

Water Right Number 2241-3

1. Considered MAY 21, 1975
2. Name of Applicant JOHN R. KREBER
3. Post Office Address TABOR
4. Amount of Water claimed 2.8
5. Source of Water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
Acres to be irrigated 219
7. Water to be diverted and used in BON HOMME County
about 3N, 8E miles of SPRINGFIELD
8. Proof of Publication Received 4-17-75
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

No. 2241-3Map No. 1634-3 Water Division No. 3 MISSOURI RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant John R. Kreber
 Post-office address Tabor, State South Dakota 57063
 If a corporation show date and place of incorporation _____
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Employment of other, direct labor
 3. Name of diversion work John R. Kreber Irrigation Project # 1
 4. Amount of water claimed (cubic feet per second) 2.0
 5. Source of water supply ~~Lewis and Clark Lake~~ MISSOURI RIVER
 6. Location of point of diversion Edge of lake, N 271° W, 3940 ft from SE corner of section 11-93-59, Bon Homme County.

County Bon Homme

7. Annual period or periods during which water is to be used April thru October
 8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
 9. For irrigation use, irrigation Total number of acres to be irrigated 219

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 11-93-59	39	NW $\frac{1}{4}$ SE $\frac{1}{4}$ 11-93-59	39
NE $\frac{1}{4}$ NE $\frac{1}{4}$ 11-93-59	23	NE $\frac{1}{4}$ SE $\frac{1}{4}$ 11-93-59	39
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 11-93-59	40		
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 11-93-59	39		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 years. Additional time required to complete application of water to the proposed beneficial use 5 years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication Tyndall Tribune and Register
 12. Principal Features of the Proposed Water Supply System.

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

Buried pipeline. Permanent pumping plant.

B. Works proposed to transport water to place of use.

Buried pipeline.

C. Works proposed to apply water to beneficial use.

Center pivot sprinkler.Estimated Total Cost \$ 68,000Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

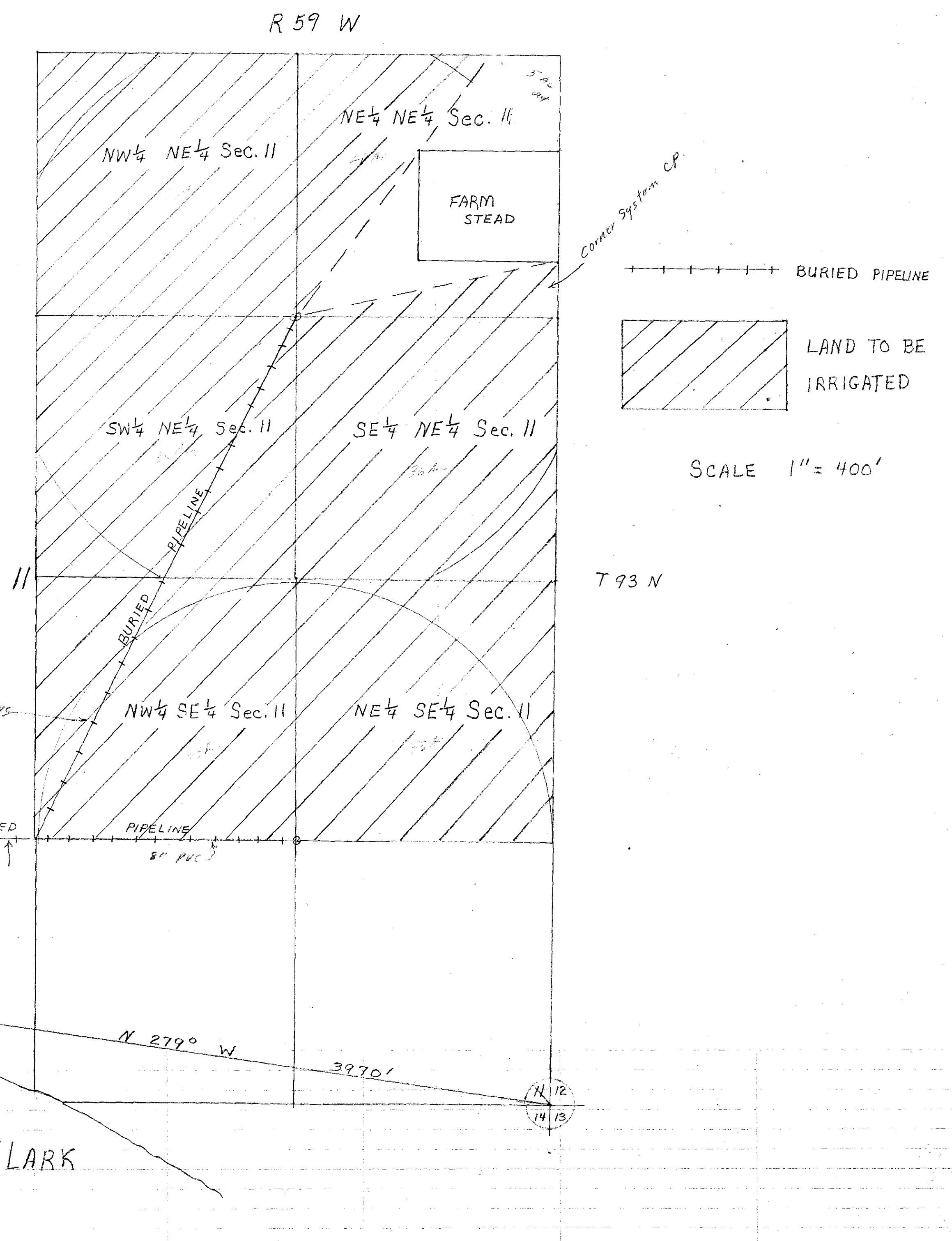
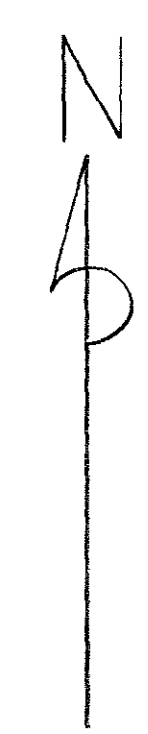
STATE OF SOUTH DAKOTA

County of BON HOMMEI, JOHN R. KREBER, 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.Signed John R. KreberSubscribed and sworn to before me this 17 day of March 1975

Notary Public (or other qualified officer)

ALL LANDS DESCRIBED ARE OWNED BY JOHN R. KREBER

LOCATION OF LAND TO BE IRRIGATED				
LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$	11	93	59	39
NE $\frac{1}{4}$ NE $\frac{1}{4}$	11	93	59	23
SW $\frac{1}{4}$ NE $\frac{1}{4}$	11	93	59	40
SE $\frac{1}{4}$ NE $\frac{1}{4}$	11	93	59	39
NW $\frac{1}{4}$ SE $\frac{1}{4}$	11	93	59	39
NE $\frac{1}{4}$ SE $\frac{1}{4}$	11	93	59	39
TOTAL				219



LEWIS & CLARK
LAKE

JOHN R. KREBER
IRRIGATION
PROJECT # 1

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed	Date	Approved by
Drawn		Title
Traced		Title
Checked	Sheet No.	Drawing No.
	of	

MAP NO 1634-3 (APPL NO 2241-3)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2241-3
JOHN R. KREBER TABOR
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57063 With the following modifications:
 (State)

Date of first receipt of application MARCH 31 19 75
 Date of return to applicant for correction, amendments or changes required — 19 —
 Date of receipt of corrected application — 19 —
 Approved MAY 22 19 75 Recorded in Book 13 Page 286

WATER RIGHT PERMIT NO. 2241-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2241-3 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 MARCH 31 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 22 19 75
3. The whole of said work is to be completed on or before MAY 22 19 76
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 22 19 80
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 2.8 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 MAY 22 19 80; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 28TH day of MAY 19 75

WATER RIGHTS COMMISSION

By: Van W. Buxton
 Acting Chief Engineer, Executive Officer

Certificate of Construction Issued FEBRUARY 12 19 80

Water License Issued FEBRUARY 12 19 80

Permit No. 2241-3

Water Diversion No. 3 Missiour River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That John R. Kreber

_____ the holder _____ of
Permit No. 2241-3, issued upon Application No. 2241-3, bearing date of priority of March 31,
1975 authorizing the diversion of 2.8 cu. ft. per second of the waters of _____
the Missouri River County of Bon Homme, State of South Dakota at _____
a point 1320 feet west and 2100 feet south of the center of Section
11, T93N, R59W
_____, for irrigation

purposes, ha 3 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 4.0 cu. ft. per second of water.

Date February 12, 1980

John Hatch
JOHN HATCH, Chief Engineer
Water Rights, WID

STATE OF SOUTH DAKOTA

WATER LICENSE NO. ²²⁴¹⁻³.....

(1) WHEREAS, On the 31st day of March A. D. 1975

John R. Erbeur

made Water Right Application No. 2241-3 for a permit to use 2.8 cubic feet per second of the waters of the Missouri River

County of Bon Homme, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 22nd day of May A. D. 1975

Permit No. 2241-3, with a date of priority of March 31, 1975

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 22nd day of May A. D. 1976 and for the application to beneficial use of said water on or before the 22nd day of May A. D. 1980

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 2.77 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 Section 11, T93N, R59W

NW 1/4 NE 1/4 36 acres

NE 1/4 NE 1/4 20 "

SW 1/4 NE 1/4 36 "

SE 1/4 NE 1/4 36 "

NW 1/4 SE 1/4 33 "

NE 1/4 SE 1/4 33 "

TOTAL 194 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 John R. Kraber

of Falton, SD

the holder _____ and owner _____ of said permit No. 2241-3 a water right, dating from _____

March 31, 1975 to use of 2.77 cubic feet per second of the waters

of the Missouri River

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

purposes hereinbelow mentioned, to be diverted at a point 1320 feet west and 2100 feet north of the

center of Section 11, T93N, R59W

and conduct to and upon portions of land in Section 11, T93, R59W more fully described on

the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2241-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 12th day of February A. D.

Nineteen Hundred and Eighty

Board of Water Management

By:

John Hatch
Chief Engineer, JOHN HATCH

SOUTH DAKOTA Department of
Water & Natural Resources

Joe Foss Building Water Rights, Water Management Division
Pierre, South Dakota 57501 (605) 773-3352

February 12, 1980

John Kreber
Tabor,
South Dakota 57063

Dear Mr. Kreber:

Enclosed herewith are, Water License No. 2241-3 and Certificate of Construction.

Water License No. 2241-3 is the final water right document completing your process of obtaining a water right.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights, WMD

JH:kw

enclosures

No. 2241-3Publish first publication, on or before May 8, 19 75NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 1, 19 75Notice is hereby given that John R. Kreberwhose post office address is Tabor, 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 use2.8 cubic feet of water per second of time from the Missouri River through theJohn R. Kreber Irrigation Project #1, the point of diversion of which is to be located in the _____SE 1/4 SW 1/4of Section 11, Twp. 93N, Range 59W, said water to be used for the purpose
of providing irrigation on the following described land:NE 1/4 and N 1/2 SE 1/4, Section 11, T93N, R59W

This application No. 2241-3 will be considered by the Water Rights Commission at its office at
Pierre upon the 21st day of May, 19 75, at 2:20 P. M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: John R. Kreber, Tabor, S.D. 57063

No. 2241-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County San Homme) ss.

I, Wayne L. Bertrand hereby
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Tyndall Tribune & Register

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

City of Tyndall

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

April 10 & 17, 1975

Wayne L. Bertrand
(Signature)

Publisher
(Title)

4-17-75
(Date Signed)

NOTICE INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501

April 1, 1975

Notice is hereby given that John R. Kreber whose post office address is Tabor, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.8 cubic feet of water per second of time from the Missouri River through the John R. Kreber Irrigation Project No. 1, the point of diversion of which is to be located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, Twp. 93N, Range 59W. Said water to be used for the purpose of providing irrigation on all or portions of the following described land: NE $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 11, T93N, R59W.

This application No. 2241-3 will be considered by the Water Rights Commission at its office at Pierre upon the 21st day of May, 1975, at 2:30 p.m. All interested

persons may appear and be heard.

WATER RIGHTS COMMISSION
BURTON F. JONES
Water Rights Specialist
(April 10 and 17)

RECEIVED
APR 17 1975
STATE WATER RIGHTS COMMISSION
PIERRE, SOUTH DAKOTA

NOTICE OF COMPLETION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE

Post Office

Fabor S. D.

Date

Aug. 18, 1975

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

Dear Sirs:

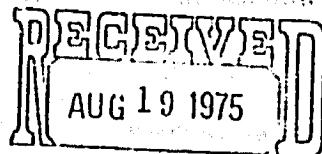
This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 2241-3.

Water Right Permit No. 2241-3 states that the diversion system is to be constructed by September 22, 1975 and that the water is to be put to beneficial use by May 22, 1980.

The diversion system was completed on June 20, 1975. Applying the water to beneficial use was completed on July 5, 1975.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

John B. Kreber
(Signature)



STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

Permit No. 2241-3Water Division 3 Missouri River Water District

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

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

I have this day made a thorough examination of the water use system constructed by John R. Kreber of Tabor, South Dakota, 57063 holder of Permit No. 2241-3, bearing date of priority of March 31, 1975 authorizing the diversion of 2-8 cu. ft. per second of the waters of Missouri River for Irrigation purposes, in Bon Homme 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:
South Motor-Gould Century, 100 HP - 1770 RPM.
Pump Berkeley, Model 6EX PBH, Ser #7737910, Imp. dia. 14 5/8
North Motor Gould Century, 60 HP, 3540 RPM.
Pump Berkeley Ser # 7736502, Model B5E PBM, Imp. dia. 7 3/8
Pumping 1800 gpm.
- B. Works used to transport water to place of use,
800 ft - 12" Steel Pipe
1434 ft - 10" PVC Pipe
4270 ft 5" PVC Pipe
- C. Works used to apply water to beneficial use.
CP in NE 1/4 = Valley with Corner System, Booster pump at CP =
Motor-Gould Century, 50 HP - 1765 RPM. Pump Berkeley Model B4 JPBH
CP in SE 1/4 = Vermont - Model 1250, Ser #1397, Water Drive
Pump = Berkeley Model B4 JPBH, Motor = Century 50 HP 1765 RPM

The system is in the following condition: Excellent

The point of diversion is located 1320 ft W and 2100 ft South of the Center
of Sec. 11, T93N R59W

The works are capable of diverting and conveying to the place of use 4.0cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: All in SEC 11, T93N R59W

NW 1/4 NE 1/4 - 36 Ac. NE 1/4 NE 1/4 - 20 Ac. SW 1/4 NE 1/4 - 36 Ac.
SE 1/4 NE 1/4 - 36 Ac. NW 1/4 SE 1/4 - 33 Ac. NE 1/4 SE 1/4 - 33 Ac.

BW

comprising a total of 194 acres of land.

$$194 \div 70 = 2.77 \text{ cfs.}$$

Date September 20, 1979

LeRoy J. McLaughlin
 (Signature)

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7296

John Kreber, Tabor SD 57063

PIERRE, February 5, 1990

RECEIVED OF

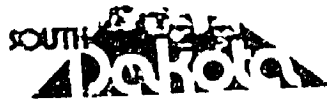
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and Issuing Cert. of Construction No. 2241-3)	12	00
Fee for Inspecting Beneficial Use, and Issuing Water License No. 2241-3)		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filling		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	12	00

WATER RIGHTS COMMISSION

By John H. Hatcher
Chief Engineer, Executive Officer

JOHN HATCHER kw



Department of Water & Natural Resources

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

February 17, 1989

John R. Kreber
RR 1, Box 44
Tabor, SD 57063

Dear Mr. Kreber:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;

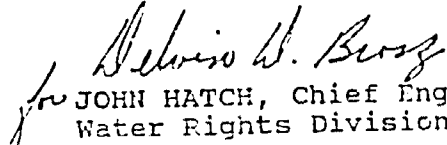


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,

for 
JOHN HATCH, Chief Engineer
Water Rights Division

South Dakota

GREAT FACES. GRI ES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

6841-3

Janu. 30, 1992

JOHN R. KREBER
RR 1, BOX 44
TABOR, SD 57063

Dear Mr. KREBER:

I am writing to acknowledge receipt of your 1991 chemigation report for Water Right No.(s) 2241-3. You may disregard the February 1, 1991, Notice of Failure to Report Chemical Use for 1991. With receipt of the chemigation report, your name has been deleted from the March 4, 1992 Water Management Board meeting agenda.

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

Sincerely,

Don Frye

DON FRYE, Natural Resources Analyst
Water Rights Division



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JOHN R. KREBER
RR 1, BOX 44
TASOR, SD 57053

NOTICE

Re: Failure to Report Chemical Use under Water Permit No(s) 2241-3

The first notice to file chemigation report(s) for Permit No(s) 2241-3 was dated October 18, 1991. Our records indicate that we have not received the 1991 chemigation report for Permits No(s) 2241-3. The Water Management Board has directed that owners of water permits who have not submitted the 1991 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearings will be held at 9:15 am, on March 4, 1992, at the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol, Pierre SD, and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s). 2241-3 in accordance with applicable provisions of SDCL 46-1-12;
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.

Very truly yours,

RON DUVAL, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

NOTE: If the chemigation report(s) is(are) received by this office prior to the March 4, 1992 hearing, you will no longer be in violation and your name will be deleted from the Board agenda.



2241-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 11, 1994

No. 2241-3

Jeff Kreber
RR 1, Box 44
Tabor SD 57063

Dear Mr. Kreber:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 2241-3. The water right is currently listed in the name of John R. Kreber. When your father returned the Irrigation Questionnaire, he indicated that you were now running the operation. If you are the landowner, this water right should be transferred to you. If John R. Kreber still owns the land, please disregard the enclosed form. If you are the operator and would like the information regarding the water right sent to you, please let us know and we will make this change on our records.

The transfer form should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the form 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,

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

enclosure

2241-3

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2241-3Date: 2/15/94I/We request that Water Right No. 2241-3formerly owned by: John R. Kreberbe transferred to: (name & address) Jeffery Kreber, RR 1, Box 44, Tabor SD 57063(Telephone No) (605) 589-3872

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

194 acres - NE 1/4, N 1/2 SE 1/4 Section 11-T93N-R59W

I/We understand that the validity of Water Right No. 2241-3 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 Ben Hur)

I/We Jeffrey Kreber 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.

Jeffrey Kreber
(Signed)

Subscribed and sworn to before me this 15th day of February, 19 94.

K. Bloch
(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 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

Pierre, February 17 ~~RECEIVED~~, 19 94

2241-3
414043

RECEIVED OF Jeffrey A Kreber, RR 1 Box 44, Tabor, SD 57063

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>Water Right No. 2241-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By

John H. Hader
Chief Engineer



2241-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501 3181

March 2, 1994

No. 2241-3

Jeffery Kreber
RR 1, Box 44
Tabor, SD 57063

Dear Mr. Kreber:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 2241-3.

Our records now show you as the owner of Water Right No. 2241-3.

Sincerely,

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

enclosure

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

JEFFREY A KREBER
31015 421ST AVE
TABOR SD 57063

2. Article Number (Copy from service label)

7000 0600 0026 9814 3277

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

A. Received by (Please Print Clearly)

Kreber Charles

B. Date of Delivery

11/27/01

C. Signature

X Charles Kreber

☐ Agent☐ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes



2241-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 19, 2001

NOTICE

TO: JEFFREY A KREBER, 31015 421ST AVE, TABOR, SD 57063

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

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaire

Our records indicate that the 2000 Irrigation Questionnaire has not been submitted for Permit No. 2241-3. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 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 7, 2001, 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. 2241-3 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 is received in this office on/or before March 2, 2001, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire, 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 22, 2001

2241-3

Jeffrey A Kreber
31015 421st Ave
Tabor, SD 57063

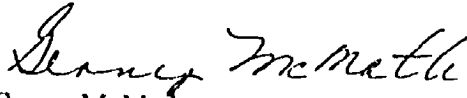
Dear Mr. Kreber:

I am writing to acknowledge receipt of your 2000 irrigation questionnaire. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right No. 2241-3.

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

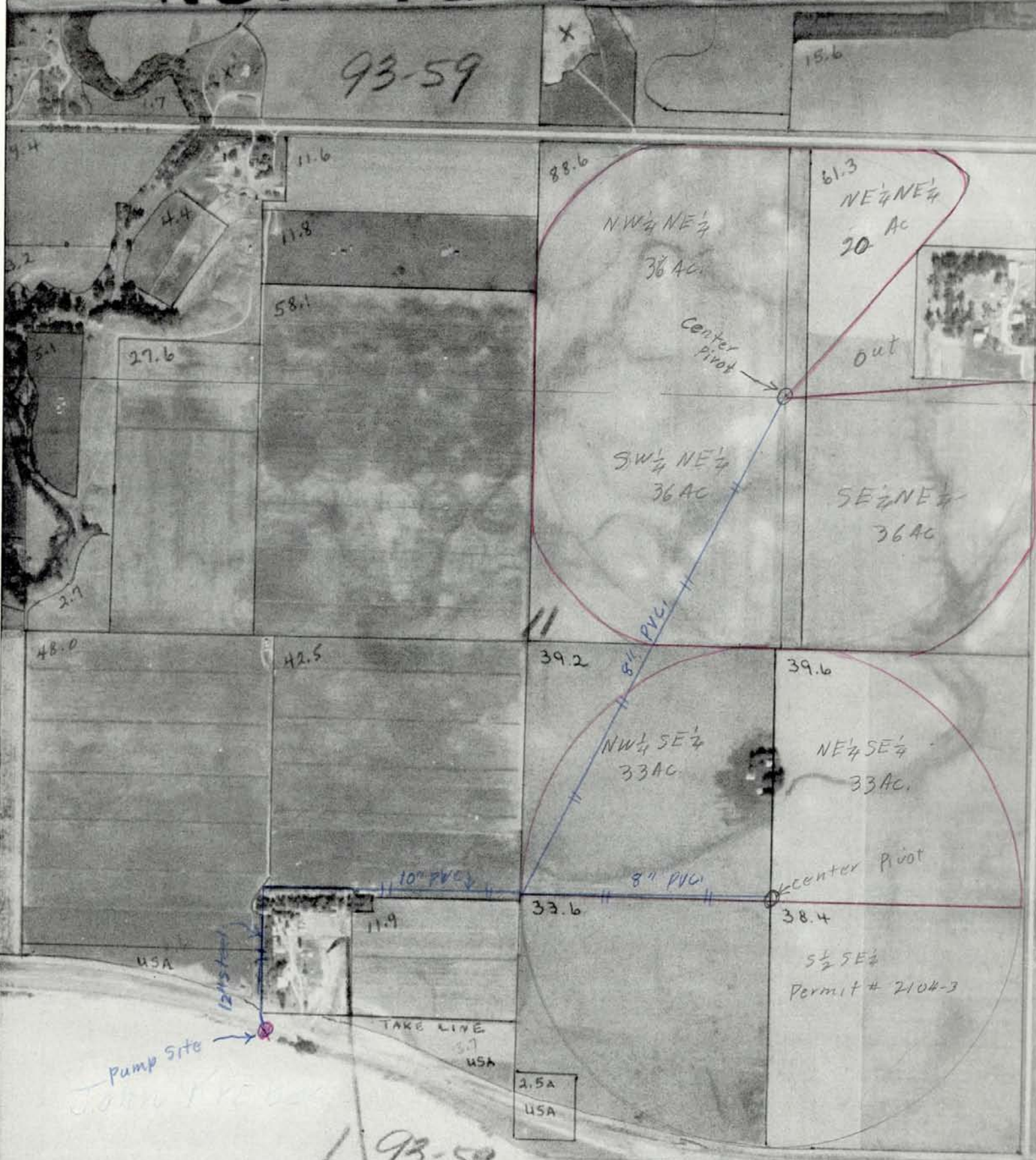
If you have any questions, please contact me.

Sincerely,


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

NOT TO SCALE

93-59



John Kreber
Permit # 2241-3

App. # 2241-3



2241-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 26, 2007

NOTICE

TO: JEFFREY A KREBER, 31015 421ST AVE, TABOR, SD 57063

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

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaire(s)

Our records indicate that the 2006 Irrigation Questionnaire has not been submitted for Permit No(s) 2241-3. The request for the Questionnaire was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 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 10:30 am, March 7, 2007, 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) 2241-3 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, 2007, you will no longer be in violation of your permit and your name will be deleted 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. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/efrms/secure/efrms/E0455V5-IQ.pdf>

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.

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Track & Confirm

Search Results

Label/Receipt Number: **2303 2160 0000 0799 6682**
Status: **Delivered**

Your item was delivered at 2:28 PM on January 27, 2007 in TABOR, SD 57063. The item was signed for by C PETERS.

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Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0799 6682

JEFFREY A KREBER
31015 421ST AVE
TABOR SD 57063

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:
Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

BARCODE (POSTAL USE ONLY)

☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel

PS Form 153, May 2002 (See Reverse)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 9, 2007

NOTICE OF AMENDMENT OF WATER RIGHT

TO: Jeffrey A Kreber, 31015 421st Ave, Tabor SD 57063

FROM: Garland Erbele, Chief Engineer
Water Rights Program *Garland Erbele*

SUBJECT: Amendment to Water Right No. 2241-3

On March 7, 2007, the Water Management Board amended Water Right No. 2241-3 to add the following qualification:

"This water right is subject to the Irrigation Water Use Questionnaire being submitted each year."

This action was taken for failure to return the 2006 irrigation questionnaire. The addition of this qualification to your water right means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water right with no use of water for up to one year for the first violation.

Please contact Genny McMath (605) 773-3352, if you have any questions.



2241-3
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 16, 2015

NOTICE

TO: JEFFREY A KREBER, 31015 421ST AVE, TABOR, SD 57063
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2241-3. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2241-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **10:00 am, March 4, 2015** 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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2241-3 in accordance with applicable provisions of SDCL 46-1-12;
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 4, 2015** 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: <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

January 22, 2015

2241-3

Jeffrey Kreber
31015 421st Ave
Tabor SD 57063

Dear Mr. Kreber:

I am writing to acknowledge receipt of your 2014 irrigation questionnaire.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right No. 2241-3. 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
email: genny.mcmath@state.sd.us