

1. Considered: July 28, 19 82 Water Right No. 4910-3
MICHAEL L. KREBER
2. Name of Applicant _____
3. Post Office Address Rt, 1, Box 89, Tabor, SD 57063
4. Amount of Water Claimed .89 maximum acre feet _____
5. Source of Water Supply Missouri River
6. Water to be used for IRRIGATION acres to be irrigated 62.00
7. County Bom Homme about 5W 6 miles south of Tabor
8. PROOF OF PUBLICATION: Received 1st 7-15-82 Not Received _____
APPLICATION: Approved 7-28-82 Subject to - IQ
Not Approved _____ Action Deferred _____

PRIORITY Dated Received 6/29/82 Application complete-yes _____ no _____ FEE 225.00
6/29/82 Remarks Additional acreage and c.f.s. on Water Right 2689-3

Corrected Application received _____ Period of Annual Use April - October

WATER QUALITY Received yes _____ no _____ APPROVED CONDITIONAL (Circle one)
WI-1 Description same as application yes no _____ Remarks _____

Disapproved _____ Returned _____

			13	18	
			x	D	

Diversion Point _____
SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13-93-59

Land to be irrigated _____
S $\frac{1}{2}$ NW $\frac{1}{4}$, Section 18-93-58

WELL LOG Driller _____ Licensed - yes _____ no _____

Depth _____

Remarks _____

MAP Map No. 4110-3 Map located in Water Right XX Map file x
 see also 2051-3 Type of Map Aerial Prepared by SCS

+++++

REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:

7/1/82

Betty Westlund
 (Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date
 F.F. & C. Final Decision, including F.F. & C. of Law were adopted _____
 OF LAW, Date
 FINAL Final Decision mailed to parties and/or parties notified that Final Decision was
 DECISIONS adopted _____
 ETC. Remarks _____

No. 4910-3Map No. 4110-3 Water Division No. 3 MISSOURI RIVER District
Above for Office Use 10170101

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

Check one of the following:

New ☐ Vested Right ☐ Future Use ☐Change in Diversion ☐ Additional Diversion ☐Change in Acreage ☐ Additional Acreage ☒ on permit 2689-3

1. Name of Applicant Michael L. Kreber Phone No. 463-2433
 Post Office Address Rt. 1 Box 89 Tabor State S.D. 57063
(Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract3. Name of diversion work Kreber #24. Amount of water claimed (cubic feet per second) .89 cfs5. Source of water supply Missouri River

6. Location of point of diversion beginning at NE corner of SE $\frac{1}{4}$ of Sect. 13 T93N
R59W Bon Homme County. Thence 1295 feet Westerly and 1260 feet south
to the shoreline of Lewis & Clark Lake County Bon Homme

7. Annual period or periods during which water is to be used April - October8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation9. For irrigation use, Total number of acres to be irrigated 62

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.
SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 18 T93N R58W	40
SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 18 T93N R58W	22

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.

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

12. Principal Features of the Proposed Water Supply System.

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

lakeside pump

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

plastic pipe

C. Works proposed to apply water to beneficial use.

sprinklerEstimated Total Cost \$ 15,000

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 Homme ss.

I, Michael L. 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 Michael L. KreberSubscribed and sworn to before me this 28th day of June, 1982Reedys B. Schneider
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4910-3

Michael L Kreber
(Applicant)
South Dakota 57063
(State)

Rt 1, Box 89, Tabor
(Post Office Address)

With the following qualifications

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application June 29, 1982

Date of return to applicant for correction, amendments or changes required _____, 19____

Date of receipt of corrected application W/Q July 1, 1982

Approved July 28, 1982, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. 4910-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4910-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is June 29, 1982
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before January 28, 1985
3. The whole of said work is to be completed on or before July 28, 1987
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is July 28, 1991
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 .89 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 irrigation purposes said appropriation must be limited to not more than 2 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 July 28, 1991, said water to be used during the following described annual period: April 1 thru October 31

Witness my hand this 3rd day of August, 1982

THE WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer, Water Rights
JOHN HATCH

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8879

PIERRE, June 29, 1982

RECEIVED OF Lloyd Kreber, Springfield, SD 57062

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

Fee for Application for Permit to Appropriate Water No. 4910-3 (examination, processing, recording and filing)	225	00
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	225	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH ms

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Office Use Only

Division of Conservation

WR#

OWNERS NAME: Lloyd KreberOWNERS ADDRESS: SpringfieldS.D. 57062COUNTY LAND LOCATED IN: Bon Homme PHONE: 589-3651TENANT'S NAME AND ADDRESS: Michael L. Kreber
Box 89 RR 1 Tabor S.D. 57063

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION

Depth _____

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: Missouri River

Diversion Location

beginning at NE corner of SE 1/4 of Sec 13, T93N
R59W Bon Homme County, thence 1295 ft. westerly and 1260 feet south to the
Legal Description

Legal Description	Acres	Legal Description	Acres
<u>SW 1/4 NW 1/4 Sec 18 T93N R58W</u>	<u>40</u>		
<u>SE 1/4 NW 1/4 Sec 18 T93N R58W</u>	<u>22</u>		

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED 1976LEGAL DESCRIPTION: N 1/2 SW 1/4 Sec 18 T93N R58WIN WHAT NAME: Michael L. Kreber

4. LOCATION OF AREA TO BE IRRIGATED NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

5. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: ☒ GUN: _____ (Specify) _____6. CROPS TO BE IRRIGATED: corn, alfalfa, soybeans

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

Water is Missouri River Water

7. WATER SAMPLE NUMBER: _____ 10. ADJUSTED (SAR): 3.37

8. SALINITY (EC X 10⁶): 785 11. PERCENT SODIUM _____

9. SODIUM (SAR): 2.04

I hereby certify that I personally obtained or that I personally observed that taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m., on _____, 19____, at the following location: _____

by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

Signature

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land. (46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

28 DAY OF Jan, 1982

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

Date

APPROVED

DISAPPROVED

☒ CONDITIONALLY APPROVED

IMPORTANT

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER RIGHT must be obtained from the Board of Water Management, Foss Building, Pierre.

Conditional soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

CONDITIONAL3075

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT: Levoyd KreberLEGAL DESCRIPTION: SEA: NE 1/4 18-93-58 = 40 acres and SE 1/4 NE 1/4 18-93-58 = 22 acresSOIL RESTRICTIONS:THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:THE SOILS(S) LISTED BELOW CAN BE IRRIGATED
WITH THE FOLLOWING RESTRICTIONS:RECOMMENDED MANAGEMENT:

No Restrictions - Conditional is based on soils.

T. M. Lippell
SIGNATURE7-1-82
DATE



Department of Agriculture

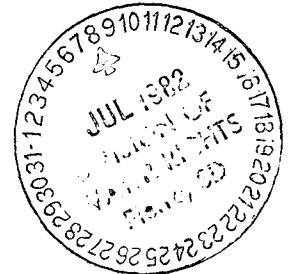
DIVISION OF CONSERVATION

Anderson Building, Room 322 • Pierre, South Dakota 57501
Phone 605/773-3258

Betty

July 6, 1982

Levoyd Kreber
% Michael Kreber
Box 89
RR 1
Tabor, SD 57063



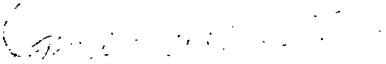
Dear Mr. Kreber:

In reviewing your soil and water compatibility application for the SW $\frac{1}{4}$ NW $\frac{1}{4}$ 18-93-58 and 22 acres of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ 18-93-58, the irrigation staff is issuing a Conditional permit.

The Conditional permit is based on the soil (Eltree) with no management restrictions. For further Conditional restrictions please see attached letter.

If you have any questions please feel free to contact this office.

Sincerely,


Jim Stukel
Program Director

cf

No. 4910-3

Publish first publication, on or before July 14, 1982

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

July 1, 1982

Notice is hereby given Michael L Kreber whose post office

address is Rt 1, Box 89, Tabor, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-12 thru 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-25, 46-5-41 (ground) ~~46-6-3 thru 46-6-5, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, (future use) 46-5-38, (transfer lands) 46-5-33 thru 46-5-35 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, (future use) 74:02:01:23 thru 74:02:01:26 (10,000 AFA) 74:02:07:01 thru 74:02:07:09~~, for a permit to appropriate for beneficial use

0.03 cubic feet of water per second of time from the Missouri River

through the Kreber #2, the point ~~(e)~~ of diversion which is ~~(are) to be~~ located in the SW 1/4 SE 1/4

of Section 13, Twp. 93N, Range 58W. Said water to be used for purpose of providing irrigation on portions of the following described land:

S 1/4 NW 1/4, Section 18, T93N, R58W

This Application No. 4910-3 will be considered by the Water Management Board at Civil Defense Room, State Capitol Bldg, Pierre SD upon the 28th day of July, 1982.

at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNRR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board

cc: applicant
WNR-806-2/82

BETTY WESTLUND, Water Rights Specialist

Affidavit of Publication

State of South Dakota }
County of Bon Homme } ss

Wayne L. Beutland Being first duly sworn says that the Tyndall Tribune and Register is a legal weekly newspaper for publication of legal and other official notices as required by Chapter 298 of the Session Laws of South Dakota, 1939; that it has bona fide paid circulation of more than two hundred copies weekly; that it is published in English language in the City of Tyndall, Bon Homme County, South Dakota, and has been admitted to the United States mail under second class mailing privilege for more than one year prior to the first publication of the notice herein mentioned, and that it is printed in an office maintained at the place of publication at Tyndall, South Dakota, and that deponent is the publisher in charge of the advertising department of said newspaper; that the advertisement headed

Notice of Hearing on Application
to Approp. Water # 4910-3
Michael L. Kreber - 46-2-36+80% x1

a printed copy of which is hereto attached, was printed and published in said newspaper for two successive weeks, upon the following dates:

<u>July 7 1982</u>	19
<u>" 14 1982</u>	19
_____ 19	19
_____ 19	19

That the full amount of the fee charged for the publication of said notice, 19.53, inures to the benefit of the publisher of said newspaper, that no agreement or understanding for the division thereof has been made with any other person, and that no part has been agreed to be paid to any person whomsoever.

Wayne L. Beutland

Subscribed and sworn to before me this

14th day of July 1982
Mary Jo Beutland
Notary Public, South Dakota

PUBLIC NOTICES

NOTICE OF HEARING ON APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota

July
Notice is hereby given Michael L. Kreber post office address is Rt. 1, Box 89, Tabor, Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-2-1 thru 46-2-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-8, 46-5-10 thru 46-5-22, 46-5-25, 46-5-26 and Board Rules ARSD 74:02:01:01 and 74:02:01:15, for a permit to appropriate beneficial use 0.89 cubic feet of water per second from the Missouri River through the Kreber point of diversion which is located in the SE 1/4 of Section 13, Twp. 93N, Range 58W. Said water to be used for purpose of providing irrigation on portions of the following described land: S 1/4 NW 1/4, Section 18, T93N, R58W.

This Application No. 4910-3 will be considered by the Water Management Board at Civil Defense Room, State Capitol Bldg, Pierre, SD, upon the 28th day of July, 1982, at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights may be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend the hearing can contact the Water Rights Division, DWR, Joe Foss Building, Pierre, SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board
BETTY WESTLUND, Water Rights Specialist

cc: applicant
WNR-806-2542





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

March 22, 1983

4910-2
Michael Kreber
Rt. Box 89
Tabor, SD 57063

Dear Sir:

Water Permit No. 4910-2 was approved with the qualification that the irrigation questionnaire be submitted each year. To date we have not received the 1982 questionnaire from you.

Please complete the enclosed questionnaire and return to this office. Failure to return the questionnaire is in violation of the conditions under which the permit was approved.

Please advise, if you have any questions.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Hatch". The signature is written in dark ink and is positioned above the printed name and title.

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosure



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

August 1, 1983

NOTICE

4910-3

Michael Kreber
Rt. Box 89
Tabor, SD 57063

Dear Sir:

July 19, 1983, the Water Management Board passed a motion directing that those persons with water permits that have the qualification:

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

be notified of this requirement.

Our records do not show we have received the 1982 Irrigation Questionnaire for Permit No. 4910-3. The questionnaire was requested on the following dates:

1. September 1982 initial request
2. December 1982 followup request
3. March 22, 1983 Notice that submittal of questionnaire is a qualification to water permit

The Board has directed that owners of permits not in compliance with the Irrigation Questionnaire qualification be given until August 30, 1983 to submit the 1982 questionnaire. Any person not submitting the Questionnaire is to be noticed for hearing before the Board to consider disciplinary action including suspension of the permit.

Another questionnaire is enclosed. Please advise if there are any questions or if you believe our records are not correct.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosure



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.

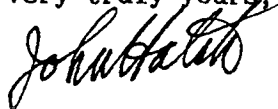
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

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.

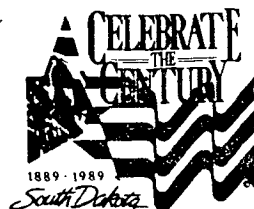
The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by 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



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

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

February 24, 1989

2689-3
4910-3

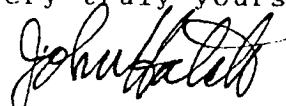
Michael L Kreber
RR #1 Box 89
Tabor, SD 57063

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



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 DUVALL
Natural Resources Engineer
Water Rights Division



GREAT FACES. GREAT PLACES.
MAY 27 1991

Michael Kreber
RR 1, Box 89
Tabor, SD 57063

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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, 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.

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:

MICHAEL L KREBER
42762 308TH ST
TABOR SD 57063

2. Article Number (Copy from service label)

2 227 670 471

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

1/15/2000

C. Signature

x Michael 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

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DEPT/ENVIRONMENT & NATURAL RESOURCES
WATER RIGHTS PROGRAM
523 E CAPITOL
PIERRE, SD 57501





4910A-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 14, 2000

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 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4910A-3. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 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) 4910A-3 qualification:

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

The hearing will be held at 1:30 pm, March 1, 2000 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. 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. 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, 2000, 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 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.



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February 22, 2000

4910A-3

Michael L Kreber
42762 308th St
Tabor, SD 57063

Dear Mr. Kreber:

I am writing to acknowledge receipt of your 1999 irrigation questionnaire. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Right No. 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

NOT TO SCALE



prepared by:

Steven J. Smith
County Extension Agent
6/28/82 Tyn dall S.D.

See also
map 2051-3

MAP # 2051-3

APPL # 4910-3