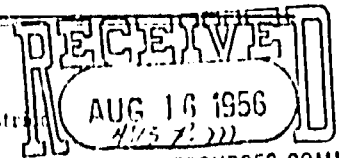


1. Considered September 17, 1956
2. Name of Applicant Lloyd L. Wheeler 239-3
3. Post Office Address Springfield, S. Dak.
4. Amount of water claimed 51.3 cfs
5. Source of water supply East of West Snatch Creek Backwater of Missouri River
6. Water to be used for Irrigation
- Acres to be irrigated 3715
7. Water to be diverted and used in Ben Hurma County about 5 miles Southwest of Springfield.
8. Proof of Publication Received ☒ Not Received ☐
9. Application Approved ☒ Subject to ☐ Not approved ☐ Action deferred ☐
10. Remarks:

No. 237-3Water Division No. 3 Missouri River 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 Levoyd I. Kreber
 Postoffice address Springfield, County Bon Homme, State S. Dak.

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

2. Name of diversion work _____
 3. Amount of water claimed 5.5 cubic feet per second _____
 4. Source of water supply Backwater of Lewis & Clark Lake
 5. Location of point of diversion Between points A & Bone Snatch Creek and points C&D on W. Snatch Creek as shown on Accompanying map bank Bon Homme County.
 6. Annual period or periods during which water is to be used April 1st, to Nov. 1st.
 7. To be used for:

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

- (a) Number of acres to be irrigated 375 acres.
W2NE1/4SE1/4NE1/4 Sec. 10, E2NE1/4 10, NE1/4, N1/2SE1/4 10,
NE1/4SE1/4 10, 27 Ac. North of County Road.
 (b) Legal subdivisions 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.
SE1/4SW1/4 10 and 28 ac. in N1/2SE1/4 Sec. 10-93-8
 (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. 189-3

8. Estimated cost of work:

(a) Head Gates, \$----- (b) Pumping plant, \$-----
 (c) Fluming, \$----- (d) Canal-earth, \$----- Rock, \$-----
 (e) Other structures ----- \$----- Total, \$-----

9. Description of diversion works:

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

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	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 ----- 5 ----- years.
 11. Time required for complete application of water to the proposed beneficial use ----- 5 ----- years.
 12. Choice of newspaper for publication of notice of intention to appropriate -----
Tyniall Tribune and Register, Tyndall, S. Dak.

STATE OF SOUTH DAKOTA
 County of Bon Homme } ss.

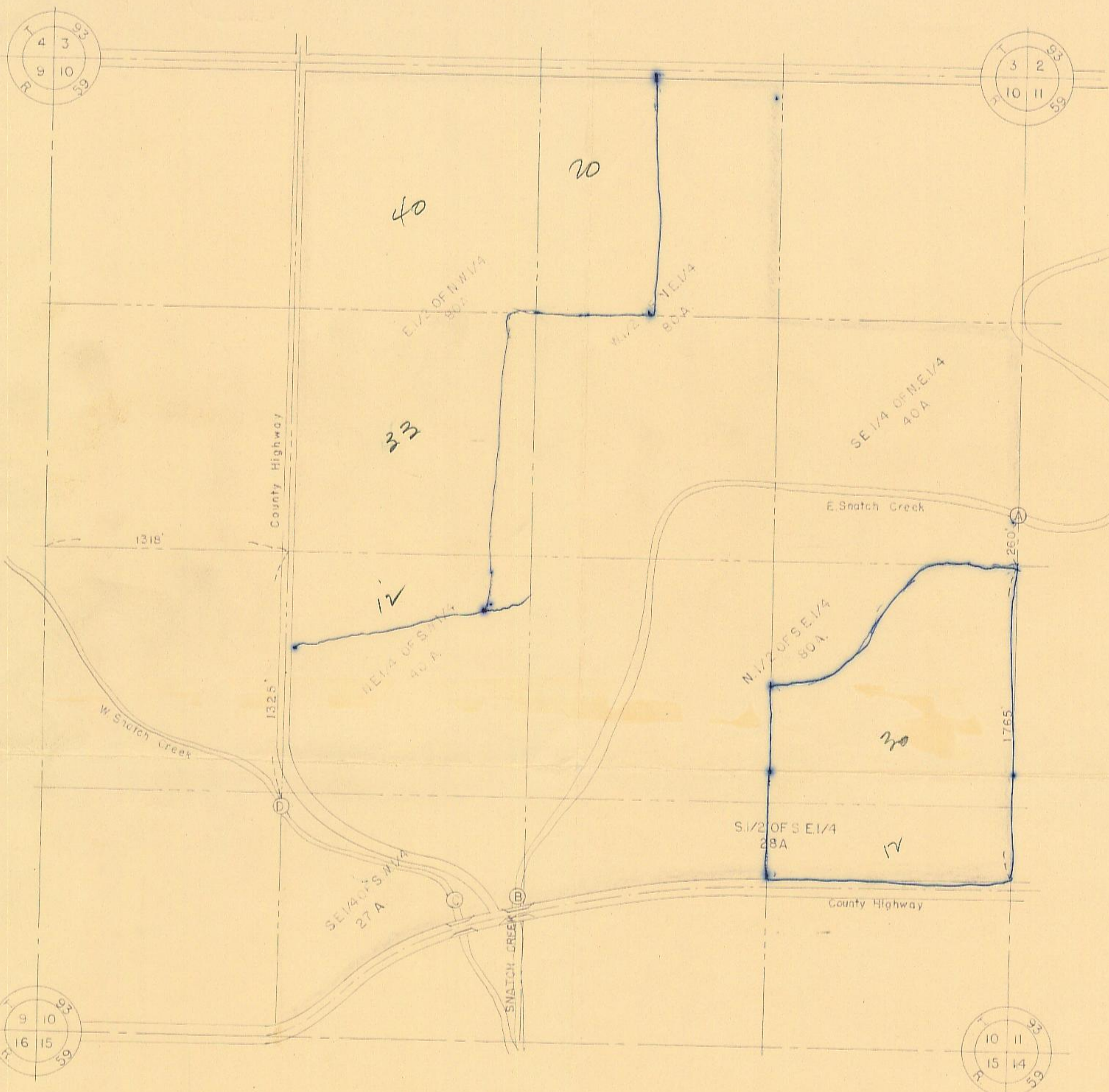
I, Levoyd I. Kreber, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed: Levoyd I. Kreber

Subscribed and sworn to before me this 15th day of August 19 56

Notary Public
 Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



LEVOYD I. KREBER - PUMPING PROJECT FROM SNATCH CREEK

AREA TO BE IRRIGATED TO INCLUDE THE FOLLOWING

E 1/2 OF NW 1/4	80
W 1/2 OF NE 1/4	80
SE 1/4 OF NE 1/4	40
NE 1/4 OF SW 1/4	40
N 1/2 OF SE 1/4	80
THAT PART OF THE SE 1/4 OF SW 1/4 - N. OF THE COUNTY HIGHWAY	27
THAT PART OF THE S 1/2 OF SE 1/4 - N. OF THE COUNTY HIGHWAY	28
TOTAL ACRES	375

ALL IN SEC. 10-T.93-R.59

I, Maurice Diehl, Registered Land Surveyor, have at the direction of Levoyd I. Kreber, made a survey to tie point A into the 1/4 cor. on the E. line of Sec. 10-T.93-R.59, and point D into the W. line of Sec. 10-T.93-R.59 BON HOMME COUNTY, SOUTH DAKOTA. This plat is to the best of my knowledge a true description of the property and points A & D.

I certify that I have executed the above this 3rd day of Aug. 1956.

Maurice Diehl
Maurice Diehl Registered Land Surveyor

Map No. 189-3
(Appl. No. 239-3)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Buglice ss.

Pierre, South Dakota, August 17, 1956

This is to certify that the foregoing application was received by the Commission at 4:15 o'clock
9 m. upon the 16 day of August, 1956

State Water Resources Commission

By:

Geoffrimer
Chief Engineer, Executive Officer

Number of permit 239-3

Date of first receipt of application August 16, 1956

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 August 16, 1956

Approved September 17, 1956, Recorded in Book 227 Page 197

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 _____

March 17, 1958

2nd. The whole of said work is to be completed on or before September 17, 1959

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

September 17, 1961

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 51.30 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 September 17, 1961; said water to be used during the following described annual period:

April 1 to October inclusive

Witness my hand this 26 day of October, 1956

State Water Resources Commission

By:

Geoffrimer
Chief Engineer, Executive Officer

Certificate of Construction Issued August 14, 1963

Water License Issued August 14, 1963

STATE OF SOUTH DAKOTA

WATER LICENSE No...239-3.....

WHEREAS, On the 16th day of August A. D. 1956

Levoyd L. Kreber

of Springfield County of Don Horn and State of
South Dakota duly made application: (No. 239-3) to us for a permit to use 5.3
cubic feet per second of the waters of the Missouri River
County of Don Horn, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 24th day of October A. D. 1956
Permit No. 239-3 was issued to said applicant for the diversion of said water, and providing for the
completion of the works of diversion therein described on or before the 17th day of
September A. D. 1959 and for the application to beneficial use of said
water on or before the 17th day of September A. D. 1961
and,

WHEREAS, On the 9th day of August A. D. 1963
the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.2
_____ cubic feet per second of said waters, as evidenced by our Certificate No. 239-3
dated August 14, 1963 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 2.2 cubic feet per second of water, with date of
priority of August 16, 1956 888 and,

WHEREAS, On the 9th day of August A. D. 1963
proof was duly made of the application to beneficial use of 2.1 2.2 cubic feet per second of said water;
for irrigating 147 acres in Section 10, T93N, R59E

$\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$
 $\frac{1}{4} \times \frac{1}{4} = \frac{1}{16}$
 $\frac{1}{16} \times \frac{1}{16} = \frac{1}{256}$
 $\frac{1}{256} \times \frac{1}{256} = \frac{1}{65536}$
 $\frac{1}{65536} \times \frac{1}{65536} = \frac{1}{4294967296}$

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 Loyoyd I. Kreber
 of Springfield the holder and owner of said permit No. 239-3
 a water right, dating from August 16, 1956 to the use of 2.1
 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: between a point 1318' E, 1325'S
of the W¹ corner, and a point 260' N of the E¹ corner, all in Section 10, T93N, R59W
 and conducted to and upon 147 acres in Section 10, T93N, R59W, 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 14th day of August A. D. Nineteen
 Hundred and Sixty-Three

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. 239-3Water Division No. 3 Missouri River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to certify, That Levoyd I. Krober

of Springfield, County of Bon Homme, and State of South Dakota, the holder of Permit No. 239-3, issued upon Application No. 239-3, bearing date of priority of August 16, 1956, authorizing the diversion of 5.30 cu. ft. per second of the waters of the Missouri River County of Bon Homme, State of South Dakota, at between a point 1318'E and 1325'S of the W $\frac{1}{4}$ corner, and a point 260' N of the E $\frac{1}{4}$ corner, all in Section 10, T93N, R59W 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 in satisfactory condition for diverting and conveying to the place of intended use 2.2 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: all in Section 10, T93N, R59W

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 30 acres

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 12 "

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 20 "

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 "

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 33 "

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 12 "

Total - 147 "

Witness my hand this 14th day of August A. D. 1963

State Water Resources Commission

By: J. W. CRIVENS
Chief Engineer, Executive Officer

(First Publication before AUGUST 24, 1956)**APPROPRIATION OF WATER**

Office of State Water Resources Commission,

Pierre, S. Dak., August 17, 1956

Notice is hereby given that Levynd I. Greber whose postoffice address is Sprinfild 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 5.3 cubic feet of water per second of time from ~~xxxxxx~~ Black Hills Cracks through the irrigation system, the point of diversion of which is to be located ~~on the~~ point in the SW 3/4 and a point ~~xxxxxx~~ in the NE 1/4 of Section 10 Twp. 23N Range 12W Said water to be used for the purpose of providing irrigation on the following described land:

Sec. 10, T 23N, R 12W~~xxxxxx~~ ~~xxxxxx~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of September, 1956, at 2:00 P.M. All interested persons may appear and be heard.

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

State Water Resources Commission

By:

J. W. Cronin, Chief Engineer, Executive Officer

cc: Mr. J. T. Trevillian, Publisher
The Tyndall Tribune and Register
Tyndall, South Dakota

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Bon Homme } ss.

J. T. Trevillyan being duly sworn, deposes and says the annexed printed copy of Notice of Intention 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 Tyndall of Tyndall County of Bon Homme and State of South Dakota; that the said notice was published in said newspaper on the following dates:

August 23- 1956
August 30- 1956
September 6 1956
September 13- 1956

in each and every issue of the full number thereof, the first publication being made on the 23 day of August 1956 and the last publication on the 13 day of September 1956, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was publisher the printer and publisher of the said newspaper.

Subscribed and sworn to before me this 13 day of September A. D. 1956

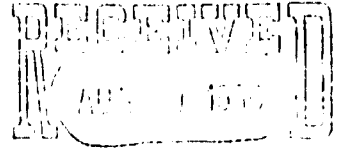
Frank U. Ladzka Jr.

Notary Public Bon Homme County, S. D.

RECEIVED
SEP 17 1956
STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPROPRIATION OF WATER
Office of State Water Resources
Commission, Pierre, S. Dak., August
17, 1956.
Notice is hereby given that Le-
voyd I. Kreber whose postoffice ad-
dress is Springfield 8, 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 5.3
cubic feet of water per second of
time from East & West Snatch
Creeks through the irrigation sys-
tem, the point of diversion of which
is to be located between a point in
the SE 1/4 SW 1/4 and a point in the
SE 1/4 of the NE 1/4 of Section 10,
Twp. 93N, Range 69W. Said water
to be used for the purpose of pro-
viding irrigation on the following
described land: Sec. 10, T. 93N, R.
69W.
This application will be taken up
by the State Water Resources Com-
mission at their office at Pierre for
consideration upon the 17th day of
September, 1956, at 2:00 P.M. All
interested persons may appear and
be heard.
Appropriate action will be taken
by the Water Resources Commis-
sion after suitable time has elapsed
for the consideration of any or all
information presented.
State Water Resources
Commission
By:
J. W. Grimes,
Chief Engineer,
Executive Officer
(Aug. 23-30-Sept 6-13)

RECEIVED
SEP 17 1956
STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Permit No. 239-3

Water Division No. _____

STATE WATER RESOURCES COMM.
Water District _____

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.)

Springfield, Mo.

(Date)

July 30, 1960

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of _____

5-3_____ cu. ft. per second of the waters of the state from Lehigh River

through the _____

for irrigation purposes

_____ in accordance with the terms and con-

ditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is Lehigh River

2. The postoffice address of such person or the place of business of such corporation is Springfield

County of Don Hanson State of Mo.

3. The number of such permit is 239-3 and the date set for the completion of such work is

as here completed this as far as it intend to perform being

4. Said water to be used for irrigation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 5-3 cubic feet per second.

6. The amount of land for which said water is available is 70 acres,

particularly described as follows: 10 1/4 NE 1/4 Sec 10 E 1/2 NW 1/4 10, NE 1/4, N 1/2 SE 1/4 10, NE 1/4 SW 1/4 10, as well as County Road SE 1/4 SW 1/4 10 and 22 ac in N 1/4 SE 1/4 Sec 10-93-57

I hereby certify that the facts set forth in the above notice are true.

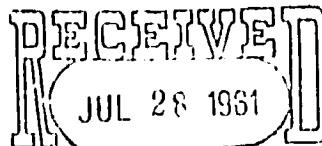
Albert Kricher

(Signature of Owners)

File

Permit No. 239-3

Water Division No. _____ Water District _____



STATE WATER RESOURCES COMM.

PIERRE, S. DAKOTA

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) Springfield S. Dak(Date) July 27 1961

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the 27 day of July
1961, at _____ County of Ben. Hornum State of South Dakota,
 before _____ (Examining Engineer or Officer) proof will be submitted of the application to beneficial use

of 5.3 cubic feet per second of the waters of _____
 _____ in accordance with the terms and conditions of Permit No. 239-3
 heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are _____

LEROYD I. KREBER
Springfield S. Dak

2. The use to which said water has been applied is Irrigation3. The amount applied to beneficial use is 1000 gallons per minute

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) The W $\frac{1}{2}$ -NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ -NE $\frac{1}{4}$ of Section 10, the E $\frac{1}{2}$ -NW $\frac{1}{4}$ of Sec. 10, the NE $\frac{1}{4}$, and the N $\frac{1}{2}$ -SE $\frac{1}{4}$ of Sec. 10, the NE $\frac{1}{4}$ -SW $\frac{1}{4}$ of Sec. 10, which is 27 acres North of County Road, The SE $\frac{1}{4}$ -SW $\frac{1}{4}$ of Section 10, and 28 acres in the N $\frac{1}{2}$ -S $\frac{1}{2}$ -SE $\frac{1}{4}$ of Section 10-in Township 93 North, of Range 59.

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is

~~Backwater of Lewis & Clark Lake~~ Backwater of Lewis & Clark Lake

6. The right to take the water from such works is based upon permit No. 239-37. The source of supply from which such water is diverted is Backwater Lewis & Clark Lake

8. The date of priority which said user is prepared to establish is _____

(Sign) Leroyd I. Kreber

Permit No. 239-3
 Water Division No. 3 MISSOURI RIVER Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated _____

40- I have this day made a thorough examination of the diversion works constructed by LEVOYD T. KREER, of SPRINGFIELD, BON HOMME County, South Dakota, holder of Permit No. 364-3, issued upon Application No. 364-3, bearing date of priority of AUGUST 16, 1956, authorizing the diversion of 5.30 cu. ft. per second of the waters of MISSOURI RIVER for IRRIGATION purposes. I have to report on the condition of the same as follows:

The diversion works comprise: KANAWATER 5" PUMP SS 5H-75
POWERED BY KANAWATER PUMP OPERATED 233 CUM
MOTOR (RATED @ 1000 GPM) W/ 5000' of 6" MAINLINE
+ 1320' of 5" SPRINKLER LINE W 22 SKINNER 1000
SPRINKLER HEADS 5/8 x 3/16 @ 60' SPACING
 and the system is in the following condition: EXCELLENT

The point of diversion is located BETWEEN A POINT 1318'E & 1375'E OF THE
W 1/4 CORNER AND A POINT 260' N OF THE E 1/4 CORNER ALL IN SEC 10, T42N,
R59W

The works are capable of diverting and conveying to the place of use 2.2 cu. ft. per second of water, which is to be used for IRRIGATION

The legal subdivisions to be irrigated are: ALL IN SECTION 10, T42N R59W

<u>SE 1/4 SE 1/4</u>	<u>30 ACRES</u>	<u>SE 1/4 NW 1/4</u>	<u>33 ACRES</u>
<u>NE 1/4 SE 1/4</u>	<u>12 "</u>	<u>NE 1/4 SW 1/4</u>	<u>12 "</u>
<u>NW 1/4 NE 1/4</u>	<u>20 "</u>		
<u>NE 1/4 NW 1/4</u>	<u>40 "</u>		

comprising a total of 147 acres of land.

The domestic use intended comprises _____

The utilization for power, mining, or other beneficial uses comprises: _____

Witness my hand, this 9th day of _____

AUGUST

A. D. 1963

—SEAL—

Barton J. Jones

Examining Engineer
 OFFICER



DEPARTMENT OF THE ARMY
LEWIS AND CLARK LAKE PROJECT, CORPS OF ENGINEERS
P. O. BOX 710
YANKTON, SOUTH DAKOTA 57076

20 May 1975

Mr. Ed Kreber
RR 1
Springfield, South Dakota 57062

Dear Mr. Kreber:

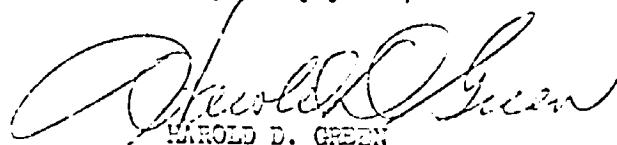
This letter is in reference to our conversation today concerning a pumping operation over the creek obstruction at the bridge below your irrigation pumping location.

It is the opinion of my office that no permit would be required to install a portable pump to pump water from the Lewis and Clark Lake into the creek bed upstream from the bridge. This would not require a permit as long as the pump was portable and there was no construction below the normal high water mark of Lewis and Clark Lake or the creek. It is recommended, however, that you touch base with the South Dakota Water Resources Commission in order that there would be no misunderstanding as to taking of water from the river or lake.

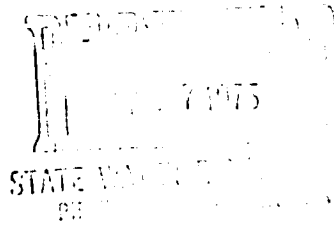
Please keep me informed as to your plans if you desire to pursue this suggestion.

If I can be of any further assistance, please feel free to contact me.

Very truly yours,


HAROLD D. GREEN
Project Manager

Friday, May 23, 1975
Springfield, So. Dak.



Dear Sirs:

I, am writing to request permission to pump water from Lewis and Clark Lake into Snatch Creek, by means of a portable pumping station. It will be located at the mouth of Snatch Creek.

This request is for Edward Kreber with permit #251-3, and Levoyd Kreber with permit # 239-3

I have contacted the Corps of Engineers in Yankton, they have given there approval, as you can see by the enclosed copy of there letter.

Thank you,

Edward Kreber

(239-3) & 251-3



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Office Building Number 2, Pierre, South Dakota 57501

Phone 605/224-3151

June 2, 1975

Edward Keber
Route 1
Springfield
South Dakota 57062

Dear Mr. Keber:

Reference is made to your letter regarding pumping from Lewis & Clark Lake rather than Snatch Creek for irrigating the lands covered by Water Permits Nos. 239-3 and 251-3.

When considering the above applications, it was felt that the water available for these permits was back-up water from the Missouri River. This office has no objection to your proposal, and no further paper work is required on your part.

Should you have further questions, feel free to contact this office.

Sincerely,

BURTON F. JONES
Water Rights Specialist

BFG/bw

Encl: As stated, May 20th letter from Corps of Engineers

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:

LEVOYD I. KREBER
RR 1 BOX 224
SPRINGFIELD SD 57062

239-3

4a. Article Number

P378 081 372

4b. Service Type

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

7. Date of Delivery

2-6-97

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

5. Received By (Print Name)

6. Signature: (Addressee or Agent)

X Levoyd Kreber



239-3

February 4, 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: LEVOYD I. KREBER, RR 1 BOX 224, SPRINGFIELD, SD 57062

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

SUBJECT: Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 239-3 & 3586-3. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 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 2:30 pm, March 5, 1997, 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) 239-3 & 3586-3 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 February 28, 1997, 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.



239-3

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

February 14, 1997

239-3
3586-3

Levoyd I Kreber
RR 1 Box 224
Springfield, SD 57062

Dear Mr. Kreber:

I am writing to acknowledge receipt of your 1996 irrigation questionnaires. You may disregard the February 4, 1997, Notice of Violation of the Requirement to Submit the 1996 Irrigation Questionnaires.

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

Thank you and if you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Genny McMath'.

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



239-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: MICHAEL L KREBER, 42762 308TH ST, TABOR, SD 57063
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaires

Our records indicate that the 2002 Irrigation Questionnaires have not been submitted for Permit Nos. 4910A-3, 239-3 & 3586-3. The request for the Questionnaires was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 239-3 & 3586-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4910A-3 qualification:

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

The hearing will be held at 8:30 am, March 5, 2003 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) 4910A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 239-3 & 3586-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before February 28, 2003, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (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.



239-3

Track & Confirm

Delivery Status

You entered 2301 0370 0000 7541 4562

Your item was delivered at 10:55 am on January 29, 2003 in TABOR, SD 57063. The item was signed for by M KREBER.

[Shipment History >](#)[Request Delivery Record >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

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U.S. Postal Service Signature Confirmation Receipt	
SIGNATURE CONFIRMATION NUMBER: 2301 0370 0000 7541 4562	MICHAEL L KREBER 42762 308TH ST TABOR SD 57063
Postmark Here	POSTAL CUSTOMER: Keep this receipt. For inquiries: Access internet web site at www.usps.com or call 1-800-222-1811
	CHECK ONE (POSTAL USE ONLY) ☐ Priority Mail ☐ Package Services
PS Form 153, February 2001	(See Reverse)



239-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 19, 2003

239-3
4910A-3
3586-3

Michael L Kreber
42762 308th St
Tabor SD 57063

Dear Mr. Kreber:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right Nos. 239-3, 3586-3 and 4910A-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

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

APR - 9 2003

WATER RIGHTS
PROGRAM

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

No. 239-3

Date: 4/9/03

I/We request that Water Right No. 239-3

formerly owned by: Levoyd I Kreber

be transferred to: (name & address) Richard M Kreber

41904 310th St

Springfield S.D. 57062

Telephone No. (605) 589-3050

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

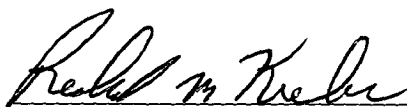
147 acres - E 1/2 SE 1/4, NW 1/4 NE 1/4, E 1/2 NW 1/4, and NE 1/4 SW 1/4 all in Section 10, T93N, R59W

I/We understand that the validity of Water Right No. 239-3 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 with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Richard M Kreber, the new owner, certify that the above information is true and correct.



(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed 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

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date April 9, 20 03

RECEIVED OF Rick Kreber, 41904 310th St., Springfield SD 57062

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>239-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

000720

By

Darlene Ebel
Chief Engineer *gne*



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 10, 2003

Edward F Kreber
42027 310th St
Springfield SD 57062

Richard M Kreber
41904 310th St
Springfield SD 57062

RE: Ownership changes for Water Right Nos. 239-3 and 3586-3

Dear Sirs:

I am writing to acknowledge receipt of the transfer forms and filing fees for changing ownership of Water Right Nos. 239-3 and 3586-3. The transfers have been completed. The water rights have been transferred as follows:

- Water Right No. 239-3, formerly held by Levoyd I Kreber is now listed in the name of Richard M Kreber;
- Water Right No. 3586-3, formerly held by Levoyd I Kreber and Edward F Kreber is now listed in the names of Edward F Kreber and Richard M Kreber.

If I can answer any questions for you, please contact me.

Sincerely,

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