

WATER PERMIT NO. 6796-3

Name of Applicant: Richard M Kreber

Address: 41904 310th St, Springfield SD 57062

Phone: 605 589-3050

Amount of Water Claimed: 1.56 cfs

Total Acres: 56

Source of Water Supply: Missouri River

Water to be used for: irrigation

County: Bon Homme

Type of Waste Disposal System:

Location: 7 miles east of Springfield

PRIORITY

Date Received: 1-8-07

Application/License Fee: \$200

Corrected Application Received: 1-22-07

Period of Annual Use: May 1 – Sept 31

Remarks: Will utilize same diversion point as WR No. 4910A-3

Diversion Point: SW 1/4 SE 1/4 Sec 13-T93N-R59W

Land to be Irrigated: NW 1/4 Sec 18-T93N-R58W

Depth of Well: NA

Well Driller:

Remarks:

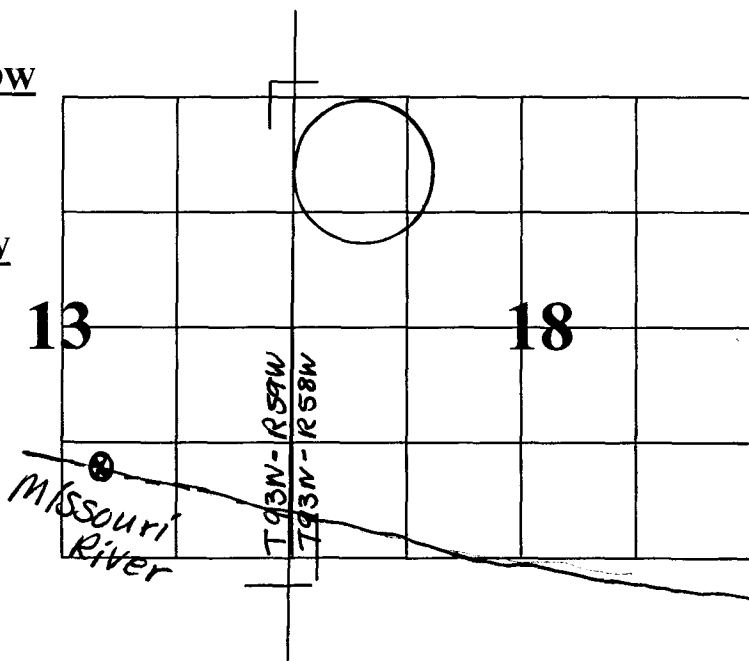
Type of Map: aerial

Prepared by: Steven Meyer, NRCS

Reviewed and the Number Assigned on: 1-29-07

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



FORM 2: Application for irrigation in South Dakota
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6796-3</u> (office use only) <u>10170101</u>
	Basin <u>Missouri River</u>
	Newspaper <u>Springfield Times</u> <u>Springfield SD</u>
	<u>605-369-2441</u> <u>57062</u>

RECEIVED
JAN - 8 2007
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____
(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____

1. Name of Applicant Richard M Kreber Phone 605-589-7050
(check one) ☒ Owner ☐ Tenant/lessee

Mailing Address 41904 - 310th St Springfield State S.D. 57062
(Street, RR, or Box and City) (Zip Code)

2. Amount of water claimed _____ *CFS or 700 **GPM ***AF Total Acreage 56
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Missouri River

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
SW 1/4 - SE 1/4 13-93N-59W
County Bon Homme

5. County or counties where water will be used Bon Homme

6. Annual period during which water is to be used May/June, July, August, September 30

7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
<u>NW 1/4 - NW 1/4 18-93-50</u>	<u>40</u>		
<u>W 1/2 - NE 1/4 NW 1/4 18-93-50</u>	<u>20</u>		
<u>portions of NW 1/4</u>	<u>56</u>		
<u>SEC 18 T 93N R 53W</u>			

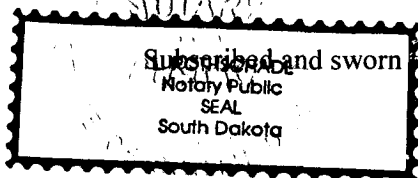
8. Give a description of the project. (Attach sheet if more space is needed)

going to run a water line from Michael Kreber center Point to
The North and put up a New Point. Michael Kreber permit number is
will only be able to run one Point at a time 4910A-3

STATE OF SOUTH DAKOTA) SS
County of Bon Homme

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, Richard M. Kreber, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.



Applicant's signature Richard M Kreber
Subscribed and sworn to before me this 4 day of January 20 07

[Signature]
Notary Public signature
Comm. Expires 1/1/2010

**SOUTH DAKOTA
WATER PERMIT NO. 6796-3**

Date of first receipt of application January 8, 2007.

Date of return to applicant for corrections, amendments or changes January 9, 2007.

Date of receipt of corrected application January 22, 2007.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6796-3 to Richard M Kreber, 41904 310 St, Springfield SD 57062 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 6796-3 authorizes an additional 56 acres located in the NW $\frac{1}{4}$ Section 18-T93N-R58W. This permit will utilize the same Missouri River diversion point as Water Right No. 4910A-3. Water Right No. 4910A-3 appropriates 1.56 cubic feet of water per second from the Missouri River located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13-T93N-R59W to irrigate 130 acres located in the S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 18-T93N-R58W operated by Michael Kreber. No increase in the diversion rate from the Missouri River is authorized.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – September 30.
3. The date from which applicant may claim right is January 8, 2007.
4. The date of approval of Permit No. 6796-3 is March 12, 2007.
5. One-fifth of the construction is to be completed on or before September 12, 2009.
6. All construction is to be completed on or before March 12, 2012.
7. Water is to be put to beneficial use on or before March 12, 2016.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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

WATER MANAGEMENT BOARD

By: Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

APR 30 2007

date





USDA U.S. Dept. of Agriculture
Farm Service Agency

South Dakota Bon Homme

18-93N-58W



Legend

- Wetlands
- Tract Boundaries
- Section-Township-Range
- Easements
- CRP
- Common Land Units
- Rangeland

USDA FSA maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or the 2004 ortho rectified imagery for South Dakota. The producer accepts the data "as is" and assumes all risks associated with its use. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside of FSA Programs.

April 06, 2006

Automatic Irrigation Inc.



1111 Railway Street
Centerville, SD 57014
(605) 563-2649 office

Field: Field1		
Grower: Rick Kreber	Farm:	9/22/2006

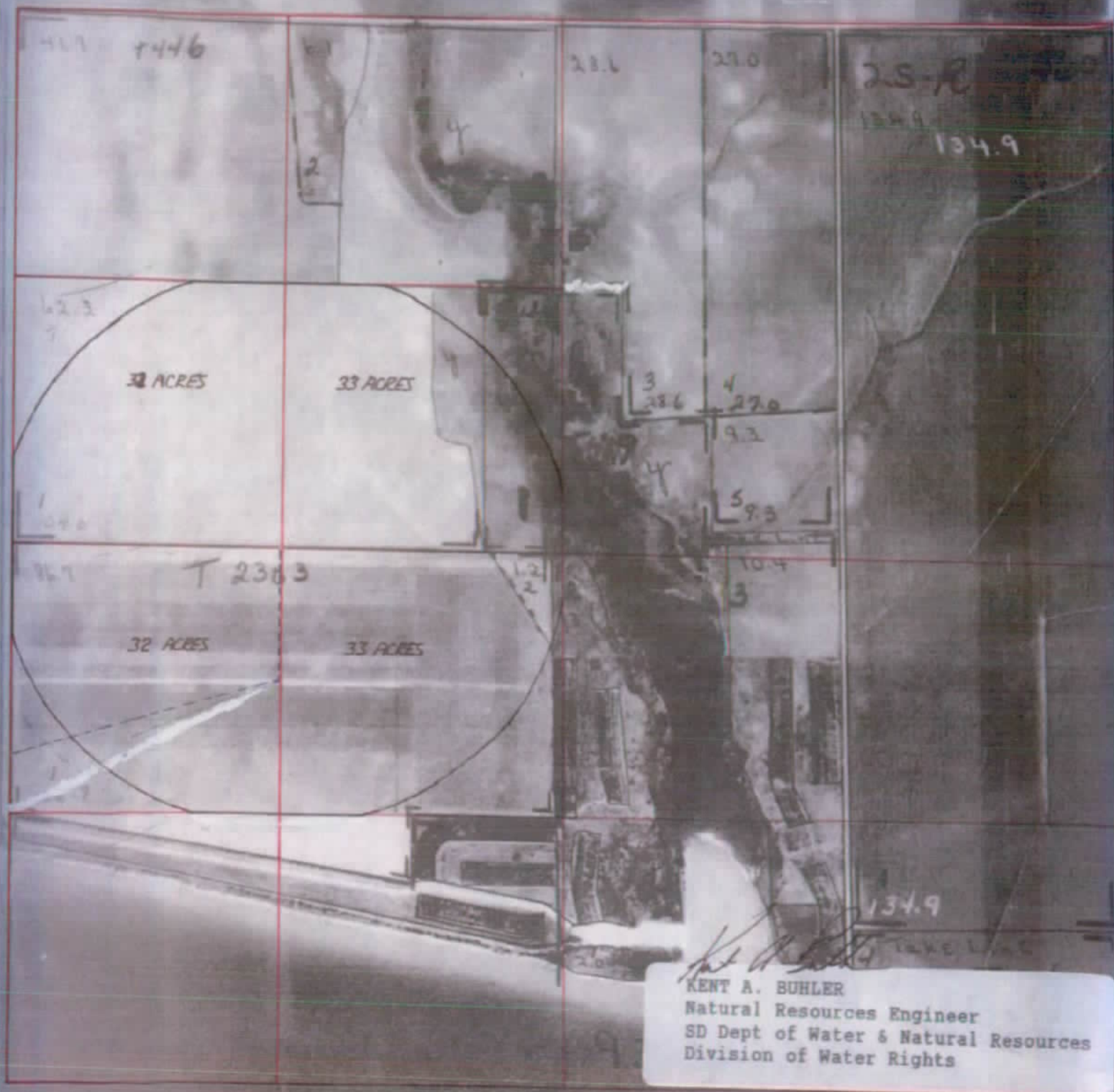
Systems:	Length	Spans / Overhang	Total area including endgun
● Pivot 1	809.42 ft	4 spans / 44 ft	56.68 acres

Pipe and Wire:	Length / Size	Description
● Pipe 1	1773.43 ft / ??	



1910

NOT TO SCALE



KENT A. BUHLER
Natural Resources Engineer
SD Dept of Water & Natural Resources
Division of Water Rights

Section 18, T93N, R51W

4910A-3

~~45~~
45/0

KENT A. BUHLER
Natural Resources Engineer
SD Dept of Water & Natural Resources
Division of Water Rights

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date January 8, 20 06

RECEIVED OF Rick RKreber, 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	150	00
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. _____	50	00
Fee for Filing Transfer Form _____		
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	200.00

No.

2776

By

Darland Ebele

Chief Engineer

gm



January 9, 2007

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

Richard M Kreber
41904 310th St
Springfield SD 57062

Dear Mr. Kreber:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation. In order to complete the application the following is required.

- Enclosed are the aerial photo maps submitted with the application. The maps must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local NRCS office).

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosure

RECEIVED

JAN 22 2007

WATER RIGHTS
PROGRAM

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit Application No. 6796-3, Richard Kreber

ADDRESS: COUNTY: Bon Homme

DATE: January 30, 2007 TELEPHONE: 589-3050

RE: Discussion with Rick Kreber

COMMENTS:

I called Mr. Kreber to clarify his application. He stated he will be using the diversion works authorized by Water Right No. 4910A-3 with no requested increase in the authorized diversion rate of 700 gpm.

He also said the area highlighted on the map submitted January 22, 2007 outlines the land he recently purchased. The map submitted with the application from "Automatic Irrigation Inc." shows the pivot location within the area of the January 22nd map.

NAME: *Eric Stankard*



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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www.state.sd.us/denr

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6796-3, Richard Kreber**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6796-3, Richard Kreber, 41904 310th Street, Springfield SD 57062.

The Chief Engineer is recommending APPROVAL of Application No. 6796-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualification:

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

See report on application for additional information.

Garland Erbele, Chief Engineer
February 13, 2007

NOTE : The approval of this permit does not provide access or permission to use the diversion works. You will have to obtain permission through a mutual agreement with Michael Kreber to use the diversion works. In addition, Permit No. 6796-3 does not authorize any increase in diversion authority from the Missouri River. If at some time in the future an increase in the diversion rate or separate diversion works are planned, you will need to apply for a water permit for the diversion authority to irrigate your land.

REPORT ON WATER PERMIT APPLICATION NO. 6796-3

Richard M. Kreber

February 2, 2007

Application No. 6796-3, Richard M. Kreber, proposes to irrigate an additional 56 acres located in the NW $\frac{1}{4}$ Section 18-T93N-R58W. This application proposes to utilize the same Missouri River diversion point as Water Right No. 4910A-3 held by Michael Kreber. The applicant indicated he purchased a portion of the land covered by No. 4910A-3. Water Right No. 4910A-3 appropriates 1.56 cubic feet of water per second from the Missouri River located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13, T93N, R58W to irrigate 130 acres located in the S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 18, T93N, R58W operated by Michael Kreber. No increase in the diversion rate from the Missouri River is requested. The water will be used for irrigation purposes. The proposed project is located approximately 5 miles south of the town of Tabor in Bon Homme County.

Review of the Water Source

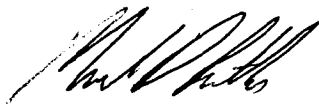
The water source for this application is the Missouri River impounded behind Gavins Point Dam near Yankton SD on Lake Lewis and Clark. The U.S. Army Corps of Engineers (USACE) constructed Gavins Point Dam in the 1950's as part of a six reservoir Pick-Sloan project for the Missouri River. The six project dams; Ft Peck, Garrison, Oahe, Big Bend, Ft Randall and Gavins Point; are operated as a system providing storage and water releases for the Congressionally authorized purposes of which irrigation is included. Water availability is not a problem.

Review of Existing Water Rights

There are 216 existing water rights/permits appropriating water from the Missouri River in South Dakota. Since water availability is not an issue, approval of this permit would not adversely affect these existing water rights.

Conclusions

1. This application proposes to irrigate an additional 56 acres utilizing the same Missouri River diversion point authorized by Water Right No. 4910A-3.
2. There is to be no increase in the diversion rate above the 1.56 cfs by No. 4910A-3.
3. Water availability is not a concern.



Mark D. Rath

Natural Resources Engineering Specialist



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 13, 2007

Michael Kreber
42762 308th Street
Tabor SD 57063

Dear Mr. Kreber:

Please find enclosed a copy of the report, recommendation and public notice prepared for Water Permit Application No. 6796-3 filed by Richard Kreber. This information is being sent to you because the application seeks to utilize the Missouri River diversion intake authorized by Water Right No. 4910A-3 held in your name. It is our understanding Richard Kreber and you have an arrangement to use your diversion works to supply both irrigation systems.

If you have any questions, please contact me.

Sincerely,

Eric Gronlund
Water Rights Program, DENR
605 773-3352

enclosures

RECEIVED

MAR - 5 2007

WATER RIGHTS
PROGRAM

Affidavit of Publication

State of South Dakota }
County of Bon Homme } SS

Rebecca Tycz.....Being first duly sworn
says that the **Springfield Times** is a legal weekly news-
paper 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 pub-
lished in English language in the City of Springfield, 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 publi-
cation of the notice herein mentioned, and that it is
printed in an office maintained at the place of publica-
tion at Springfield, South Dakota, and that deponent is
the publisher in charge of the advertising department of
said newspaper; that the advertisement headed

Application 6796-3

6796-1 + 80% x 1

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

<u>Feb 21</u>20 <u>07</u>	20.....
<u>Feb 28</u>20 <u>07</u>	20.....
.....20.....	20.....
.....20.....	20.....

That the full amount of the fee charged for the publica-
tion of said notice, \$43.54....., 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.

Rebecca Tycz, publisher

Subscribed and sworn to before me this

Feb 21.....2007.....

Peggy Schelske

Notary Public, South Dakota

My commission expires Oct, 24, 2009

NOTICE OF APPLICATION

NO. 6796-3 to Appropriate Water

Notice is given that Richard M Kreber, 41904 310th St, Springfield SD 57062 has filed an application to irrigate an additional 56 acres located in the NW 1/4 Section 18-T93N-R58W. This application proposes to utilize the same Missouri River diversion point as Water Right No. 4910A-3. Water Right No. 4910A-3 appropriates 1.56 cubic feet of water per second from the Missouri River located in the SW 1/4 SE 1/4 Section 13-T93N-R59W to irrigate 130 acres located in the S 1/2 NW 1/4, N 1/2 SW 1/4 Section 18-T93N-R58W operated by Michael Kreber. No increase in the diversion rate from the Missouri River is authorized.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6796-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by March 12, 2007.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources. (February 21 and February 28)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 13, 2007

Springfield Times
PO Box 65
Springfield SD 57062-0465

ATTENTION: Legal Public Notice

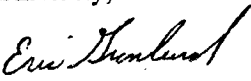
Enclosed is a Notice on Application No. 6796-3 to Appropriate Water to be published twice. Please publish the first notice on February 21, 2007 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Richard M Kreber, 41904 310th St, Springfield SD 57062 (Ph # 605 589-3050).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

No. 6796-3

TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of February 13, 2007 enclosing Notice to Appropriate Water by Application No. 6796-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

February 13, 2007

Richard M Kreber
41904 310th St
Springfield SD 57062

Dear Mr. Kreber:

Water Permit Application No. 6796-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Springfield Times printed at Springfield, SD (Ph # 605 369-2441). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,


Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

Instruction to Newspaper - Publish first Notice on February 21, 2007 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6796-3 to Appropriate Water

Notice is given that Richard M Kreber, 41904 310th St, Springfield SD 57062 has filed an application to irrigate an additional 56 acres located in the NW ¼ Section 18-T93N-R58W. This application proposes to utilize the same Missouri River diversion point as Water Right No. 4910A-3. Water Right No. 4910A-3 appropriates 1.56 cubic feet of water per second from the Missouri River located in the SW ¼ SE ¼ Section 13-T93N-R59W to irrigate 130 acres located in the S ½ NW ¼, N ½ SW ¼ Section 18-T93N-R58W operated by Michael Kreber. No increase in the diversion rate from the Missouri River is authorized.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6796-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by March 12, 2007.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



APR 30 2007

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

RICHARD M KREBER
41904 310TH ST
SPRINGFIELD SD 57062

Dear Mr. Kreber:

Enclosed is Water Permit No. 6796-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

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DEC 14 2007

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 12-20-07TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM:

Richard M Kreber

(name)

41804 310th St

(address)

Springfield S.D. 57062

(city, state, zip)

(605) 589-3050

(phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 6796-3 states that the water use system is to be constructed bySeptember 12 2009~~May 1 2007~~

(date)

, and water is to be put to beneficial use by March 12-2016

(date)

The water use system was completed on May-7-2007

(date)

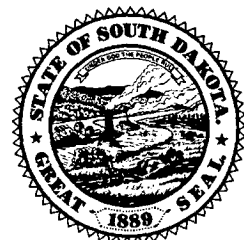
Applying the water to beneficial use was completed on June 2007

(date)

You may schedule an investigation so that the water license may be issued.

Richard M Kreber

(signature)





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 17, 2007

6796-3

Richard M Kreber
41904 310th St
Springfield SD 57062

Dear Mr. Kreber:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that you are completed with your irrigation system as authorized by Water Permit No. 6796-3.

The system is now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of your project and the staff inspection has no bearing on your water permit.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. If you have any questions, please contact me.

Sincerely,

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

Permit No. 6796-3
Missouri River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, **July 20, 2010**, made a thorough examination of the water use system constructed by **Richard Kreber** of **41904 310th Street, Springfield, SD 57062** holder of Permit No. **6796-3**, bearing the priority of **January 8, 2007** authorizing the diversion of **0.00** cu. ft. per second of the waters of the **Missouri River** for **irrigation** purposes, in **Bon Homme** County.

Inspection contact & relationship **Richard Kreber, Permit Holder**
to permit holder, if applicable:

A. Works used to divert the water:

Pump:

- 1) Make **Berkeley**
- 2) Model **B4PEL Serial #7681098**
- 3) Size **8 9/16 inch impeller**
- 4) Capacity **700** GPM

Motor:

- 1) Make **Marathon Electric**
- 2) Model No. **EC 326TTOR730388**
- 3) Horsepower rating **60** hp

B. Works used to transport water to place of use:

- 1) Type **PVC**
- 2) Size **8** inches
- 3) Length **~1,800** feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make **Lindsay - Zimmatic**
- 2) Overall length **810** feet
- 3) Number of towers **4**
- 4) Distance between towers **~200** feet
- 5) End gun **Yes**
- 6) Low pressure

7) Capacity 550 GPM

Chemigation Equipment:

1) Does chemigate NO

D. Compliance with Permit Requirements:

1) Permit qualifications being abided by Yes

2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes

3) Exceptions to compliance are: NONE

The system is in good condition with the point of diversion located as follows: 3,910 feet south and 1,460 feet west of the northeast corner, Section 13, Township 93N, Range 59W, lat/long N 42.86853 W -97.75893. The works are capable of diverting and conveying to the place of use 1.23 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

legal description/acreage

SE $\frac{1}{4}$ NW $\frac{1}{4}$ ---1 ac

NE $\frac{1}{4}$ NW $\frac{1}{4}$ --9.5 ac

NW $\frac{1}{4}$ NW $\frac{1}{4}$ --36.0 ac

SW $\frac{1}{4}$ NW $\frac{1}{4}$ --9.5 ac

All in Section 18, T93N- R58W.

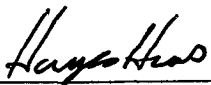
Total: 56.0 acres

comprising a total of 56 acres of land and the license should be issued.

All structures, wells and lands on map No—buried pipeline to center pivot is not shown.

Comments or other permit(s) associated with the project:

Permittee pumps water from the Missouri River (lat/long N 42.86853 W -97.75893) in Section 13, Township 93N-Range 59W, via approximately 1,800 feet of 8" PVC pipe running from the center pivot used for No. 4910A-3 in the same section to the center pivot irrigation system located in the NW $\frac{1}{4}$ of Section 18, all in T93N-R58W. This permit uses existing diversion point for No. 4910A-3.



Hayes Haas
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: 3/30/2011



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 20 2011

6796-3

Richard M Kreber
41904 310th St
Springfield SD 57062

Dear Mr. Kreber:

Enclosed is Water License No. 6796-3. The license is the final document which completes the process of obtaining a water right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

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

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

6796-3
KREBER



**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6796-3**

(1) Richard M Kreber, 41904 310th St, Springfield SD 57062 made Application No. 6796-3, January 8, 2007 for a water permit to irrigate additional acreage utilizing a diversion point authorized under Water Right No. 4910A-3. No increase in the diversion rate from the Missouri River was authorized. The acreage is located in Bon Homme County, South Dakota. Permit No. 6796-3, with a priority date of January 8, 2007 was approved March 12, 2007 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 12, 2012 and for the application to beneficial use of said water on or before March 12, 2016.

The Permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" on December 14, 2007. The "*Notice*" stated the water use system was completed in May, 2007 and the water placed to beneficial use in June, 2007.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system.

The location of the diversion point is 3,910 feet south and 1,460 feet west of the NE corner of Section 13, T93N, R59W (SW ¼ SE ¼).*

** The Missouri River diversion point and the diversion authority to irrigate the land described in this water right is authorized under Water Right No. 4910A-3. Water Right No. 6796-3 did not authorize additional water.*

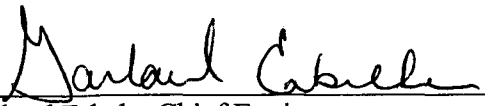
(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 18, T93N, R58W	
SE ¼ NW ¼	1.0 acres
NE ¼ NW ¼	9.5 acres
NW ¼ NW ¼	36.0 acres
SW ¼ NW ¼	9.5 acres
Total	56.0 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Richard M Kreber, 41904 310th St, Springfield SD 57062 the holder and/or owner of Water Right No. 6796-3 is issued a license to irrigate the land described above with a priority date of January 8, 2007 from the location specified in (2) of this license.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6796-3 and subject to the following qualification:

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


Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

AUG 20 2011

date

