$ NE $\frac{1}{4}$

of Section **11**, Twp. **3N**, Range **14E**. Said water to be used for the purpose of providing irrigation on **portions of** the following described land:

NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 11, Section 10; N $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 9, N $\frac{1}{2}$, Section 8,

NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Section 7; S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 6, all in T3N, R14E

This application No. **1024-1** will be considered by the Water Resources Commission at their office at Pierre upon the **11th** day of **September**, 19**74**, at **2:30 p.** M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON Z. JONES, Water Rights Specialist

BFJ/bw

cc: Mark X. Trask, Elm Springs, South Dakota 57736

RECEIPT

WATER RIGHTS COMMISSION

No 4 8325

State of South Dakota

PIERRE, June 23, 1931

RECEIVED OF Mark X Trask, Elm Springs, SD 57736

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No. 1024-1	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 1024-1		
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	50	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH *JH*

Permit No. 1024-1Water Division 1 Elk Creek Water District

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Mark X. Trask of Elm Springs, S. Dak holder of Permit No. 1024-1, bearing date of priority of 3.63 CFS From 1949 5.51 CFS From June 27, 1974 authorizing the diversion of 9.14 cu. ft. per second of the waters of Elk Creek for Irrigation purposes, in Meade 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:

Pump 55R High Volume.
Tractor Power Take-off.
Pumps 6000 GPM. 12" Discharge

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

Diversion Dikes and Ditches

C. Works used to apply water to beneficial use.

Dikes for Flood Irrigation.The system is in the following condition: Good

The point of diversion is located On Elk Creek Between a point 250' N of NW cor Sec. 7 and a point 1000' N of the NE cor Sec. 10, T3N R14E

The works are capable of diverting and conveying to the place of use 13.33 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:

See Reverse Side of This Formcomprising a total of 282 acres of land.

282 ÷ 70 = 4.03 CFS
License for 4.03 CFS

Date August 11, 1980
P. Roy J. Monaghan
 (Signature)

MARK X TASK
 PERMIT No. 1024-1

Overlay of 8" Aerial Map
 1" = 665'
 1 E" = 10 AC
 by J. H. Thompson
 4-17-53

1

IN

250'

pt. of diversion

Dike

615-28

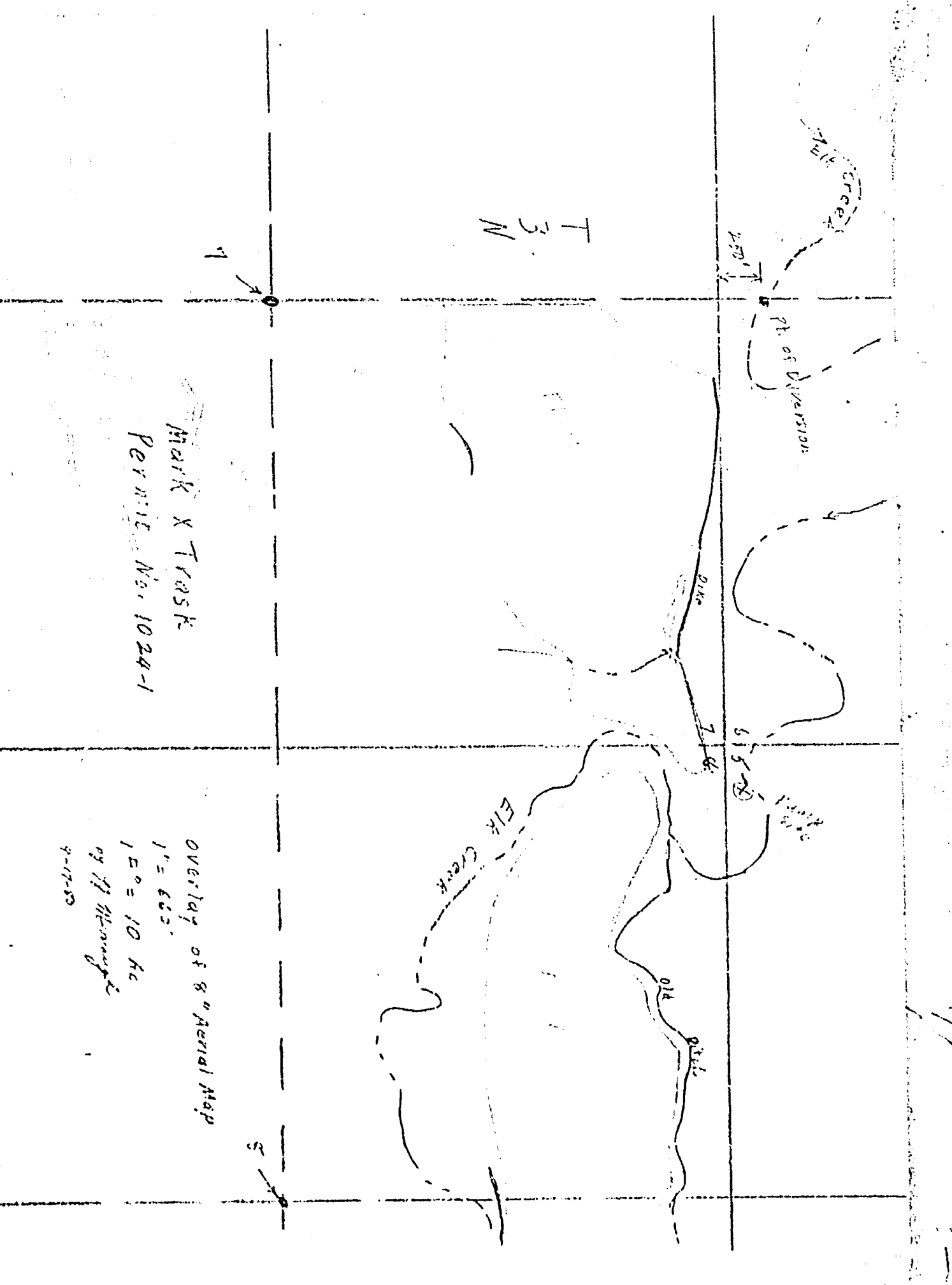
Point

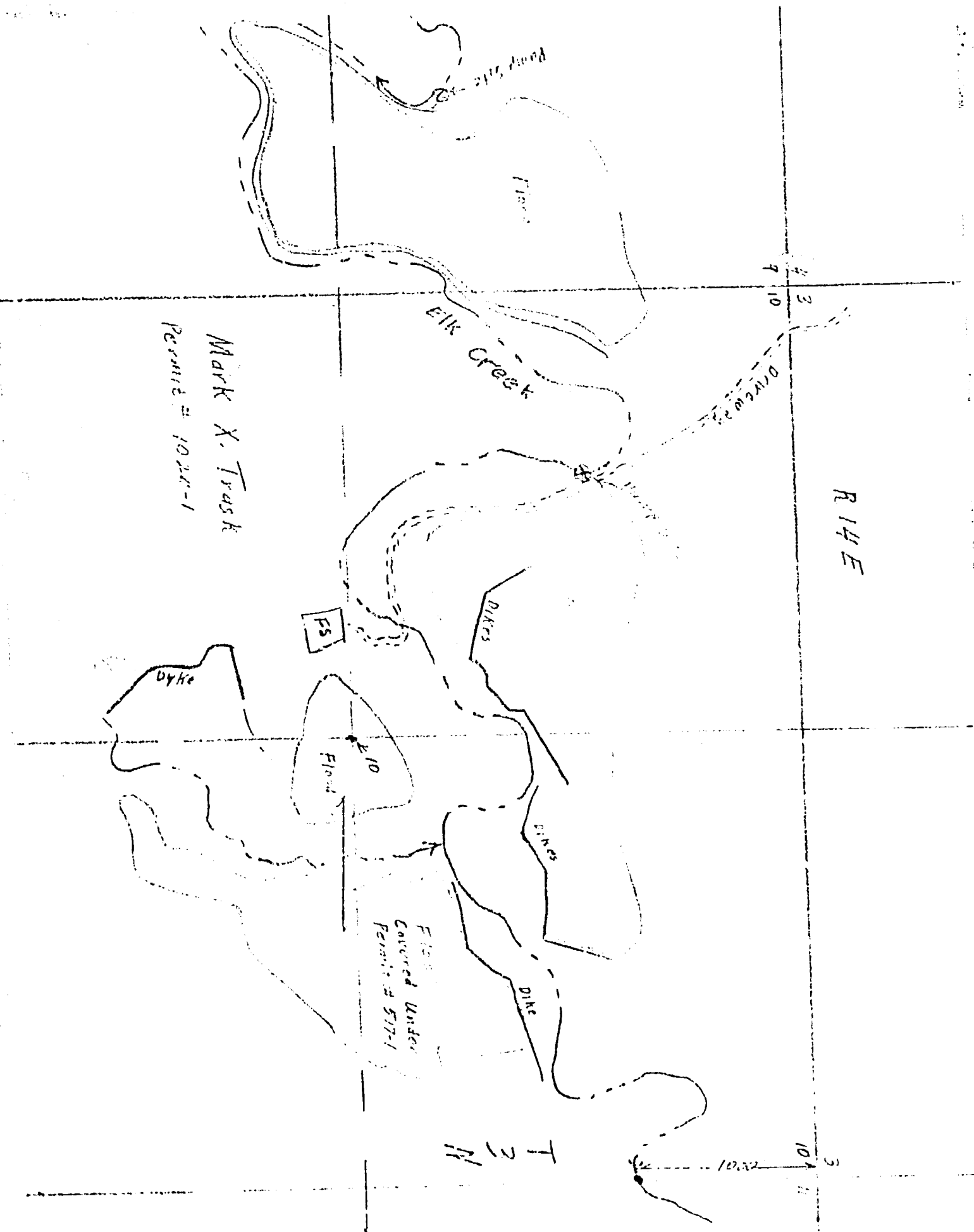
Elk Creek

old

old

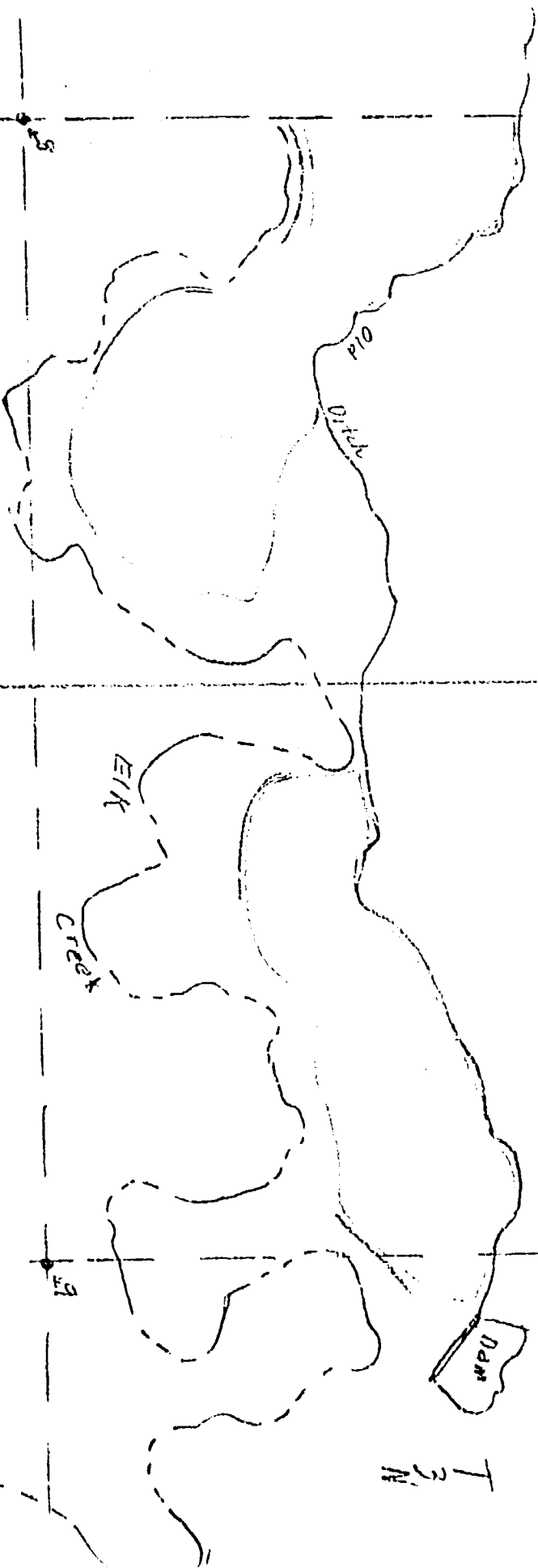
S





R 14 E

5 4
8 9



Mark X Trask
Permit # 10241

**OVERSIZE
DOCUMENT IS
SUPPLEMENTARY
TO MICROFILM FILE**

1024-1

**South Dakota Department of
Water & Natural Resources**
Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501-3181

March 26, 1987

Mrs. Mark Trask
Box 27
Elm Springs, SD 57736

Dear Mrs. Trask:

Enclosed are the 1986 irrigation questionnaires for Water Right Nos. 1024-1, 1025-1 and 1028-1. Please complete these and return them to our office as soon as possible.

Also enclosed are partially completed transfer forms for transferring the above mentioned water rights. They are currently listed in the name of Mark X Trask. The forms should be completed, signed and notarized before returning them to our office with a required filing fee of \$2.50 each (total of \$7.50).

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.

Please contact me if you have any questions.

Sincerely,

Genny McMATH

GENNY MCMATH
Water Resources Analyst

encl

**South Dakota Department of
Water & Natural Resources**

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

March 23, 1987

MARK X TRASK
BOX 27
ELM SPRINGS, SD 57736

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

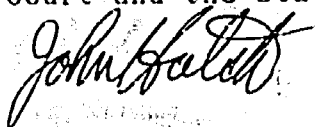
Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 1028-1, 1025-1, 1024-1. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 2:00 pm, May 6, 1987 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 1028-1, 1025-1, 1024-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) is an adversary proceeding. The permit owner 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.



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

NOTE: If the questionnaire(s) is received in this office before the hearing date, your name will be deleted from the agenda for the hearing.

**South Dakota Department of
Water & Natural Resources**

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

April 13, 1987

1024-1
1025-1
1028-1

Mrs. Mark Trask
Box 27
Elm Springs, SD 57736

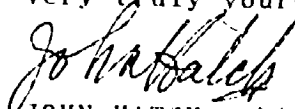
Dear Mrs. Trask:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaires. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit Nos. 1024-1, 1025-1 and 1028-1 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,



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



Department of Water & Natural Resources

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

September 18, 1987

Second Notice
Water Right Nos. 1024-1
1025-1
1028-1

Mrs. Mark Trask
Box 27
Elm Springs, SD 57736

Dear Mrs Trask:

On March 26, 1987, notice was sent to you concerning the transfer of Water Right Nos. 1024-1, 1025-1 and 1028-1 in the name of Mark X Trask. 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 our office with the required filing fee of \$2.50 each (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 us.

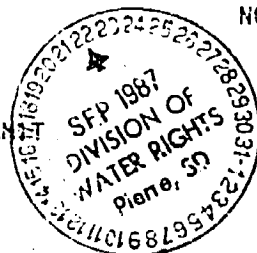
Very truly yours,

John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

enclosure

NO. 1024-1

NOTICE OF TRANSFER OF WATER PERMIT



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Sept 21, 1987

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

28.2 Acres - portions of NE $\frac{1}{4}$ Section 7, NE $\frac{1}{4}$ Section 8, NE $\frac{1}{4}$ and NE $\frac{1}{4}$ Section 9,
NE $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 10, T3N-R14E.

formerly owned by Mark X Trask

has been transferred to Winifred E Trask, Box 27, Elm Springs, SD 57736

(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1024-1 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 Div. of Water Rights, Water Management Board 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 Meade) ss.

I, Winifred E. Trask 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 information herein stated is true.

Mark X Trask, Estate
Winifred E. Trask
(Signed)

Subscribed and sworn to before me this 21 Day of September, 1987

[Signature]
(Notary Public)

RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

410998

Pierre, September 22, 1927

RECEIVED OF Winifred E. Trask, Executrix, Mark X. Trask Estate, Box 27, Blm Springs,
the following amount in fees for services rendered as provided for by law: 57736

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. _____		
Fee for Filing Transfer Form 1024-1 _____	2	50
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	2 50

By John Hatch
Chief Engineer JOHN HATCH (ms)



Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

WR 1024-1
WR 1025-1
WR 1028-1

September 24, 1987

Winifred E. Trask, Executrix
Mark X. Trask Estate
Box 27
Elm Springs, South Dakota 57736

Dear Mrs. Trask:

Enclosed are receipt Nos. 410996, 410997 and 410998 in the amount of \$2.50 each which you paid for transfer of Water Right Nos. 1028-1, 1025-1 and 1024-1.

Our records now show Winifred E. Trask as the owner of these Water Rights.

Sincerley,

Maxine Stirling
Secretary

ms/
Enc. 3

**South Dakota Department of
Water & Natural Resources**

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

January 18, 1990

517-1
1024-1
1025-1
1028-1
1779-2

Winifred E Trask
Box 27
Elm Springs, SD 57736

Dear Ms. Trask:

Thank you for the return of your 1989 irrigation questionnaires. At your request, enclosed are partially completed "Notice of Transfer" forms for use in filing ownership changes on Water Right Nos. 517-1, 1024-1, 1025-1, 1028-1 and 1779-2.

Please check over the forms and have them signed by the new owner in the presence of a notary public. Upon completion of the forms, return them to our office with a required filing fee of \$2.50 each (total of \$12.50).

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 me.

Sincerely,

Genny McMATH

GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosures

Edm. J. D.
57736
Nov. 28-1454

Dept of Water? Natural Resources
Oreore, A. D.

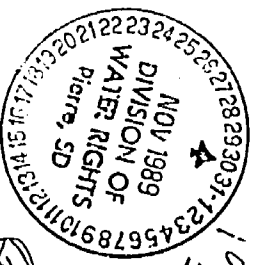
Att. Henry Mott or Del Berg.

I am enclosing three water irrigation applications & also want to transfer my water permits to my children who are keeping the land as feeders.

1028-1 } to Oatville ~~Truck~~
1774-2 } to Box 14
Edm. J. D. 57736

1025-1 = to Farm Road
HCR 86- Box 25
Edm. J. D. 57736

1024-1 } to Terry Road
517-1 } to HCR 86- Box 25
Edm. J. D. 57736



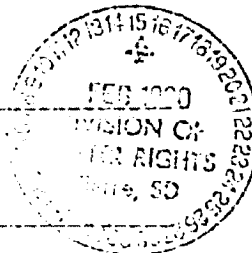
Please notify me when I need to do - thank you
Edm. J. D. 57736

NOTICE OF TRANSFER OF OWNERSHIP

No. 1024-1

TO: Chief Engineer
Water Rights Division, DWR
523 East Capitol
Pierre, SD 57501-3181

Date: Feb 21, 1990



I/We request that ~~Water Right~~ ^{/Partial Vested Water Right Claim No. 1024-1} ~~Permit Right~~

formerly owned by: Winifred Trask

be transferred to: (name & address) Terry A. Trask
HCR 36 Box 20 Elm Springs, SD 57736 (telephone No.) 605-748-2116

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

N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec 7, NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec 9, NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 8,

NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 10, T3N, R14E Meade Co.

I/We understand that the validity of ^{/Partial Vested} ~~Water Right~~ No. 1024-1 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 Pennington)

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

Terry A. Trask
(Signed)

Subscribed and sworn to before me this 21st day of February 1990

Darrell J. [Signature]
(Notary Public)

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

440090

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, February 15, 1990

RECEIVED OF Winnie Trask, Box 27, Elm Springs, Sd 57736

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. _____		
Fee for Filing Transfer Form <u>Partial Vested Water Right Claim No 102</u>	-1	2 50
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	2 50

By William H. Helt
Chief Engineer

**South Dakota Department of
Water & Natural Resources**

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

February 28, 1990

517-1
1024-1

Terry Trask
HCR 86, Box 28
Elm Springs, SD 57736

Dear Mr. Trask:

Enclosed are Receipt Nos. 412089 and 412090 in the amount of \$2.50 each which you paid for transfer of Vested Water Right Claim No. 517-1 and Partial Vested Water Right Claim No. 1024-1.

Our records now reflect you as the owner of these Water Rights.

Sincerely,

Marie R. Arthur

MARIE R. ARTHUR
Secretary
Water Rights Division
(605) 773-3352

enclosure



1024-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

TERRY A TRASK
HCR 86 BOX 28
ELM SPRINGS SD 57736

NOTICE

RE: Violation of Requirement to Submit 1991 Irrigation Questionnaire

Our records indicate that the 1991 Irrigation Questionnaire was not been submitted for Permit No(s) 1024-1. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:15 am, March 4, 1992, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1024-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office before the March 4th hearing date, your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

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 Fee will provide you the signature of the person delivered to and the date of delivery.

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:

TERRY A TRASK
HCR 86 BOX 28
ELM SPRINGS, SD 57736

4a. Article Number

906-557 214

4b. Service Type

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

7. Date of Delivery

1-31-92

5. Signature (Addressee)

Terry Trask

6. Signature (Agent)

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

February 7, 1992

1024-1

Terry A Trask
HCR 86 Box 28
Elm Springs, SD 57736

Dear Mr. Trask:

I am writing to acknowledge receipt of your 1991 irrigation questionnaire for Partial Vested Water Right No. 1024-1. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaire was received prior to the Water Management Board meeting and your name was deleted from the agenda.

If you have any questions, please contact me at (605) 773-3352.

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division

1024-1

SOUTH DAKOTA

VESTED WATER RIGHT NO. 1024-1 FOR IRRIGATION

Date of Receipt of Claim June 27, 1974.

Date of Validation September 30, 1992.

The Water Management Board validated Vested Water Right Claim No. 1024-1 for irrigation purposes for Terry A. Trask, HCR 86, Box 28, Elm Springs, SD, 57736 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1024-1 appropriates 3.63 cubic feet per second of water from Elk Creek to irrigate 282 acres. The points of diversion are located between the SW1/4 SE1/4 SEC 6 and the NE1/4 NE1/4 SEC 10; all in T3N, R14E. The irrigated lands are located in the N1/2 NE1/4, SW1/4 NE1/4 SEC 7; NW1/4, NW1/4 NE1/4, S1/2 NE1/4 SEC 8; NW1/4, N1/2 NE1/4, SE1/4 NE1/4, N1/2 SE1/4 SEC 9; NW1/4, W1/2 NE1/4 SEC 10; all in T3N, R14E.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per irrigated acre per year. Water is to be used during the following annual period: March 1 to November 30.
3. The priority date of the Vested Water Right is January 1, 1949.
4. The water use system has been constructed and water has been applied to beneficial use.
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: 
Chief Engineer

MAR 17 1993

date

Division of Water Rights
Dept. of Environment and Natural Resources

NOTE: Vested Water Right No. 1024-1 is also included as part of Water License No. 1024-1 for a total of 4.03 cfs to irrigate 282 acres.



1024-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 17 1993

Terry A. Trask
HCR 86, Box 26
Elm Springs SD 57736

Dear Mr. Trask:

The Water Management Board has validated the enclosed Vested Water Right No. 1024-1. This validation gives legal status to the claim and is the final document for your vested right.

As long as you use the water beneficially, as stated in the validation, State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

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

enclosure



1024-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

October 26, 1993

Tom & Sheila Trask
HC 86 Box 28
Elm Springs, SD 57736

Dear Mr. & Mrs. Trask:

Enclosed, as requested, are partially completed "Notice of Transfer of Ownership" forms for use in filing an ownership change on Vested Right No. 517-1 and Partial Vested Right No. 1024-1. I have included a copy of each of the vested rights for your files. As you will note, Vested Right No. 517-1 is for irrigation of land from Alkali Creek and No. 1024-1 is for irrigation from Elk Creek.

Please review the transfer forms to ensure their accuracy before signing. Complete the forms with the name(s) and address of who they are to be transferred in to. Upon completion, sign the forms in the presence of a notary public and return them to us with a \$2.50 filing fee for each one (\$5.00 total).

I have also enclosed a 1993 Irrigation questionnaire for Partial Vested Right No. 1024-1. A questionnaire is not required for No. 517-1 since the irrigation system is a "spreader type system".

If you have any questions concerning the enclosed forms, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352

enclosures



1024-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 30, 1993

517-1
1024-1

Tom M Trask
HCR 86 Box 28
Elm Springs, SD 57736

Dear Mr. Trask:

The "Notice of Transfer of Ownership" forms you submitted for filing an ownership change on Vested Water Right No. 517-1 and Partial Vested Water Right No. 1024-1 have been received. The forms were completed properly, however can not be filed for record without the required filing fees of \$2.50 each (total of \$5.00).

Please remit the \$5.00 filing fees as soon as possible. If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resource Analyst
Water Rights Division
(605) 773-3352

1024-1

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1024-1

Date: 11/21/93



I/We request that Partial Vested Water Right No. 1024-1

formerly owned by: Terry A Trask

be transferred to: (name & address) Tom M Trask HCR 86 Box 28 Elm Springs

SD 57736 (Telephone No) 605-798-2116

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

N½ NE¼, SW¼ NE¼ Sec 7, N½ Sec 8, NW¼, N½NE¼, SE¼ NE¼, N½ SE¼ Sec 9, NW¼, W½ NE¼ Sec 10, T3N, R14E

I/We understand that the validity of Partial Vested Water Right No. 1024-1 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 Pennington

I/We I 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.

Tom Trask
(Signed)

subscribed and sworn to before me this 23 day of November, 19 93.

Karla F. Fernau
Notary Public

KARLA F. FERNAU
MY COMMISSION EXPIRES
JULY 28, 2001

NOTE: Water permits may be cancelled 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.

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

1024-1
413964

Pierre, _____ December 9, 19 93

RECEIVED OF Tom Trask, ICR 86 Box 28, Elm Springs, SD 57736

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>Partial Vested Water Right No. 1024-1</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By

John Haldeman
Chief Engineer



1024-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

December 16, 1993

No. 517-1
1024-1

Tom M. Trask
HCR 86, Box 28
Elm Springs, SD 57736

Dear Mr. Trask:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 517-1 and 1024-1.

Our records now show you as the owner of Water Right Nos. 517-1 and 1024-1.

Sincerely,

Cheryl F. Frost

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3300

enclosures



January 22, 1999

1024-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3161
www.state.sd.us/denr

NOTICE

TO: TOM TRASK, HCR 86 BOX 28, ELM SPRINGS, SD 57736

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire has not been submitted for Permit No(s) 1024-1 & 1025-1. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, March 3, 1999, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1024-1 & 1025-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before March 1, 1999, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

1024-1

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- 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:

TOM TRASK
HCR 86 BOX 28
ELM SPRINGS SD 57736

4a. Article Number

P 378 080 706

4b. Service Type

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

7. Date of Delivery

1/23/99

5. Received By: (Print Name)

6. Signature (Addressee or Agent)

X *William D. Ferguson*

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

PS Form 3811, December 1994

102595-98 D-0229

Domestic Return Receipt

Thank you for using Return Receipt Service.



1024-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

February 1, 1999

1024-1
1025-1

Tom Trask
HCR 86 Box 28
Elm Springs, SD 57736

Dear Mr. Trask:

I am writing to acknowledge receipt of your 1998 irrigation questionnaires. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right Nos. 1024-1 and 1025-1.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352



1024-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 21, 2011

NOTICE

TO: TOM TRASK, 21858 MULE DEER DR, WASTA, SD 57791

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2010 Irrigation Questionnaire(s)

Our records indicate that the 2010 Irrigation Questionnaire has not been submitted for Permit No(s) 1024-1 & 1025-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 15, 2010. The Water Management Board has directed that owners of water permits who have not submitted the 2010 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 9, 2011**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1024-1 & 1025-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2011**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 7, 2011

1024-1
1025-1

Tom Trask
21858 Mule Deer Dr
Wasta SD 57791

Dear Mr. Trask:

I am writing to acknowledge receipt of your 2010 irrigation questionnaires.

You may disregard the January 21, 2011, "Notice" concerning reporting requirements for Water Right Nos. 1024-1 and 1025-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



1024-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 23, 2020

NOTICE

TO: TOM M TRASK, 21858 MULE DEER DR, WASTA, SD 57791

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire has not been submitted for Permit No(s) 1024-1 & 1025-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1024-1 & 1025-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: DKBPWD**

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

1024-1



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

February 3, 2020

1024-1
1025-1

Tom M Trask
21858 Mule Deer Dr
Wasta SD 57791

Dear Mr. Trask:

I am writing to acknowledge receipt of your 2019 irrigation questionnaires.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right Nos. 1024-1 and 1025-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Genny McMath".

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

1024-1



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

January 22, 2021

NOTICE

TO: TOM M TRASK, 21858 MULE DEER DR, WASTA, SD 57791

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaire(s)

Our records indicate your 2020 Irrigation Questionnaire has not been submitted for Permit No(s) 1024-1 & 1025-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 3, 2021 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1024-1 & 1025-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 3, 2021** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: WXIZFB**

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

1024-1



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

February 1, 2021

1024-1
1025-1

Tom Trask
21858 Mule Deer Dr
Wasta SD 57791

Dear Mr. Trask:

I am writing to acknowledge receipt of your 2020 irrigation questionnaires.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for Water Right Nos. 1024-1 and 1025-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "Genny McMath".

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us



1024-1

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2022

NOTICE

TO: TOM M TRASK, 21858 MULE DEER DR, WASTA, SD 57791

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire has not been submitted for Permit No(s) 1024-1 & 1025-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1024-1 & 1025-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: UXWIXU**

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

1024-1



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 26, 2022

1024-1
1025-1

Tom Trask
21858 Mule Deer Dr
Wasta D 57791

Dear Mr. Trask:

I am writing to acknowledge receipt of your 2021 irrigation questionnaires.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right Nos. 1024-1 and 1025-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 14, 2025

NOTICE

TO: TOM M TRASK, 21858 MULE DEER DR, WASTA, SD 57791

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire has not been submitted for Permit No(s) 1024-1 & 1025-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1024-1 & 1025-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: CCUXEC**

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 24, 2025

1024-1

1025-1

Tom M Trask
21858 Mule Deer Dr
Wasta SD 57791

Dear Mr. Trask:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 1024-1 & 1025-1. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

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