

2689-3

1. Considered MAY 20 19 76
2. Name of Applicant LEVOID I KREBER
3. Post Office Address SPRINGFIELD
4. Amount of water claimed ~~1.5~~ 1.7
5. Source of water supply MISSOURI RIVER
6. Water to be used for IRRIGATION

Acres to be irrigated 120

7. Water to be diverted and used in BON HOMME county
about SW, 6S miles of TABOR.

8. Proof of Publication Received 5-20-76

Not received

9. Application

Approved

**CHANGE IN DIVERSION
POINT**

Subject to

Not Approved

Action deferred

10. Remarks:

Permit No. 2689-3

Water Diversion No. 3 Missouri River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Levyd Kreber

_____ the holder _____ of
Permit No. 2689-3, issued upon Application No. 2689-3, bearing date of priority of
December 13, 1956 authorizing the diversion of 1.7 cu. ft. per second of the waters of
Missouri River County of Bon Homme, State of South Dakota at
a point 1400 feet west and 1300 feet south of the E 1/4 corner of
Section 13, T93N, R59W
_____, for Irrigation

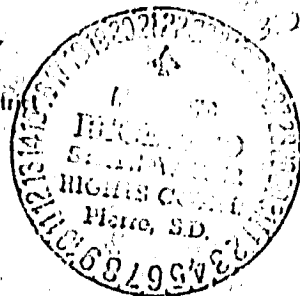
purposes, has B complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 1.11 cu. ft. per second of water.

Date January 19, 1982

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

No. 2689-3Map No. 2051-3 Water Division No. 3 MISSOURI RIVER District

(Blanks to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT CHANGE OF DIVERSION POINT

To Appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable)

1. Name of Applicant Levoyd I. Kreber, Michael
Postoffice address Springfield, Taber, State South Dakota
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct Labor
3. Name of diversion work _____
4. Amount of water claimed (cubic feet per second) 1.8 1.7 MAXIMUM ALLOWABLE
5. Source of water supply Missouri River Lewis & Clark Lake
6. Location of point of diversion Beginning at the N.E. corner of the S.E. 1/4 of section 13 T93N R59 W Bon Homme County, So. Dak. Thence 1295 ft. Nately and 1260 ft. South to the shoreline Lewis & Clark Lake Missouri River County _____
7. Annual period or periods during which water is to be used April - Oct 1
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, _____ Total number of acres to be irrigated 120

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.
W 1/2 - NE 1/4 SW 1/4	40		
E 1/2 - NE 1/4 SW 1/4	40		
W 1/2 - NE 1/4	40	Sec 18 T93N - R58W	

Attach sheet if more space is needed

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

A. Works proposed to divert water from its natural source. Place pump along shoreline of lake and pump through buried line.

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

C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$ 28,000.00

Attachments: 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, Levoyd I. 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 Levoyd I. Kreber
18th day of March 19 76

Subscribed and sworn to before me this

R. E. Kojak
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2689-3
LEVOTO I. KEEBER Michael SPRINGFIELD RR#1, Box 89, Tabor
 (Applicant) Kreeber (Post Office Address)
SOUTH DAKOTA 57062 With the following modifications:
 (State)

PRIORITY FOR THIS PERMIT WAS ESTABLISHED UNDER PERMIT NO 369.3.
 THE PERTINENT PORTIONS OF PERMIT NO 369.3 HAVE BEEN INCORPORATED
 INTO THIS PERMIT, AND PERMIT NO 369.3 HAS BEEN CANCELLED.

Date of first receipt of application MARCH 22, 1976
 Date of return to applicant for correction, amendments or changes required , 19
 Date of receipt of corrected application , 19
 Approved MAY 20, 1976, Recorded in Book 15 Page 187

WATER RIGHT PERMIT NO. 2689-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2689-3 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 DECEMBER 13, 1956
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 20, 1976
3. The whole of said work is to be completed on or before MAY 20, 1977
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 20, 1977
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 17 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 20, 1977; said water to be used during the following described annual period: APRIL 1 TO OCTOBER 1

Witness my hand this 10TH day of JUNE, 1976

WATER RIGHTS COMMISSION

By:

John F. Fitch
 Civil Engineer, Executive Officer

Certificate of Construction Issued January 19, 1982

Water License Issued January 19, 1982

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2689-3

(1) WHEREAS, On the 22nd day of March A. D. 19 76
Levoyd I. Kreber

made Water Right Application No. 2639-3 for a permit to use 1.7 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 20th day of May A. D. 19 76
 Permit No. 2689-3, with a date of priority of December 13, 1956

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 20th day of May A. D. 19 77 and for the
 application to beneficial use of said water on or before the 20th day of May A. D. 19 77

WHEREAS, on the 19th day of January, 1982, Water Right Permit No. 2689-3 was transferred
 to Michael Kreber, Tabor, South Dakota,

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
 relating to completion of the construction of the water supply system and is entitled to divert 1.0 cubic feet
 per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
 relating to the application of water to beneficial use of the following extent,
 for irrigating the following land in Section 18, T93N, R58W

NW 1/4 SW 1/4 36 acres

NE 1/4 SW 1/4 36 acres

TOTAL 72 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 Michael Krebar

_____ of Tabor
the holder _____ and owner _____ of said permit No. 2689-3 a water right, dating from December 13, 1956
_____ to use of 1.0 _____ cubic feet per second of the waters
of the Missouri River

in the County of Bnn 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 1400 feet west and 1300 feet south of

the N 1/4 corner of Section 13 T93N, R58W

and conducted to and upon _____ portions of Section 18, T93N, R58W more fully
described on the face of this license

_____ irrigation
for the purpose of _____

2689-3

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

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 19th day of January A. D.
Nineteen Hundred and Eighty-two

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

12 7
13 18

N
A

Center
Sec. 18

Driveway

NW $\frac{1}{4}$ 5th $\frac{1}{4}$
36 AC

NE $\frac{1}{4}$ 5th $\frac{1}{4}$
36 AC

CP Rd

CP Rd

CP Rd

Truck
Park

Sec. 18 T93N R58W

Livoid I Kreber

Permit # 2.689-3

UNITED STATES DEPARTMENT OF AGRICULTURE
Soil Conservation Service
Tyndall, S. Dak.

April 28, 1976

RECEIVED

APR 29 1976

DEPT. OF NATURAL
RESOURCE DEVELOPMENT

Department of Natural Resources
Water Rights Commission
Pierre, South Dakota 57501

Dear Sir:

Your office called me on April 27th regarding a request from Levoyd Kreber, Springfield, South Dakota.

In visiting with Levoyd this morning, he said he wants to change the point of diversion for the water he uses on Section 18-93-58. As you mentioned to me on the phone yesterday, he has a water right for this land but the diversion points is shown in section 18. He only wants to change the point of diversion. As a matter of fact, it will be the same point as Donald and Kenneth Madole, who applied for application permits within the last year. The point is shown on the attached aerial photo. Also shown is the approximate location of the buried pipeline to take the water to the east edge of section 13. There Kreber will go east to section 18 and Madole's will go north to their land. There is 3 phase electric power lines here and they plan to use this electrical power.

Levoyd said the Corps of Engineers is happy that he is changing his diversion points as he has previously taken from a bay area and may have caused some problem with spawning fish.

Hope this will answer your questions. If not let me know.

Sincerely,

Floyd D. Watson

Floyd D. Watson
District Conservationist



Springfield S. Dak.
April 29 1976

South Dakota Dept of Natural Resources
Water Rights Comm.

Office Bldg No 2

Perm S. D. R. 57501

Dear Sirs:

To assure myself an adequate supply of water for permit No 369-3 and to comply with a request from the Corp of Engineers I would like to change my Point of Diversion.

My present location is 2842.0 ft east of the W $\frac{1}{4}$ corner of Sec 18, T73N R58W.

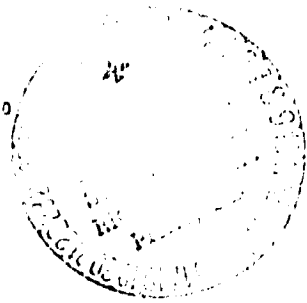
The new Point of Diversion will be 1310 ft W and 1260 ft S of the N E corner of the S.E. $\frac{1}{4}$ of Sec 13, T73N, R59W Bon Homme Co, South Dak.

Leroy C. Kober
Springfield

So. D. R. 57062



DEPARTMENT OF THE ARMY
OMAHA DISTRICT, CORPS OF ENGINEERS
LEWIS AND CLARK LAKE PROJECT, P.O. BOX 710
YANKTON, SOUTH DAKOTA 57078



Dear Mr. Kreber,

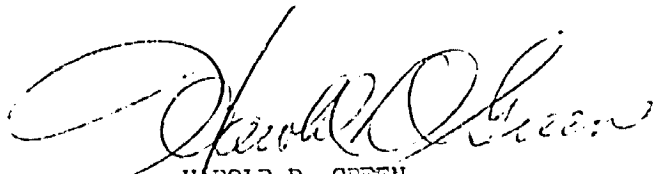
In reference to your irrigation intake structure that is now located in Charlie Creek Bay. With the legal description being 2842 feet east of the W. $\frac{1}{4}$ corner of Section 18, T93N and R58W.

The Corps of Engineers, at the request of the US Fish & Wildlife Service, would have to refuse your request to place your present intake structure farther into Charlie Creek Bay to insure deeper water at low lake levels.

To insure you of adequate water and to relieve the problem of taking water from a known fish spawning area a change in location of the intake structure is requested.

The new site (point of diversion) as previously agreed upon by yourself and David Coppess from this office, will be 1310 ft. W. and 1260 ft. S. of the N.E. corner of the S.E. $\frac{1}{4}$ of Section 13, T93N, R59W. Bon Homme, County, South Dakota.

This means that a change in the legal description of your South Dakota water rights will have to be made before you can legally withdraw water from the new site.


HAROLD D. GREEN
PROJECT MANAGER



Form 6 - Notice of Intent to Appropriate Water

No. 2689-3

Publish first publication, on or before May 6, 1976

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 30, 1976

Notice is hereby given that Levoyd I. Kreber

whose post office address is Springfield, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use to change the point of diversion, and
1.7 cubic feet of water per second of time from the Missouri River through the

_____ the point of diversion of which is to be located in the _____

changed to a point in the SW $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 13, Twp. 93N, Range 59W. Said water to be used for the purpose of providing irrigation on ^{portions of} the following described land:

N $\frac{1}{2}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 18, T93N, R59W

This application No. 2689-3 will be considered by the Water Rights Commission at their office at Pierre upon the 20th day of May, 1976, at 1:00 P. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFG/ew
cc:

Levoyd I. Kreber, Springfield, S.D. 57062

No. 2689-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Bon Homme) ss.

I, Wayne L. Bertland 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 Bon Homme and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

May 6, 1976
" 13, 1976

Wayne L. Bertland
(Signature)

Publisher
(Title)

5-13-76
(Date Signed)

NOTICE INTENT TO
APPROPRIATE WATER

Notice is hereby given that
Levoyd I. Kreber whose post
office address is Springfield,
South Dakota, has made an
application in accordance with
the provisions of the water laws
of South Dakota for a permit to
change the point of Diversion,
and to appropriate for beneficial
use 1.7 cubic feet of water per
second of time from the Missouri
River through the point of
diversion of which is to be
changed to a point in the SW $\frac{1}{4}$
SE $\frac{1}{4}$ of Section 13, Twp. 53N,
Range 59W. Said water to be used
for the purpose of providing
irrigation on portions of the
following described land: N $\frac{1}{4}$
SW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 18,
T93N, R58W.

This application No. 2689-3 will
be considered by the Water
Rights Commission at their office
at Pierre upon the 20th day of
May, 1976, at 1:00 p.m. All
interested persons may appear
and be heard.

BURTON F. JONES
Water Rights Specialist



5-3-76
LeVoyd Kreber 2629-3
called & asked if
we would get his
permit out as soon
as possible. Corps
is waiting for
copy of permit before
they will issue
a Section 10 Permit

JH

SOUTH

369-3

Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building , Pierre, South Dakota 57501

Phone 605/224-3151

June 10, 1976

Levoyd I. Kreber
Springfield
South Dakota 57062

Dear Mr. Kreber:

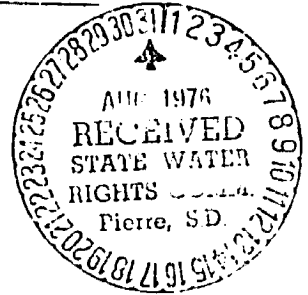
Enclosed herewith is your Water Right Permit No. 2689-3 as approved by the Water Rights Commission, authorizing you to construct your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said Water Right Permit No. 2689-3.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Water Rights Commission when you have completed the system and/or have put the water to beneficial use. The Commission can then schedule an inspection so that your Certificate of Construction and/or your Water License may be issued to you, thus completing your acquisition of a Water Right.

P.S. You will note that Permit No. 369-3 has been cancelled.

Respectfully,
WATER RIGHTS COMMISSION

JOHN HATCH
Chief Engineer

No. 2689-3

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

DEPARTMENT OF NATURAL RESOURCE DEVELOPMENT
DIVISION OF WATER RIGHTS
JOE FOSS BUILDING

Post Office Springfield S. Dak.Date Aug 16 1976

PIERRE, SOUTH DAKOTA 57501
TO: WATER RIGHTS 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. 2689-3

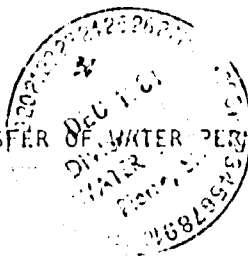
Water Right Permit No. 2689-3 states that the diversion system is to be constructed by April 1, 1977, and that the water is to be put to beneficial use by April 1 77, 1977.

The diversion system was completed on July 26, 1976. Applying the water to beneficial use was completed on July 26, 1976.

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.

Leroy Kuehn
(Signature)

NO
6-22



DEC 1952

Date: 12-17-91

1) N¹/₂ SW¹/₄ and W¹/₂ NE¹/₄ Sec. 13, T93N, R59W

has been transferred to Michael Kreber, Tabor, SD 57063 Bar 89 AK-1
(please include RR and/or Box # if applicable)

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

STATE OF SOUTH DAKOTA)
) ss.
County of Ben Hur)

Michael L. Kruger
(Signed)

R. D. Horne
(Notary Public)

Transfer to Michael [unclear]
 Tube: S.D.

26613 Levoys Kreber, [unclear]
 10-7-79 Pool pump

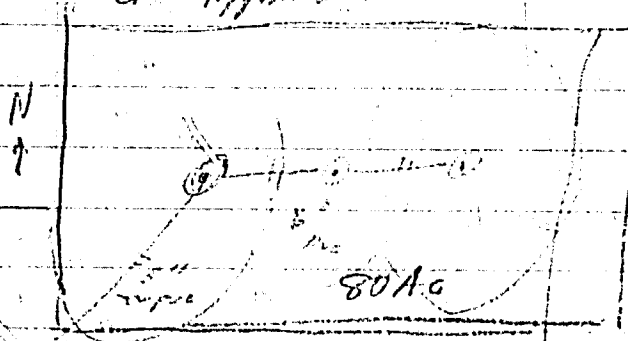
Pumping est 500 gpm.

Water [unclear] 6.25-2.50 m

Model 1 C-324 TTD [unclear]

10-7-1962/3

CP = Hygroscopic



Reep [unclear] to F 7651800

10-7-1962/3

10-7-1962/3

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8637

PIERRE, January 6, 1932

RECEIVED OF Michael Kreber, Tabor SD 57063

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. 2689-3)	12	00
Fee for inspecting Beneficial Use, and issuing Water License No. 2689-3)		
Fee for issuing Location Certificate-Dry Draw, No. _____	2	50
Fee for filing Notice of Transfer of Water Permit No. 2689-3		
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____		
(any other work as provided by law)		
TOTAL	14	50

WATER RIGHTS COMMISSION

By *John H. Hater*
Chief Engineer, Executive Officer

JOHN H. HATER (11)

Permit No. 2689-7Water Division 3 Missouri River Water District
10770101REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by Michael Kreber of Box 89, RR #1, Tabor, SD 57063 holder
of Permit No. 2689-7, bearing date of priority of December 13, 1958
authorizing the diversion of 1.7 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:
Motor: Marathon, Model EC 32CTTDR 7303BBW,
ser # 1002010, 60 HP, 3530 RPM
Pump: Berkeley, Ser # 768109S, Model B4EPBK
Imp dia. 8 $\frac{9}{16}$, Pumping 500 gpm
- B. Works used to transport water to place of use,
2350 ft 8" PVC Pipe
1320 ft 6" PVC Pipe
- C. Works used to apply water to beneficial use.
Hydraulic Center Pivot

The system is in the following condition: ExcellentThe point of diversion is located 1400 ft west and 1300 ft south of the
E $\frac{1}{2}$ corner of Sec. 13, T93N R59WThe works are capable of diverting and conveying to the place of use 1.11
cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: All in Sec. 15 T93N R59W
NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 36 Ac. NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 36 Ac.comprising a total of 72 acres of land.72 $\div$ 1 = 72

Date October 2, 1979
LeRoy Williamson
(Signature)

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

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

January 22, 1982

Michael Kreber
RR #1, Box 89
Tabor SD 57063

Dear Mr. Kreber:

Enclosed herewith are, Water License No. 2689-3 and Certificate of Construction.

Water License No. 2689-3 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 Division

JH:LS

Enclosures

NOTE: Also enclosed is your Receipt No. 4 8637 in the amount of \$14.50 which you paid for the transfer, and inspection & issuance of the Water License. The Water Right is now listed in your name.

2689-3



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181
February 8, 1989

MICHAEL L KREBER
RR 1 BOX 89
TABOR, SD 57063

NOTICE

RE: Violation of Water Permit No(s). 4910-3 and 1988 Irrigation Questionnaire Requirements

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 4910-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board has directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4910-3 qualification:

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

The hearing will also be to determine if Permit No. 2689-3 should be amended with the qualification to require the Questionnaire to be submitted each year. The hearing will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

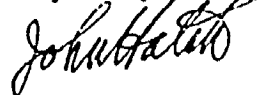
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 4910-3 until the 1988 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Amend Permit No(s). 2689-3 also held by MICHAEL L KREBER to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. 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 before the March 1st hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,



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





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

February 24, 1989

2689-3
4910-3

Michael L Kreber
RR #1 Box 89
Tabor, SD 57063

Dear Mr. Kreber:

I am writing to acknowledge receipt of your 1988 irrigation questionnaires for Water Permit Nos. 2689-3 and 4910-3. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. With receipt of the questionnaires your name has been deleted from the March Water Management Board meeting agenda.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division



Department of Water & Natural Resources

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

February 9, 1990

MICHAEL L KREBER
RR 1 BOX 89
TABOR, SD 57063

NOTICE

RE: Violation of Water Permit No(s). 4910-3 and 1989 Irrigation Questionnaire Requirements

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 4910-3. The request for the Questionnaire was dated October 13, 1989. The Water Management Board has directed that owners of water permits who have not submitted the 1989 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4910-3 qualification:

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

The hearing will also be to determine if Permit No. 2689-3 should be amended with the qualification to require the Questionnaire to be submitted each year. The hearing will be held at 8:30 am, March 7, 1990 at the Howard Johnson's, Roosevelt-Jefferson Room, I-90 at LaCrosse, Rapid City SD.

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

1. Suspend Permit No(s). 4910-3 until the 1989 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Amend Permit No(s). 2689-3 also held by MICHAEL L KREBER to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. 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 before the March 7th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,

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

SOUTH DAKOTA

Department of Water & Natural Resources

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

March 2, 1990

2689-3
4910-3

Mike Kreber
RR 1, Box 89
Tabor SD 57063

Dear Mr. Kreber:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit Nos. 2689-3 and 4910-3. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Sincerely,

Ron Duvall /KS
RON DUVAL
Natural Resources Engineer
Water Rights Division

South Dakota

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

GREAT FACES. GREAT PLACES.
MAY 27 1991

Michael Kreber
RR 1, Box 89
Tabor, SD 57063

2689-3

Dear Mr. Kreber:

Enclosed is Water License No. 4910A-3. This is the final water right document completing your process of obtaining a water right. Enclosed is Receipt No. 412644 in the amount of \$50.00 which you paid for the inspection and issuance of this water license.

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

Very truly yours,

John Hatch

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

enclosures

NOTE: The applicable portions of Water Permit Nos. 2689-3 and 4910-3 are incorporated into this Water License No. 4910A-3.

South Dakota

GREAT LACES. GREAT PLACES.
MAY 27 1991

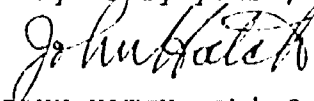
Michael Kreber
RR 1, Box 89
Tabor, SD 57063

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Very truly yours,



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

enclosures

NOTE: The applicable portions of Water Permit Nos. 2689-3 and 4910-3 are incorporated into this Water License No. 4910A-3.

NOT TO SCALE

Levoyd Kreber

MAP NO. 20513 APPL NO. 2689-3
SEE MAP NO. 189-3 FOR LANDS TO BE RECLAIMED



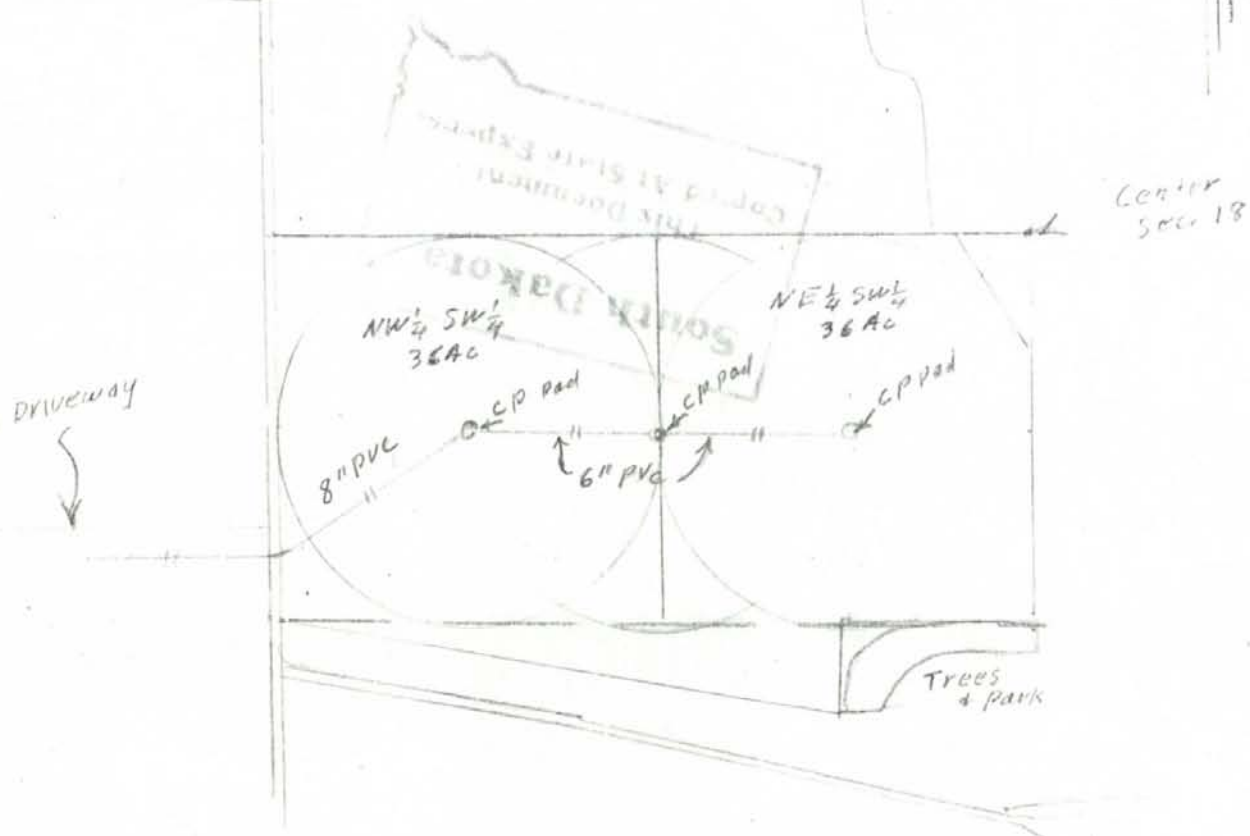
9359

Floyd D Watson
SCS

8" to 14" CP
6" to 8" CPs

12 7
13 18

N
A



Sec. 18 T93N R58W
Levoid I Kreber
Permit # 2689-3