No. 517-1Water Division No. 1 ELK CREEK District
(Blanks to be filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

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

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

1. Name of applicant MARK V. TRASK
Postoffice address WASTA, County Meade, State S. DAK.

- I. If 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 Alkali Spreader System

3. Amount of water claimed 1.011 cubic feet per second or 212.4 Acre Feet

4. Source of water supply Alkali Creek

5. Location of point of diversion One Point N 10° 15' E 79 Rods AND A POINT N 57° 40' W 64 Rods
From S 1/4 Cor. Section 10 on Alkali Creek Meade 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?
- Spreader

(a) Number of acres to be irrigated 70.8 acres.(b) Legal subdivisions to be irrigated Separate Sheet

(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 _____
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 437-1

8. Estimated cost of work:

(a) Head Gates, \$

(b) Pumping plant, \$

(c) Fluming, \$

(d) Canal-earth, \$

Rock, \$

(e) Other structures *Spreader Dikes & Repair* \$500.00

Total, \$

Grand Total \$500.00

9. Description of diversion works:

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

Spreader Dikes

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-Feet 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 *completed* years.

11. Time required for complete application of water to the proposed beneficial use *not applicable* years.

12. Choice of newspaper for publication of notice of intention to appropriate *South Dakota*

STATE OF SOUTH DAKOTA

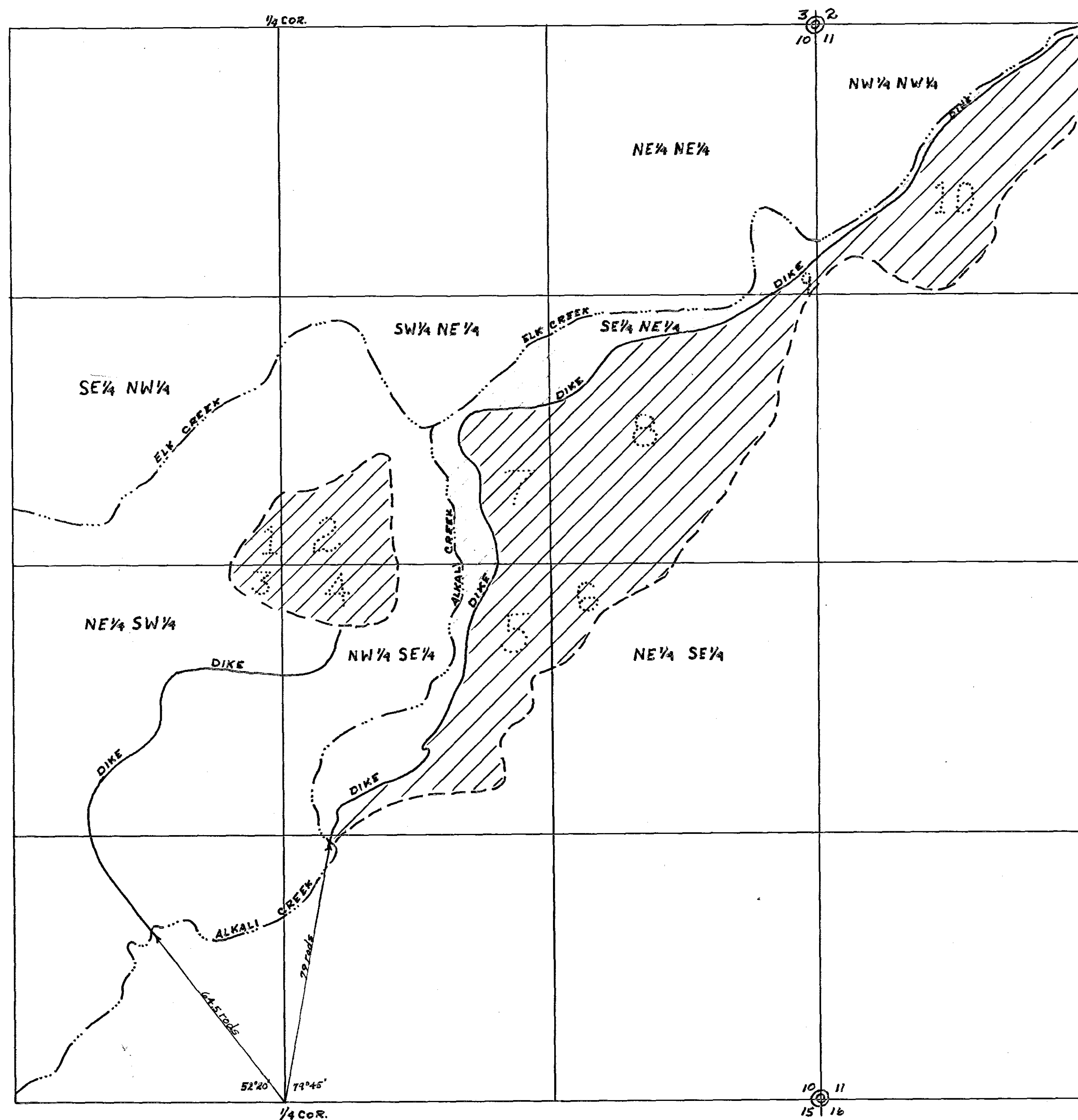
County of *Meade* } ss.

I, *Mark X. T. R. K.*, 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.

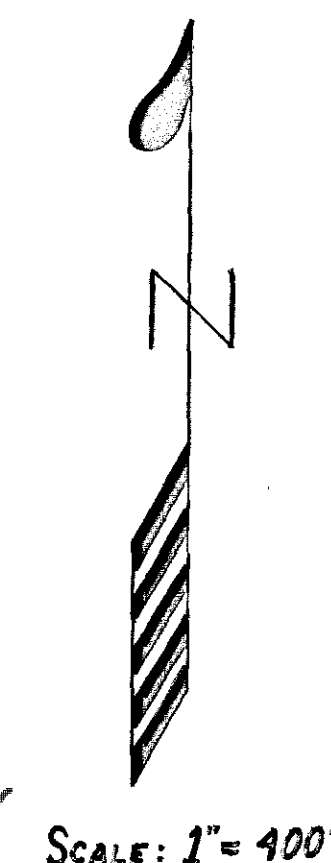
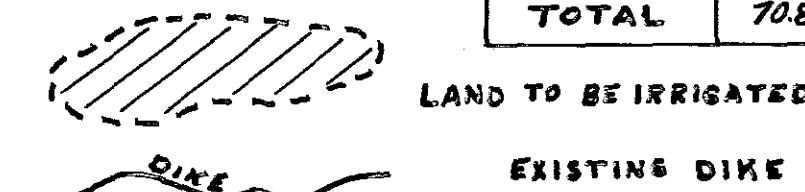
Signed *Mark X. T. R. K.*

Subscribed and sworn to before me this *26* day of *Sept* 19*60*

Wallace T. R. K.
Notary Public (or other qualified officer.)



LOCATION OF LAND TO BE IRRIGATED					
AREA	LOCATION	SEC.	TSHR	RMS.	ACRES
1	SE 1/4 NW 1/4	10	3N	14E	1.0
2	SW 1/4 NE 1/4	10	3N	14E	5.4
3	NE 1/4 SW 1/4	10	3N	14E	1.1
4	NW 1/4 SE 1/4	10	3N	14E	3.6
5	NW 1/4 SE 1/4	10	3N	14E	11.0
6	NE 1/4 SE 1/4	10	3N	14E	3.4
7	SW 1/4 NE 1/4	10	3N	14E	6.1
8	SE 1/4 NE 1/4	10	3N	14E	24.3
9	NE 1/4 NE 1/4	10	3N	14E	0.4
10	NW 1/4 NW 1/4	11	3N	14E	14.5
TOTAL					70.8



ALKALI SPREADER SYSTEM

ALL OF THE LANDS DESCRIBED HEREIN ARE OWNED BY MARK X. TRASK.

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA } ss.
COUNTY OF MEADE

I, MERIC D. GIGEAR, Registered Land Surveyor, do hereby certify that this map was made from aerial photographs of the area and to the best of my knowledge it correctly represents the lands involved and the locations indicated.
IN WITNESS WHEREOF I, have hereunto set my hand and seal.

Meric D. Ginear
Registered Land Surveyor #1007

STATE OF SOUTH DAKOTA } ss.
COUNTY OF MEADE

On this 26th day of September, 1960, before me, HELEN GIGEAR, the undersigned officer, personally appeared MERIC D. GIGEAR, known to me to be the person whose name is subscribed to the above written instrument and acknowledged that he executed the instrument for the purpose therein contained.
IN WITNESS WHEREOF, I have hereunto set my hand and seal.

Helen Ginear
Meade County Auditor

Remarks by State Water Resources Commission:

"Vested Right" Claimed

STATE OF SOUTH DAKOTA

County of

Hughes

Pierre, South Dakota,

December 16, 1960

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock

a.m. upon the

3rd

day of

October

1960

State Water Resources Commission

By:

Arthur J. Jones

Chief Engineer, Executive Officer

Number of permit

517-1

Date of first receipt of application

October 3

1960

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

1948

19

Approved

December 16, 1960

Recorded in Book

6

Page

144

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

1960

2nd. The whole of said work is to be completed on or before

1960

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

completed

19

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 1.21 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 June 30, 1955; said water to be used during the following described annual period:

Continuously

Witness my hand this

16th

day of

December, 1960

State Water Resources Commission

By:

Arthur J. Jones

Chief Engineer, Executive Officer

Certificate of Construction Issued

December 16, 1960

Water License Issued

December 16, 1960

LOCATION OF LAND TO BE IRRIGATED					
AREA	LOCATION	SEC.	TNSHP	RANGE	ACRES
1	SE $\frac{1}{4}$ NW $\frac{1}{4}$	10	3N	14E	1.0
2	SW $\frac{1}{4}$ NE $\frac{1}{4}$	10	3N	14E	5.4
3	NE $\frac{1}{4}$ SW $\frac{1}{4}$	10	3N	14E	1.1
4	NW $\frac{1}{4}$ SE $\frac{1}{4}$	10	3N	14E	36.
5	NW $\frac{1}{4}$ SE $\frac{1}{4}$	10	3N	14E	11.0
6	NE $\frac{1}{4}$ SE $\frac{1}{4}$	10	3N	14E	3.4
7	SW $\frac{1}{4}$ NE $\frac{1}{4}$	10	3N	14E	6.1
8	SE $\frac{1}{4}$ NE $\frac{1}{4}$	10	3N	14E	24.3
9	NE $\frac{1}{4}$ NE $\frac{1}{4}$	10	3N	14E	0.4
10	NW $\frac{1}{4}$ NW $\frac{1}{4}$	11	3N	14E	14.5
TOTAL					70.8

STATE OF SOUTH DAKOTA

WATER LICENSE No 517-1.....

WHEREAS, On the 3rd day of October A. D. 1960

Mark-X-Truck

of Wasta County of Moada and State of Vested Right
South Dakota duly made application (No. 517-1) to us for a permit to use 1.01
cubic feet per second of the waters of Alkali Creek
County of Moada, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 16th day of December 1960 A. D. 1960
Vested Right 517-1 was issued to said applicant... for the diversion of said water, and recognizing
 Permit No. 517-1 completion of the works of diversion therein described and for the application to beneficial use of said
water and

WHEREAS, On the 19th day of November A. D. 1960
Vested Right
the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.01
cubic feet per second of said waters, as evidenced by our Certificate No. 517-1
dated December 13, 1960 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 1.01 cubic feet per second of water, with date of
priority of 1948 ~~and~~ and,

WHEREAS _____

 proof was duly _____
 to per: _____
 purpor _____

_____ 19th _____ day of _____ November _____ A. D. 19-60

_____ the application to beneficial use of _____ 1.01 _____ cubic feet per second of said water;
 _____ of Sections 10 and 11, T 3 N, R 14 E for irrigation _____

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 Vested Right
of Wasta, South Dakota the holder. and owner of said permit No. 517-1
a water right, dating from 1948 to the use of 91
cubic feet per second of the waters of Alkali Creek
In the County of Meads and State of South Dakota, or so much thereof as may be
necessray for the purposes hercinbelow mentioned, to be diverted at a point in the SE 1/4 SW 1/4 and
a point in the SW 1/4 SE 1/4, Sec. 10, T 3 N, R 14 E
and conducted to and upon portions of Sections 10 and 11, T 3 N R 14 E,
more specifically described in the Certificate of Completion of
Works.

for the purpose of irrigation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the
State, and subject, also to the local or community customs, rules and regulations which have been or may be
adopted from time to time by a majority of the users from a common source of supply, canal or lateral from
which such water may be taken, when such rules and regulations have for their object the economical use of such
water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 16th day of December A. D. Nineteen
Hundred and Sixty

State Water Resources Commission

By:

J. W. GRIMES, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. _____

Water Division No. _____ Water District _____

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Mark X. Trask

of Wasta, County of Meade, and State of South Dakota, the holder of Vested Right Permit No. 51/-1, issued upon Application No. 51/-1, bearing date of priority of 1948, authorizing the diversion of

1.01 cu. ft. per second of the waters of Alkali Creek County of Meade, State of South Dakota, at a point N 10° 15' E 79 rods, and a point N 37° 40' W 64 rods from St corner, Sec. 10, T 3 N, R 14 E, for irrigation

purposes, has fully 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~~ **recognized as** satisfactory ~~condition~~ for diverting and conveying to the place of intended use 1.01 cu. ft.

per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows:

to-wit: Sec. 10, T 3 N, R 14 E

SE 1/4 NW 1/4 1.0 acres

SW 1/4 NW 1/4 11.5 "

NE 1/4 SW 1/4 1.1 "

NW 1/4 SE 1/4 14.6 "

NE 1/4 SE 1/4 3.4 "

SE 1/4 NW 1/4 24.3 "

NW 1/4 NW 1/4 0.4 "

Sec. 11, T 3 N, R 14 E

NW 1/4 NW 1/4 14.5 "

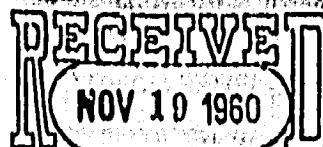
Witness my hand this 16th day of December A. D. 1960

State Water Resources Commission

By:

J. W. CRIMES,

Chief Engineer, Executive Officer



Location No.

Water Division No. Water District

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. MARK K. TRASK - Rancher - WASTA, S. DAK.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to same, and your authority for appearing in its behalf.

Ans.

Ques. 3. State date of posting and date of recording notice of appropriation.

Ans. No right issued

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Alkali Creek - One Point N 10° 15' E 79
rods from S 1/4 Cor. Sec. 10. One Point N 37° 40' W From
same same Cor. 64 1/2 rods.

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

Ans.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. Irrigation - See Separate Sheet

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans.

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. 212.4 Acres feet.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans.

Ques. 10. State when, how, in what amount and to what extent, the water diverted under above mentioned permit has been used.

Ans. DIVERSION was constructed and water
diverted in 1948 and has been used for
IRRIGATION SINCE

(Sign) Mark H. Haack

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in STURGIS, County of MEADE

State of South Dakota, on this 4th day of November A. D. 1960

Marie A. Sigman
James B. Biny } Witnesses. Fileas Sigman
Meade County Auditor

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

John T. Haack
John C. Shyne

Location No.	PROOF OF APPLICATION OF WATER TO BENEFICIAL USE	PETITION OF HOLDER	Amount of Water c.f.s.	Source	County	Purpose	Place of Use	Date of recording	Received and filed

RECEIVED
NOV 15 1960
SOUTH DAKOTA
DIVISION OF WATER RESOURCES

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

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3191

September 21, 1988

NOTICE

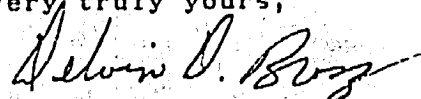
Mark X. Trask
Box 27
Elm Springs SD 57736

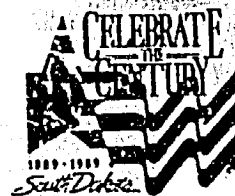
Dear Mr. Trask:

I am writing to notify you that pursuant to the Notice of Intent to Validate Vested Water Right Claims dated June 20, 1988 that I intend to oppose validation of your water right claim No(s) 517-1 until a field inspection has been completed. The claim has either never been inspected or an inspection was conducted so long ago that a new inspection is needed. An inspection is needed to determine the current state of your vested water right claim.

A staff member from the Division of Water Rights will be contacting you and scheduling an inspection of your water project. If we can answer any questions, please contact us.

Very truly yours,

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





**Department of
Water & Natural Resources**

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

October 14, 1988

517-1
1779-2

Winifred Trask
Box 27
Elm Springs, SD 57736

Dear Ms. Trask:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Vested Water Right Claim Nos. 517-1 and 1779-2. Please check over the forms and sign in the presence of a notary public. Upon completion of the forms, return them to our office with a required filing fee of \$2.00 each (total of \$5.00). The vested water right claims will then be transferred to your name.

If you have any questions, please contact us.

Sincerely,

GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure



NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 10/18/88

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

SE 1/4 NW 1/4, S 1/2 NE 1/4, NE 1/4 NE 1/4, NE 1/4 SW 1/4, N 1/2 SE 1/4 Section 10, NW 1/4 NW 1/4 Section 11, T3N, R14E

formerly owned by Mark X Trask

has been transferred to Winifred Trask, Box 27, Eden Springs, S.D. 57736
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 517-1 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 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.

Winifred Trask
(Signed)

Subscribed and sworn to before me this 18 Day of October, 1988

Kerry L. Linn
(Notary Public)

Expires 12/31/89

RECEIPT

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

411X54

Pierre, October 20, 1960

RECEIVED OF Hilfrad 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>Permit No. 517-1</u>	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 (S)



**Department of
Water & Natural Resources**

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

WATER RIGHTS DIVISION
(605) 773-3352

November 7, 1988

Winifred Trask
Box 27
Elm Springs, South Dakota 57736

Dear Mrs. Trask:

Enclosed are receipt Nos. 411454 and 411455 in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 517-1 and 1779-2.

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

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.



Water Rights Division - DWR
Conversation or File Documentation

File No. 517-1

NAME OF PERSON OR FILE: Tom Trask
ADDRESS: HCR 86 Box 28 Elm Springs, SD ⁵⁷⁷³⁶ Meade COUNTY
DATE: 4-13-89 TELEPHONE 798-2116
RE: Validation of Vested Right No. 517-1

COMMENTS:

On this date, I spoke with Tom Trask & made an inspection of the land irrigated under V.R. No 517-1. The water spreading system has been developed and appears to be in good operating condition. The dam in the SE 1/4 SW 1/4 of Section 10 acts as the only diversion point. The dam in the SW 1/4 SE 1/4 of Sec. 10 is still present but does not act as a diversion point anymore. There are two 30" CMP culverts (gated) in the NW 1/4 SE 1/4 of Sec. 10 which control what acreage is irrigated. IF the culverts are open, water is spread in Areas 1-4 (See map). IF the culverts are closed, water is spread on Areas 5-10. The acreage is the same as originally licensed.
This V.R. No. 517-1 should be transferred to Tom Trask

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: James L. Wendt



Department of Water & Natural Resources

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

May 2, 1989

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

Dear Mr. Trask:

I am writing in regard to our conversation on March 13 concerning your water spreading systems on Alkali Creek. Your main question concerned construction of dams and diversion of flows.

As I stated on that day, after acquiring the proper permits from our office, you would be able to construct a dam on a creek as long as you are able to bypass any flows which are needed for domestic use or downstream irrigators with prior rights. If the dam was to store more than 50 acre-feet or have a height greater than 25 feet, the dam would then have to comply with our Safety of Dams Rules.

I have also enclosed a permit application and instruction sheet as you requested. If we can be of any more help, please contact us.

Sincerely,

James L. Wendte

James L. Wendte
Natural Resources Engineer
(605) 773-3352

enc



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

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

June 21, 1989

517-1

Tom Trask
HCR 86 Box 28
Elm Springs, SD 57736

Dear Mr. Trask:

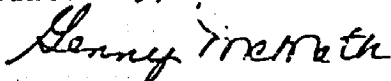
Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Vested Water Right Claim No. 517-1. You indicated after an inspection of the water use system on April 13, 1989 that the claim should be listed in your name.

Please check over the form and sign in the presence of a notary public. Upon completion of the form, return it to our office with a required filing fee of \$2.50.

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
Natural Resources Analyst
605 773-3352

enclosure



**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

Elm. - J.D.
57736
Nov. 28-1989

Dept. of Water: Natural Resources
Office, S.D.

Att: Geny Math or Del Bray
I am enclosing their
water irrigation sectionnaire
I also want to transfer my
water permits to my children
who are buying the land - a

freedman
1028-1 } to
1779-2 } to
Patricia ~~Tracy~~
Box 19
Elm Springs
S.D. 57736

1025-1 to
Fond Du Lac
HCR 86- Box 28
Elm Springs
S.D. 57736

1024-1 } to
577-1 } to
Ferry Beach
Co. Ferry Beach
HCR 86- Box 28
Elm Springs
S.D. 57736



Please notify me when
need to do - Thank you
Wendell E. Tracy

NOTICE OF TRANSFER OF OWNERSHIP

No. 517-1

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

Date: Feb 2, 1990

I/We request that ~~Water Right Claim No. 517-1~~ Vested Water Right Claim No. 517-1

formerly owned by: Winifred Trask

be transferred to: (name & address) Terry A. Trask

HCR 86 Box 25, Elm Springs, ID 57736 (telephone No.) 605-798-2116

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

SE 1/4 NW 1/4, SW 1/4 NE 1/4, E 1/2 NE 1/4, NE 1/4 SW 1/4, N 1/2 SE 1/4 Section 10, NW 1/4 NW 1/4 Section 11, T3N, R14E

(14.5 acres) Meade County

I/We understand that the validity of ~~Water Right Claim No. 517-1~~ Vested Water Right Claim No. 517-1 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 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.

Terry A. Trask
(Signed)

Subscribed and sworn to before me this 2nd day of February, 1990.

Barrell Sawyer
(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, the permit becomes a water 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 Water and Natural Resources

412089

Pierre, February 15, 1990

RECEIVED OF Minnie 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 work 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 _____ Vested Right Claim No. 517-1	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 Robert H. Lett
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

Terrell Trask
HCR 5, 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

Water Rights Division - DWR

File No. 517-1

Conversation or File Documentation

NAME OF PERSON OR FILE: Tom TraskADDRESS: HCR 86 Box 28 Elm Springs, SD⁵⁷⁷³⁶ MeadeDATE: 4-13-89 TELEPHONE 798-2116RE: Validation of Vested Right No. 517-1

COMMENTS:

On this date, I spoke with Tom Trask & made an inspection of the land irrigated under V.R. No 517-1. The water spreading system has been developed and appears to be in good operating condition. The dam in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10 acts as the only diversion point. The dam in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 10 is still present but does not act as a diversion point anymore. There are two 30" CMP culverts (gated) in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 10 which control what acreage is irrigated. IF the culverts are open, water is spread in Areas 1-4 (See map). IF the culverts are closed, water is spread on Areas 5-10. The acreage is the same as originally licensed.

This V.R. No. 517-1 should be transferred to Tom Trask

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

4/82

NAME: James L. Wendt

517-1

SOUTH DAKOTA

VESTED WATER RIGHT NO. 517-1 FOR IRRIGATION

Date of Receipt of Claim October 3, 1960.

Date of Validation September 30, 1992.

The Water Management Board validated Vested Water Right Claim No. 517-1 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. 517-1 appropriates 1.01 cubic feet per second of water from Alkali Creek to irrigate 70.8 acres. The point of diversion is in the SE1/4 SW1/4 SEC 10, T3N, R14E. The irrigated lands are located in the SE1/4 NW1/4, S1/2 NE1/4, NE1/4 NE1/4, N1/2 SE1/4 and NE1/4 SW1/4 SEC 10; and NW1/4 NW1/4 SEC 11; 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: January 1 to December 31.
3. The priority date of the Vested Water Right IS January 1, 1948.
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: _____

John H. Hester
Chief Engineer

MAR 5 1993

date

Division of Water Rights
Dept. of Environment and Natural Resources

517-1



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 5 1993

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

Dear Mr. Trask:

The Water Management Board has validated the enclosed Vested Water Right No. 517-1. 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

L



517-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 26, 1993

Tom & Sheila Trask
HC 88 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



517-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3151

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).

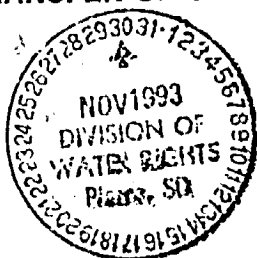
Please remit the \$5.00 filing fees as soon as possible. If you have any questions, please contact me.

Sincerely,

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

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 517-1

Date: 11/21/93

I\We request that Vested Water Right No. 517-1

formerly owned by: Terry A Trask.

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

S.D. 57736

(Telephone No) 605-798-2116

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

SE¼ NW¼, S½ NE¼, NE¼ NE¼, N½ SE¼, NE¼ SW¼ Section 10 and NW¼ NW¼ Section 11, T3N, R14E

I/We understand that the validity of Vested Water Right No. 517-1 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.

(Signed)

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

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

517-1
413963

Pierce, December 9, 1993

RECEIVED OF Tom Trask, HCR 36 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>Vested Water Right No. 517-1</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John W. Hader
Chief Engineer



517-1

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 23
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.

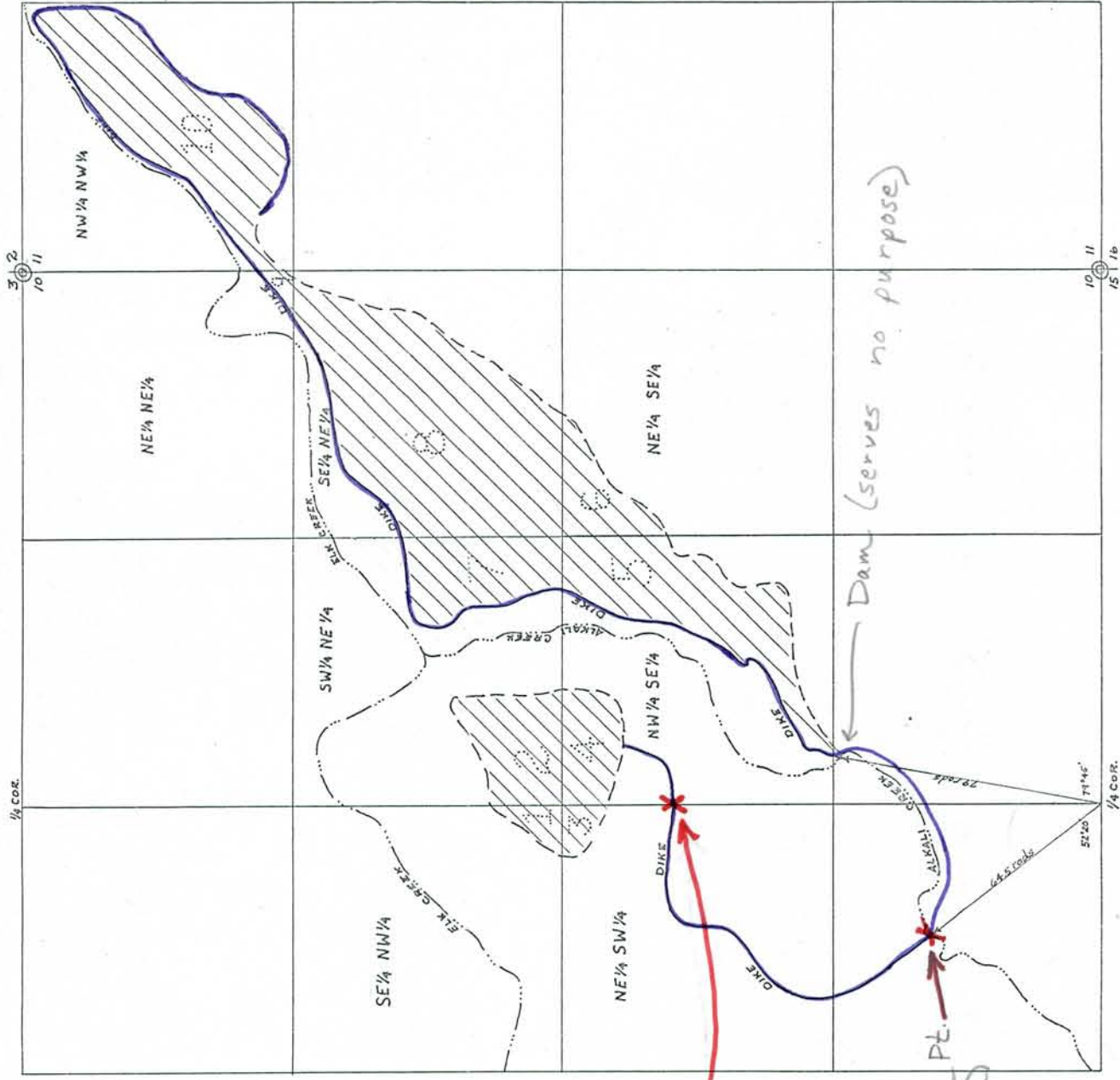
Our records now show you as the owner of Water Right Nos. 517-1 and 1024-1.

Sincerely,

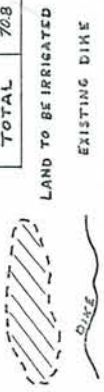
Cheryl F. Frost

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

enclosures



LOCATION OF LAND TO BE IRRIGATED					
AREA	LOCATION	SEC.	TSHR	RNC.	ACRES
1	SE 1/4 NW 1/4	10	3N	14E	10
2	SW 1/4 NE 1/4	10	3N	14E	5.9
3	NE 1/4 SW 1/4	10	3N	14E	1.1
4	NW 1/4 SE 1/4	10	3N	14E	3.6
5	NW 1/4 SE 1/4	10	3N	14E	11.0
6	NE 1/4 SE 1/4	10	3N	14E	3.4
7	SW 1/4 NE 1/4	10	3N	14E	6.1
8	SE 1/4 NE 1/4	10	3N	14E	21.3
9	NE 1/4 NW 1/4	10	3N	14E	0.4
10	NW 1/4 NW 1/4	11	3N	14E	14.5
TOTAL					70.8



ALKALI SPREADER SYSTEM

ALL OF THE LANDS DESCRIBED HEREIN ARE OWNED BY MARK X. TRASE.

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA } ss.
COUNTY OF NEADE
I, MERIC D. GIGAR, Registered Land Surveyor, do hereby certify that this map was made from aerial photographs of the area and to the best of my knowledge it correctly represents the lands involved and the locations indicated.
IN WITNESS WHEREOF I, have hereunto set my hand and seal.

Mark X. Trase
Registered Land Surveyor #1007

STATE OF SOUTH DAKOTA } ss.
COUNTY OF NEADE

On this 26th day of September, 1960, before me, HELEN GIGAR, the undersigned officer, personally appeared MERIC D. GIGAR, known to me to be the person whose name is subscribed to the above written instrument and acknowledged that he executed the instrument for the purpose therein contained.
IN WITNESS WHEREOF, I have hereunto set my hand and seal.

Helen Gigar
Notary Public