

WATER PERMIT NO. 2480-2

Name of Applicant: Roland, Donna, Tony or Terry March

Address: HC 52 Box 137, Hot Springs SD 57747 Phone: 605 745-4480

Amount of Water Claimed: 1.89 cfs Total Acres: 19.9 add'l

Source of Water Supply: Cheyenne River

Water to be used for: irrigation County: Fall River

Type of Waste Disposal System:

Location: 5 miles southeast of Hot Springs

PRIORITY Date Received: 3-12-2002 Fee: \$150

Corrected Application Received: Period of Annual Use: April 1 – October 31

Remarks: change location of diversion point and increase acreage authorized by Water Right No. 1882-2

Diversion Point: SW ¼ NE ¼ Sec 17-T8N-R6E

Land to be Irrigated: NE ¼ Sec 17 and
S ½ SE ¼ Sec 8; all in T8N-R6E

Depth of Well: NA

Well Driller: : NA

Remarks:

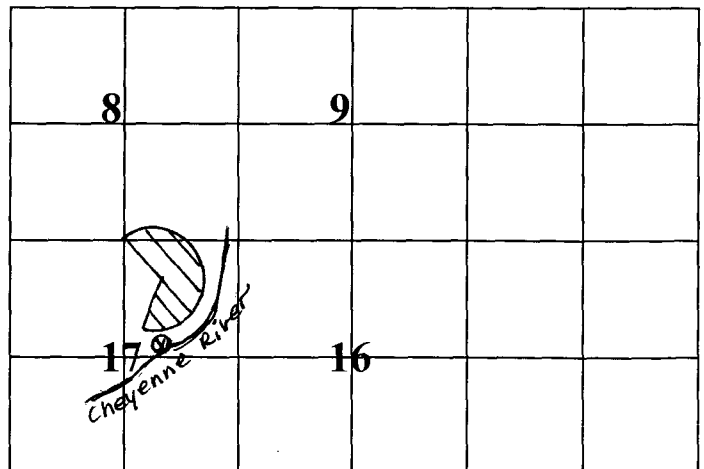
Type of Map: aerial

Prepared by: Kari Sanders, Fall River FSA

Reviewed and the Number Assigned on: 3-12-2002

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>2480-2</u> (office use only)
	Hydrologic Unit <u>10120109</u>
	Basin <u>Upper Cheyenne</u>
	Newspaper <u>Hot Springs Star, Hot Springs</u>

RECEIVED
MAR 12 2002
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: New Vested Right X Amendment/Correction to Permit No. 1882-2
(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) planning the use of a 1200 ft pivot, changing pump site upstream near electric power, using 700-850 gals per minute to irrigate alfalfa hay

1. Name of Applicant Roland, Donna Tony or Terry March Phone 605 745 4480
(check one) X Owner Tenant/lessee
- Mailing Address HC 52 Box 137 Hot Springs State SD 57747 9603
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 1.29 add'l cfs 1.89 *CFS or 850 **GPM 19.9 ***AF Total Acreage 69.3
(*Cubic Feet per Second) (**Gallons per Minute) (***) Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply Cheyenne River below Augusta Dam
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) approximately 700 ft N of point 1200 ft E on E.W. line of midpoint of Sec 17 SW 4 NE 4 Sec 17 T8 R6 County Fall River
5. County or counties where water will be used Fall River
6. Annual period during which water is to be used one April coverage April 1 - Dec 31 and coverage per cutting
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>NE 4NE 4 Sec 17 T8 R6</u>	<u>14.5</u>	<u>SW 4SE 4 Sec 8 T8 R6</u>	<u>7.8</u>
<u>SE 4NE 4 Sec 17 T8 R6</u>	<u>3.6</u>	<u>SE 4SE 4 Sec 8 T8 R6</u>	<u>1.4</u>
<u>NE 4NE 4 Sec 17 T8 R6</u>	<u>34.1</u>		
<u>SW 4NE 4 Sec 17 T8 R6</u>	<u>8.3</u>		

8. Give a description of the project. (Attach sheet if more space is needed)
We want to change pump location to avoid losing head of river water at old site and bury plastic line to center of pivot.

STATE OF SOUTH DAKOTA) SS
County of Fall River

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, Roland March, 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 Roland N March

Subscribed and sworn to before me this 11th day of March 2002

Carolyn Ousted
Notary Public signature

SOUTH DAKOTA
WATER PERMIT NO. 2480-2 FOR IRRIGATION

Date of first receipt of application March 12, 2003.

The Water Management Board approved Water Permit No. 2480-2 on October 1, 2003 for Roland, Donna, Tony or Terry March, HC 52 Box 137, Hot Springs SD 57747-9603 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. 2480-2 appropriates an additional 1.29 cubic feet of water per second (cfs), change acres, diversion point location and irrigation of an additional 19.9 acres. Water Right No. 1882-2 appropriates 0.60 cfs from the Cheyenne River located in the NE ¼ NE ¼ Section 17 to irrigate 49.4 acres located in the SE ¼ SW ¼, S ½ SE ¼ Section 8 and NE ¼ Section 17; all in T8S-R6E. This permit authorizes installation of a pivot that will make a 2/3 circle rotation. The number of acres irrigated will be 69.3 acres located in the S ½ SE ¼ Section 8 and NE ¼ Section 17; all in T8S-R6E. This permit changes the location of the Cheyenne River diversion point to the SW ¼ NE ¼ Section 17-T8S-R6E. The total diversion rate will be 1.89 cfs.
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: April 1 – October 31.
3. The date from which applicant may claim right is March 12, 2003 (for additional 1.29 cfs and 19.9 acres).
4. One-fifth of the construction is to be completed on or before April 1, 2006.
5. All construction is to be completed on or before October 1, 2008.
6. Water is to be put to beneficial use on or before October 1, 2012.
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

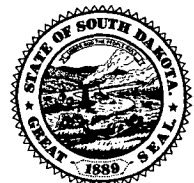
QUALIFICATIONS

1. Pursuant to the statutory limit provided in SDCL 46-5-6, Water Right No. 1882-2 and Water Permit No. 2480-2, combined, authorize a maximum diversion rate of 1.89 cfs for the irrigation of 69.3 acres.
2. Water Right No. 1882-2 and Water Permit No. 2480-2 do not authorize diversion of water from the Cheyenne River at any time when the flow at the USGS Cheyenne River Angostura Dam gaging station (06401500) is less than 2.5 cfs while pumping. Diversions under this permit shall be in accordance with any written orders issued by the Chief Engineer.
3. 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

DEC 10 2003
date



RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N^o 417120

Pierre, March 12, 2002

RECEIVED OF Roland March, HCR 52 Box 137, Hot Springs, SD 57747
the following amount in fees for services rendered as provided for by law:

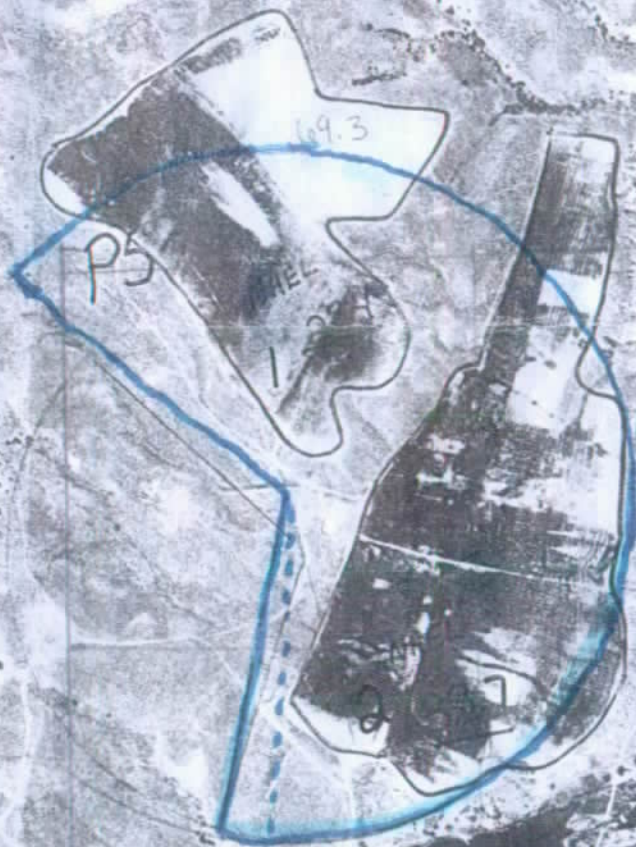
Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____	150	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	200 00

By

Roland Ebele
Chief Engineer

✓
1630



277

1000 ft from

Kauai Landing PT
Fall River/Custody
ESA Office

T278

N To

8-6

2480-2

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit Application No. 2480-2, Roland March

ADDRESS: COUNTY: Fall River

DATE: May 28, 2002 TELEPHONE:

RE: Mr. March stopped in the office to discuss his water right permit application

COMMENTS:

Mr. March stopped in the office to discuss his application. Garland Erbele, Don Stroup and I sat down with him. We expressed our concern that once the Bureau of Reclamation completes its replacement of the gates that flows may diminish from what previously seeped around the old gates. This may limit his ability to irrigate and still bypass needed downstream domestic use water. Additionally, he could be faced with having made a large investment in the center pivot that he's now unable to use.

Mr. March agreed to put his application on hold until this fall. By that time, the Bureau may have completed its gate project and Don Stroup plans to go out there this summer to view the site. In the mean time, Mr. March plans to irrigate as authorized under Water Right No. 1882-2. He does plan to move the diversion point upstream approximately ½ mile as a test this ~~some~~^{summer}. We agreed to allow him to do so since he is the only landowner on both sides of the river in this reach.

I told Mr. March we would get ahold of him this fall to see how he wants to proceed.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Eric Garland

REPORT ON WATER PERMIT APPLICATION 2480-2
Roland, Donna, and Tony March
HC 52 Box 137
Hot Springs, SD 57747

Water Permit Application No. 2480-2, Roland, Donna, and Tony March, proposes to appropriate an additional 1.29 cubic feet per second (cfs) of water from the Cheyenne River and irrigate an additional 19.9 acres over those amounts authorized by Water License No. 1882-2. The applicants also propose to change the Water License No. 1882-2 diversion point to the SW¼ NE¼ Section 17 T8S R6E. Water License No. 1882-2 entitles the diversion of 0.60 cfs of water from the Cheyenne River to irrigate 49.4 acres with a priority date of May 29, 1984. The applicants propose to install a center pivot that will make a two-thirds (2/3) rotation irrigating a total of 69.3 acres located in portions of the S½ SE¼ Section 8 and the NE¼ Section 17, all T8S R6E (Attachment 1). Proposed annual period of use is April 1 through October 31. The requested total diversion rate of 1.89 cfs for 69.3 acres is greater than the South Dakota statutory limit of 1 cfs per 70 acres.

Review of Water Source

The water source for the proposed project is the Cheyenne River approximately one-mile downstream of Angostura Dam in Fall River County, SD. Rising in the high plains of Wyoming in the Thunder Basin National Grasslands, the Cheyenne River meanders around the southern end of the Black Hills entering South Dakota about 14 miles northwest of the town of Edgemont, SD. The river then passes through narrows south of Hot Springs, SD, the location of Angostura Dam. Construction of Angostura Dam, part of the Angostura Unit irrigation system, was completed in 1949. The Bureau of Reclamation (BOR) holds South Dakota Water Right No. US5792 for an annual one-time fill of 138,761 acre-feet of water stored in Angostura Reservoir for irrigation of 12,218 acres, and for fish, wildlife, recreation, and other purposes. Since October 1949 the flow in the Cheyenne River downstream of Angostura Dam has been regulated primarily to serve the irrigation needs of the Angostura Irrigation District. Water is diverted directly from Angostura Reservoir and delivered through a main canal to the Irrigation District. Average releases to Irrigation District lands are about 40,000 acre-feet per year providing an average onsite delivery of 2.5 acre-feet/acre.

Perennial Cheyenne River flows, above and below Angostura Reservoir, are normally low with occasional high flows occurring during spring snowmelt and periodic rainstorms. Average precipitation in the area is about 16-inches per year, most of which occurs from April through September.

Seepage past the dam, flows from tributaries, and return water flows from the Irrigation District distribution system presently fulfill downstream State water rights and domestic use.

During the normal irrigation season, stream flow below Angostura Dam to the Fall and Cheyenne Rivers' confluence is quite low. In the summer of 2002 the BOR, operator of the Angostura Unit, completed repairs and upgrades on Angostura Dam. These repairs lowered leakage from the radial gates, but BOR doesn't believe the overall rate of leakage from the dam was significantly lessened. Before repairs and upgrades, leakage from the dam was about 3.3 cubic feet per second (cfs) and the total return water flows to the Cheyenne River from the

Irrigation District were estimated to be 54-percent of the amount released to the main canal or about 30 cfs downstream of the dam to east of Buffalo Gap, SD. The proposed diversion point for this project is located upstream of the Fall-Cheyenne Rivers' confluence and Irrigation District wasteways.

The U.S. Geological Survey (USGS) maintains a stream flow gaging station 800 feet downstream of Angostura Dam (Attachment 1). Starting in October 1977 only seasonal data, from about the beginning of February to the end of July, have been recorded at this gaging station. Historical data from 1950 to 1977 indicate there is a 50-percent probability the median flow rate at the proposed diversion point location will range from 1.4 to 1.9 cfs or greater during the April through October interval of any given year. The data also indicate there is a 75-percent probability the median flow rate will range from 1.0 to 1.4 cfs or greater during the April through October interval of any given year. (Table 1)

Table 1. Cheyenne River Median Flow Percentiles Below Angostura Dam

Percentile	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
10	0.9	0.9	1.0	0.9	0.9	1.0	0.9	0.9	0.8	1.0	1.1	0.9
25	1.0	1.1	1.2	1.0	1.1	1.3	1.4	1.2	1.0	1.2	1.2	1.0
50	1.3	1.4	1.5	1.4	1.7	1.9	1.8	1.4	1.4	1.4	1.5	1.2
75	1.6	3.0	2.8	2.7	12.7	109.8	47.6	1.9	1.7	1.8	1.6	1.6

Review of Existing Water Rights

There are no permitted or licensed diversions of water from the Cheyenne River between the proposed diversion point for this project and the Fall-Cheyenne Rivers' confluence. Fed by thermal springs and wells, Fall River's base stream flow normally does not vary far from the median rate throughout the year (Table 2). The steady flow from Fall River, return water flows from the Irrigation District, and flow from other tributaries fulfill State water rights and domestic use downstream of the Fall-Cheyenne Rivers' confluence.

Table 2. Fall River Median Flow Percentiles

Percentile	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
10	20	20	20	19	20	20	21	21	21	21	21	21
25	22	22	22	21	21	22	22	22	22	22	22	22
50	23	24	24	22	22	24	24	24	24	23	24	24
75	26	26	26	26	26	26	26	26	26	26	26	26
90	29	29	30	29	29	29	29	29	29	30	29	29

Proposed Change in Diversion Rate and Location

The applicants propose an increase of 1.29 cfs from the 0.60 cfs authorized by Water License No. 1882-2 for a total diversion rate of 1.89 cfs. Applicants have not yet purchased the center pivot system for the proposed project but believe the diversion rate of 1.89 cfs will be the operating capacity of a system they will install. A diversion rate of 1.89 cfs for the proposed 69.3 acres to be irrigated is greater than the State statutory limit of 1 cfs water for each 70 acres irrigated or the equivalent thereof. The Water Management Board *may allow a greater diversion, in volume or rate or both, if the method of irrigation, any time constraints on*

diversion of water, or the type of soil so requires. However, no annual volume may be greater than three acre-feet per acre delivered to the land.

Historical data indicate that during the irrigation season the Cheyenne River reach between Angostura Dam and the Fall-Cheyenne Rivers' confluence experiences low water flows. During extremely dry periods this reach of the Cheyenne River could be subject to shutoff orders by the Chief Engineer to protect domestic use.

Proposed Change in Acreage

Water License No. 1882-2 authorized the irrigation of 49.4 acres in Sections 8 and 17 T8S R6E. The location of the proposed center pivot making a two-thirds (2/3) rotation will cover an additional 19.9 acres in the same area authorized by Water License 1882-2.

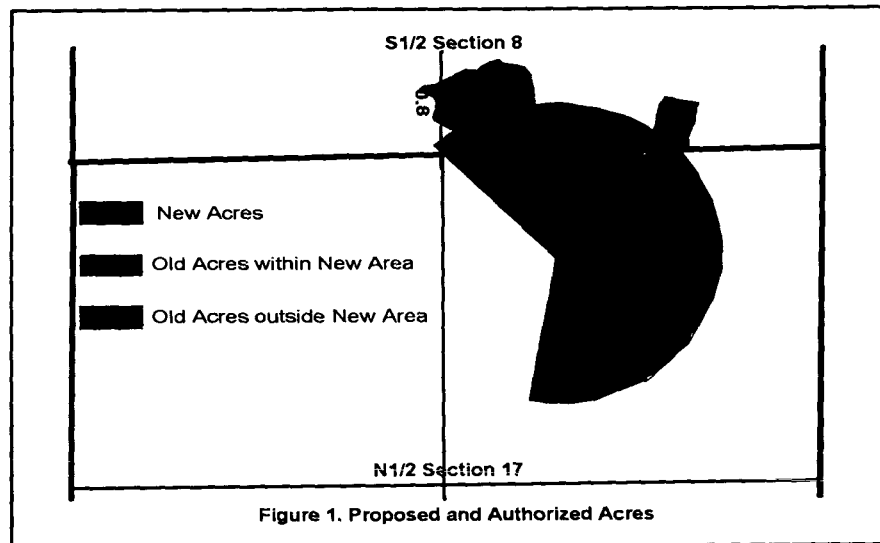


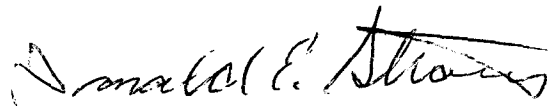
Figure 1 shows an estimate of the acres authorized for irrigation by Water License No. 1882-2, the acres proposed for irrigation by this application, and the Water License No. 1882-2 acres that will need to be relocated for coverage by the center pivot.

Increasing the acreage authorized for irrigation to 69.3 acres at a diversion rate of 1.89 cfs should not adversely affect downstream domestic use and senior irrigation rights during normal climatic conditions. Under extremely dry climatic conditions, the availability of water for downstream domestic use may be limited. At these times the applicants may be required by the Chief Engineer to limit or stop diversions from the Cheyenne River in order to protect domestic use.

Conclusions

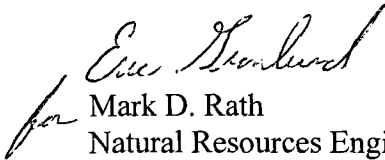
1. Water Permit Application No. 2480-2 proposes to amend Water License No. 1882-2 by appropriating an additional 1.29 cubic feet per second (cfs) of water from the Cheyenne River and irrigate an additional 19.9 acres over amounts presently authorized. These increases would change the total diversion rate to 1.89 cfs and acres irrigated to 69.3. The applicants also propose to change the diversion point location authorized by Water License No. 1882-2.

2. Historical data from 1950 to 1977 indicate there is a 50-percent probability the median flow rate at the proposed diversion point location will range from 1.4 to 1.9 cfs or greater during the April through September interval of any given year. The data also indicate there is a 75-percent probability the median flow rate will range from 1.0 to 1.4 cfs or greater during the April through September interval of any given year.
3. The proposed diversion point change would not be expected to adversely affect downstream senior water rights in the area or domestic use under normal conditions.
4. Under extremely dry climatic conditions, the availability of water for downstream domestic use may be limited. At these times the applicants may be required by the Chief Engineer to limit or stop diversions from the Cheyenne River in order to protect this domestic use.
5. If this application is approved, the priority date of 5/29/84 authorizing the irrigation of 49.4 acres at a diversion rate of 0.60 cfs should be retained.



Donald E. Stroup
Natural Resources Project Engineer
DENR Water Rights Program

Reviewed by:



Mark D. Rath
Natural Resources Engineering Specialist
DENR Water Rights Program

References:

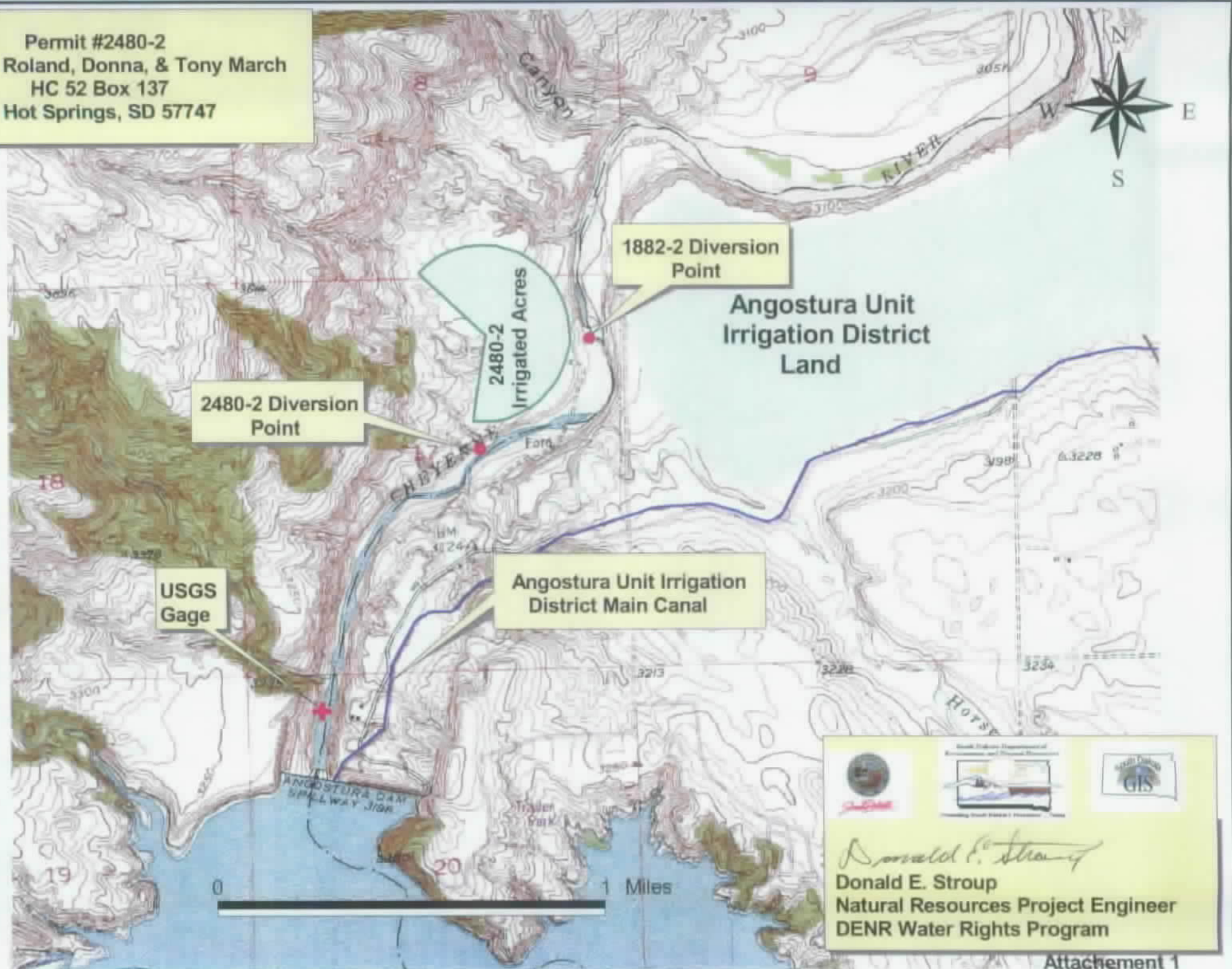
South Dakota Department of Environment and Natural Resources, Water Rights Program Records

Bureau of Reclamation, Angostura Unit Contract Negotiation and Water Management Draft Environmental Impact Statement

U.S. Geological Survey, NWISWeb National Water Information System, Historical Stream Flow Data for South Dakota

Communications with Bureau of Reclamation Personnel, Angostura Unit

Permit #2480-2
Roland, Donna, & Tony March
HC 52 Box 137
Hot Springs, SD 57747




Donald E. Stroup
Donald E. Stroup
Natural Resources Project Engineer
DENR Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2480-2, Roland, Donna, Tony or Terry March**

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. 2480-2, Roland, Donna, Tony or Terry March, HC 52, Box 137, Hot Springs SD 57747-9603.

The Chief Engineer is recommending APPROVAL of Application No. 2480-2 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 qualifications:

1. Pursuant to SDCL 46-5-6, Water Right No. 1882-2 and Water Permit No. 2480-2, combined, authorize a maximum diversion rate of 1.89 cfs for the irrigation of 69.3 acres.
2. Water Permit No. 2480-2 does not authorize diversion from the Cheyenne River in excess of 0.60 cfs for irrigation of 49.4 acres (established by Water Right No. 1882-2) at any time flow at the USGS Cheyenne River Angostura Dam gaging station (06401500) is less than 2.5 cfs. Diversions under this permit shall be in accordance with any written orders issued by the Chief Engineer.
3. 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
July 1, 2003

NOTE: The US Geological Survey has an Internet site showing river flow at different Cheyenne gauging stations, including the Angostura Dam gage. Go to <http://water.usgs.gov/> and click on Realtime Streamflow data. You will have to navigate to the information on realtime flow at the Angostura gauge.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

July 25, 2003

Mick Jenniges, Manager
Angostura Irrigation District
PO Box 346
Oral SD 57766

Dear Mr. Jenniges:

Enclosed is a copy of the report, recommendation and public notice on Water Permit Application No. 2480-2 filed by Roland, Donna, Tony and Terry March. The proposed irrigation is located just below Angostura dam. The notice is scheduled to be published in the Hot Springs Star on August 5 and 12, 2003. The notice schedules a October 1st hearing before the Water Management Board.

This information is being sent to you because of the District's interest in water right issues along the Cheyenne River in this area.

Sincerely,

Eric Gronlund
Water Rights Program
(605) 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 25, 2003

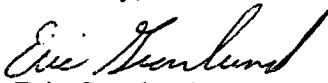
Curt Anderson
Bureau of Reclamation
515 9th Street, Room 101
Rapid City SD 57701

Dear Curt:

Enclosed is a copy of the report, recommendation and public notice on Water Permit Application No. 2480-2 filed by Roland, Donna, Tony and Terry March. The proposed irrigation is located just below Angostura dam. The notice is scheduled to be published in the Hot Springs Star on August 5 and 12, 2003. The notice schedules a October 1st hearing before the Water Management Board.

This information is being sent to you because of the Bureau's continuing interest in water right issues along the Cheyenne River.

Sincerely,


Eric Gronlund
Water Rights Program
(605) 773-3352

enclosures



**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.**

July 25, 2003

Roland Donna Tony or Terry March
HC 52 Box 137
Hot Springs SD 57747

Dear March family:

Water Permit Application No. 2480-2 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Hot Springs Star printed at Hot Springs, SD (Ph # 605-745-4170). 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 of Hearing 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 with the last publication to occur twenty days before the board meeting. 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 25, 2003

Hot Springs Star
PO Box 1000
Hot Springs SD 57747-1000

ATTENTION: Legal Public Notice

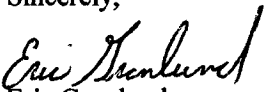
Enclosed is a Notice of Hearing on Application No. 2480-2 to Appropriate Water to be published twice. Please publish the first notice on August 5, 2003 with the second publication 7 days later.

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 Roland, Donna, Tony or Terry March, HC 52 Box 137, Hot Springs, SD (Ph # 605-745-4480).

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. 2480-2

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

Date _____

We are in receipt of your letter of July 24, 2003 enclosing Notice of Hearing to Appropriate Water by Application No. 2480-2 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper

Instruction to Newspaper - Publish first Notice on August 5, 2003 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2480-2 TO APPROPRIATE Water
And to Amend Water Right No. 1882-2

Notice is given that Roland, Donna, Tony or Terry March, HC 52 Box 137, Hot Springs SD 57747 have filed an application for a water permit to appropriate an additional 1.29 cubic feet of water per second (cfs), change acres, diversion point location and irrigate an additional 19.9 acres. Water Right No. 1882-2 appropriates 0.60 cfs from the Cheyenne River located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17 to irrigate 49.4 acres located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 8 and NE $\frac{1}{4}$ Section 17; all in T8S-R6E. This application proposes to install a pivot that will make a $\frac{2}{3}$ circle rotation. The number of acres irrigated will be 69.3 acres located in the S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 8 and NE $\frac{1}{4}$ Section 17; all in T8S-R6E. This application proposes to change to location of the Cheyenne River Diversion point to the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17-T8S-R6E. The total diversion rate will be 1.89 cfs. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2480-2 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.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to 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 September 19, 2003. 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.

The Water Management Board will consider this application at 10 A.M. October 1, 2003 in the Matthew Training Center, Foss Building, 523 E Capitol, Pierre, SD. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The October 1 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by September 19, 2003.

Any hearing may be an adversarial proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by September 19, 2003, at the above Water Rights Program address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Fall River) SS

I, Brett Nachtigall

certify that the attached printed Notice was taken

from the Hot Springs Star

printed and published in Hot Springs

County of Fall River and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

August 5, 2003 and

August 12, 2003

Cost of Printing 70.16

B. A. Nachtigall
(Signature)

Publisher

(Title)

8-12-03

(Date Signed)

Subscribed and sworn to before me
this 12th Day of August 2003

Don S. Ferebee
Notary Public

235 NOTICE OF APPLICATION NO. 2480-2 TO APPROPRIATE WATER And to Amend Water Right No. 1882-2

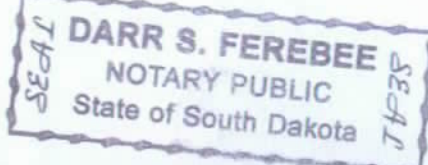
Notice is given that Roland, Donna, Tony or Terry March, HC 52 Box 137, Hot Springs, SD 57747 have filed an application for a water permit to appropriate an additional 1.29 cubic feet of water per second (cfs), change acres, diversion point location and irrigate an additional 19.9 acres. Water Right No. 1882-2 appropriates 0.60 cfs from the Cheyenne River Located in the NE1/4NE1/4 Section 17 to irrigate 49.4 acres located in the SE1/4SW1/4, S1/2SE1/4 Section 8 and NE1/4 Section 17; all in T8S-R6E. This application proposes to install a pivot that will make a 2/3 circle rotation. The number of acres irrigated will be 69.3 acres located in the S1/2SE1/4 Section 8 and NE1/4 Section 17; all in T8S-R6E. This application proposes to change to location of the Cheyenne

River Diversion point to the SW1/4NE1/4 Section 17-T8S-R6E. The total diversion rate will be 1.89 cfs. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

RECEIVED

AUG 14 2003

WATER RIGHTS
PROGRAM



Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2480-2 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.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to 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 September 19, 2003. 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.

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This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

Steven M. Pirner,
Secretary, Department of
Environment & Natural Resources.
Aug. 5, 12

Hot Springs SD
August 15-2003

Water Rights Program.

Eric Gronlund;
Dear Sir:

RECEIVED

AUG 18 2003

WATER RIGHTS
PROGRAM

Thank you for answering my letter about water permits + rights. Also for sending me the book on them.

I see by the paper that the March family is advertising for water permit # 2480-2 and to amend water right # 1882-2. This water right has not been used for 8 years so I don't think this is legal to do this. Furthermore I think they want more water & there is very little that come down the river when they did irrigate in former years.

I live about $\frac{1}{4}$ mile down the river from the pumping station. I'm not against the water permit but I think it should be done by applying for a whole new water right + permit as the old one should be taken away for non use.

Thank You.

Roland Piper

Phone 605-745-4800 or 4803



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 19, 2003

Roland March
HC 52 Box 137
Hot Springs SD 57747

Dear Mr. March:

Please find enclosed a letter we received regarding your application from the Cheyenne River. In the letter, Mr. Piper indicates he is not against the water permit but believes the original water right is subject to forfeiture for nonuse.

Although this gentleman indicates he is not opposed to the water permit, his letter is considered a petition to intervene in the hearing process. The hearing is to be held at 10:00 AM on October 1st in the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol Ave., Pierre SD 57501.

A brief review of our database of irrigation questionnaires you submit each year seems to dispute his contention that irrigation has not taken place for over 8 years. You will want to be at the hearing on October 1st to address the issue of when you've irrigated should the question arise.

To familiarize you with the law regarding forfeiture for nonuse, I am attaching the primary statutes that deal with this issue.

Please feel free to contact me if you have any questions..

Sincerely,

Eric Gronlund
Water Rights Program, DENR
(605) 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 19, 2003

Roland Piper
329 S. Chicago
Hot Springs SD 57747

Dear Mr. Piper:

I received your letter regarding Water Permit Application No. 2480-2 filed by Roland, Donna, Tony and Terry March. Although you indicate you are not against the application, this letter is considered a petition to intervene in the hearing process. A hearing on the application is scheduled as set forth in the public notice, for 10:00 AM on October 1st in the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol Ave., Pierre SD 57501.

I reviewed our database on annual questionnaires that irrigators must submit. The questionnaire information indicates that the March's did irrigate in 2001, 1998 and 1997. This information indicates that there was not a period greater than 3 years of nonuse of water.

I wanted to let you know we received your letter and explain the review I conducted on your concern of nonuse. Please feel free to contact me anytime you have questions regarding water rights in South Dakota.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Eric Gronlund'.

Eric Gronlund
Water Rights Program, DENR
(605) 773-3352
eric.gronlund@state.sd.us



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 10 2003

Roland, Donna Tony or Terry March
HC 52 Box 137
Hot Springs SD 57747-9603

Dear March Family:

Enclosed is Water Permit No. 2480-2 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,

A handwritten signature in black ink, appearing to read "Garland Erbele". The signature is fluid and cursive, with the first name "Garland" being more prominent than the last name "Erbele".

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

enclosures



2480-2
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 22, 2005

Roland March
HC 52, Box 137
Hot Springs SD 57747-9603

Dear Mr. March:

Water Right No. 1882-2 and Water Permit No. 2480-2, combined, appropriate 1.89 cubic feet of water per second (cfs) from the Cheyenne River for irrigation of 69.3 acres in the S ½ SE ¼ Section 8 and NE ¼ Section 17, T8S, R6E. A condition to your water rights does not allow irrigation from the Cheyenne River at any time the flow at the gaging station below Angostura Dam is less than 2.5 cfs while pumping. A copy of Water Permit No. 2480-2 is enclosed.

Don Stroup met with you on July 19th for the purpose of measuring the flow in the river while the pump was operating. The flow measurement was 1.28 cfs. Based on current conditions there is not 2.5 cfs bypassing your pump site when pumping. Therefore, you are not allowed to pump from the river for irrigation.

I ask that you abide by the condition for a 2.5 cfs bypass as measured at the USGS gaging station (064011500) on the Cheyenne River while pumping. Real time flows at this gaging station can be viewed at the USGS website (<http://waterdata.usgs.gov/sd/nwis/>)

If you have any questions on the condition to your water permit, please contact Don Stroup or Eric Gronlund (605) 773-3352.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program, DENR

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 30, 2006

NOTICE OF SHUTOFF ORDER

TO: ROLAND/DONNA M MARCH
HCR 52 BOX 137
HOT SPRINGS SD 57747

FROM: GARLAND ERBELE, Chief Engineer
Water Rights Program

SUBJECT: Cheyenne River Shutoff Order for Junior Priority Date Water Rights

Shutoff Order for Water Right Nos. 1882-2 (2480-2)

To protect the senior priority water rights, the department is issuing shutoff orders to junior water right holders with priority dates after January 1, 1970 from Angostura Dam to Belle Fourche River confluence. Effective immediately, no diversions of water from the Cheyenne River and tributaries will be allowed for those permits with a priority date after January 1, 1970.

Flow in the Cheyenne River has dropped to the point where domestic use of water, which includes livestock watering from the river, has become a concern. This order will be rescinded as soon as conditions improve. If conditions do not improve, this order will remain in effect until the end of the calendar year.

I am asking for your cooperation in complying with this shutoff order. The ongoing drought is creating hardship for all the water right holders along the river. If you have any questions, please contact Mark Rath or Lynn Beck with the Water Rights Program at (605) 773-3352. Thank you.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

September 5, 2006

2480-21882-2

ROLAND/DONNA M MARCH
HCR 52 BOX 137
HOT SPRINGS SD 57747

Dear Sir:

This letter is to inform you that until further notice pumping **will be allowed** to continue under your junior priority water right(s) from the Cheyenne River. Due to recent rains and cooler temperatures, flow in the Cheyenne River has improved and appears to holding steady.

We will continue to monitor the daily stream flows. If flow conditions worsen and domestic use flow is again being impacted, DENR may be forced to again limit pumping.

The USGS maintains a website where you can view real-time stream flow measurements at several sites along the Cheyenne River and it's tributaries at the following web address:

<http://waterdata.usgs.gov/sd/nwis/rt>

If you have any questions, please contact Mark Rath or Lynn Beck with the Water Rights Program at (605) 773-3352. Thank you.

GARLAND ERBELE, Chief Engineer
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 5, 2007

Dear Water Right Holder;

Due to the ongoing drought I am advising Cheyenne River water right holders of the possibility of shutoff orders in 2007 for the river reach from Angostura Dam to the Belle Fourche River confluence. This is **not a shutoff order**.

As a result of the continuing lack of precipitation, tributary flows throughout the Cheyenne River basin remain well below the historical average. Angostura Reservoir ended February almost 21-feet below full and the forecast for improved conditions throughout the summer months is not favorable.

This letter is only intended to give you advanced warning that your ability to divert water may be cut short this year. If shut-off orders are issued, you will receive another letter from the department. In the meantime, water right holders can help by closely monitoring water usage and trying to avoid wasting water.

South Dakota water law gives the highest priority to domestic use, which includes livestock watering. There is generally adequate water available to meet both domestic use and other needs. However, once water availability reaches critical low levels, other uses, including irrigation, will begin to interfere with domestic use. If levels become critically low, the department must issue shut-off orders to protect domestic water uses. Once these orders are issued, the department will continue to monitor water availability and should conditions improve, the shutoff orders would be rescinded.

If you are interested, the US Geological Survey has an Internet site showing river flows at 150 stream gauging stations across the state. Go to sd.water.usgs.gov and click on "Realtime streamflow data via satellite".

Thank you for your cooperation. If you have any questions, please contact Mark Rath or Mike DeFea at (605) 773-3352.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE OF SHUTOFF ORDER

June 27, 2007

TO: ROLAND/DONNA M MARCH
28101 ANGUSTORA RD
HOT SPRINGS SD 57747

FROM: GARLAND ERBELE, Chief Engineer
SD DENR Water Rights Program

SUBJECT: Cheyenne River Shutoff Order for Junior Priority Date Water Rights

Shutoff Order for Water Right Nos. 2480-2 1882-2

To protect the senior priority water rights, the department is issuing shutoff orders to junior water right holders with priority dates between January 1, 1970 and present for the river reach between the Angostura Dam to Belle Fourche River confluence. Effective immediately, diversions of water from the Cheyenne River and tributaries will not be allowed for those permits with a priority date after January 1, 1970.

Flow in the Cheyenne River continues to decline to the point where domestic use of water, which includes livestock watering from the river, has become a concern. This order will be rescinded as soon as conditions improve. If conditions do not improve, this order will remain in effect until the end of the calendar year.

The USGS maintains a website where you can view real-time stream flow measurements at several sites along the river, the web address is:

<http://waterdata.usgs.gov/sd/nwis/rt>

I am asking for your cooperation in complying with this shutoff order. The ongoing drought is creating hardship for all the water right holders along the river.

If you have any questions concerning this order, please contact either Mark Rath at (605) 773-3352 or Aaron Tieman at (605) 394-2229. Thank you.

Permit No. 2480-2
Upper Cheyenne 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, September 20, 2010, made a thorough examination of the water use system constructed by Roland, Donna, Tony or Terry March of HC 52 Box 137, Hot Springs, SD 57747-9603 holder of Permit No. 2480-2, bearing the priority of May 29, 1984 and March 13, 2003 authorizing the diversion of 1.89 cu. ft. per second of the waters of Cheyenne River for irrigation purposes, in Fall River County.

Inspection contact & relationship **Roland March, owner**
to permit holder, if applicable:

A. Works used to divert the water:

Pump:

- 1) Make: Cornel
- 2) Model: 2.5 YH
- 3) Size: 2.5 inches
- 4) Capacity 750 GPM

Motor:

- 1) Make: Baldor
- 2) Model No.: A150 45X-55
- 3) Horsepower rating 40 hp

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

- 1) Type: PVC
- 2) Size 8 inches
- 3) Length 1700 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make: T-L
- 2) Overall length 1000 feet
- 3) Number of towers: 7
- 4) Distance between towers 142 feet
- 5) End gun Y
- 6) High or low pressure: Low

Chemigation Equipment:

- 1) Does NOT chemigate.

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(s) of diversion located as follows: Lat/Lon 43.355121N/-103.102153W which is the approximately 2,300 feet south and 2,000 feet west of the NE corner of Section 17, T8S-R6E. The works are capable of diverting and conveying to the place of use 1.67 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:

Section 8, T8S-R6E

SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 2.0 acres

SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 11 acres

Section 17, T8S-R6E

SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 2.0 acres

SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 8.0 acres

NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 30.0 acres

NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 16.0 acres

comprising a total of 69 acres of land and the license should be issued for 1.67 cfs.

All structures, wells and lands on map Y

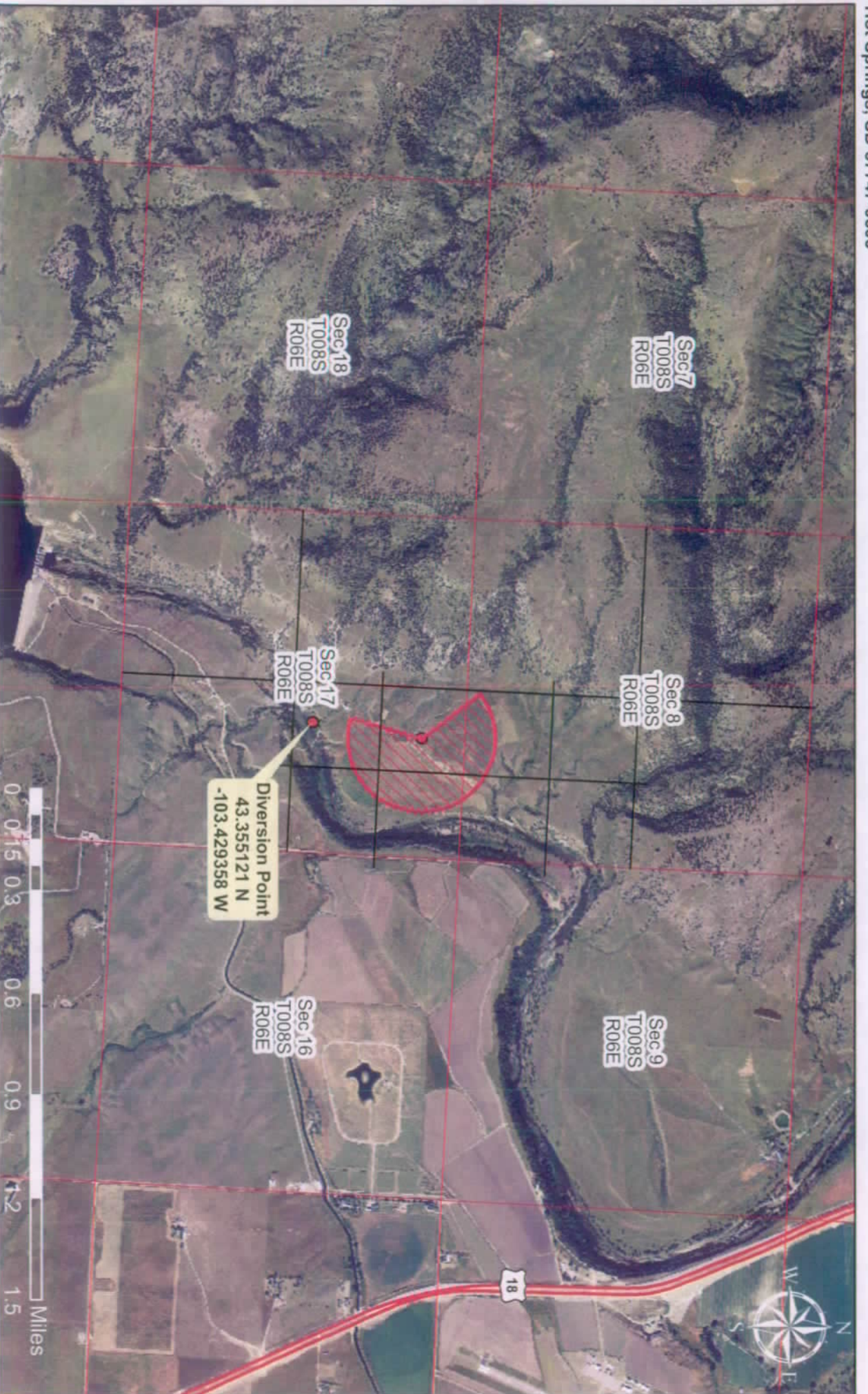
Comments or other permit(s) associated with the project: The applicable portions of Water Right No. 1882-2 will be incorporated into Water Right No. 2480-2.

Aaron R. Tieman

Aaron Tieman
Natural Resources Project Engineer
DENR, Water Rights Program

Date report completed: 1/5/2011

Water Right 2480-2
Roland, Danna, Tony or Terry March
HC 52 Box 137
Hot Springs, SD 57747-9603



A. Tieman
Natural Resources Project Engineer
SD DENR, Water Rights Program
January 5, 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

JAN 18 2011

2480-2
1882-2

Roland & Donna March
Tony or Terry March
28101 Angostura Rd
Hot Springs SD 57747-9603

Dear Sirs:

Enclosed is Water License No. 2480-2. Included with your license is a map prepared by the staff engineer who conducted the field investigation. Water License No. 2480-2 is the final document which completes the process of obtaining a water right.

The applicable portions of Water Right No. 1882-2 were incorporated into Water License No. 2480-2. 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

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 2480-2**

(1) Roland, Donna, Tony or Terry March, 28101 Angostura Rd, Hot Springs SD 57747-9603 made Application No. 2480-2, March 12, 2003 for a water permit to divert 1.29 cubic feet of water per second (cfs) from the Cheyenne River, in Fall River County, South Dakota for irrigation purposes. Permit No. 2480-2, with a priority date of March 13, 2003 was approved October 1, 2003 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before October 1, 2008 and the application to beneficial use of said water on or before October 1, 2012.

No. 2480-2 appropriated an additional 1.29 cfs, changed the location of acres and the diversion point and also added 19.9 acres to Water Right No. 1882-2. Water Right No. 1882-2, with a priority date of May 29, 1984, authorized diversion of 0.60 cfs for irrigation of 49.4 acres. The applicable portions of Water Right No. 1882-2 are incorporated into this Water License No. 2480-2. The developed diversion rate of 1.67 cfs will have priority dates of May 29, 1984 for 0.60 cfs and March 12, 2003 for 1.07 cfs.

(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 and is entitled to divert 1.67 cubic feet of water per second for beneficial use. The location of the diversion point is 2,300 feet south & 2,000 feet west of the NE corner of Section 17, T8S, R6E, (SW ¼ NE ¼).

(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 8, T8S, R6E		Section 17, T8S, R6E	
SE ¼ SE ¼	2.0 acres	SE ¼ NE ¼	2.0 acres
SW ¼ SE ¼	11.0 acres	SW ¼ NE ¼	8.0 acres
		NW ¼ NE ¼	30.0 acres
		NE ¼ NE ¼	16.0 acres

Total irrigated acres – 69.0*

* **Priority dates: May 29, 1984 (established by Water Right No. 1882-2) for 49.4 acres**
March 12, 2003 (established by Water Permit No. 2480-2) for 19.6 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Roland, Donna, Tony or Terry March, 28101 Angostura Rd, Hot Springs SD 57747-9603 the holders and/or owners of Incorporated Water Right No. 2480-2 are issued a license to appropriate water, the right to use 1.67 cubic feet of water per second from the Cheyenne River with a priority dates of May 29, 1984 (0.60 cfs) and March 12, 2003 (1.07 cfs) from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Incorporated Water Right No. 2480-2 and subject to the following qualifications:

- Pursuant to the statutory limit provided in SDCL 46-5-6, Water Right No. 1882-2 and Water Right No. 2480-2 combined, authorize a maximum (*developed*) diversion rate of 1.67 cfs for the irrigation of 69.0 acres.
- **Incorporated** Water Right No. 2480-2 does not authorize diversion of water from the Cheyenne River at any time when the flow at the USGS Cheyenne River Angostura Dam gaging station (06401500) is less than 2.5 cfs while pumping. Diversions under this water right shall be in accordance with any written orders issued by the Chief Engineer.
- This Water Right is subject to the irrigation water use questionnaire being submitted each year.



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

JAN 18 2011

date





2480-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2012

NOTICE

TO: ROLAND N OR DONNA M MARCH, 28101 ANGUSTORA RD, HOT SPRINGS, SD 57747

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

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaire(s)

Our records indicate that the 2011 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2480-2. The request for the Questionnaire was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 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) 2480-2 qualification:

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

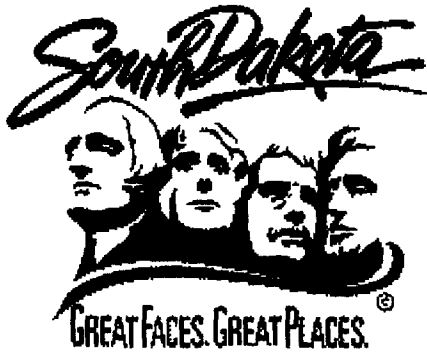
The hearing will be held at **10:00 am, March 7, 2012** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2480-2 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 **March 2, 2012**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

February 6, 2012

2480-2

Roland & Donna March
28101 Angustora Rd
Hot Spring SD 57747

Dear Mr. & Mrs. March:

I am writing to acknowledge receipt of your 2011 irrigation questionnaire.

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Right No. 2480-2. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath".

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



2480-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2015

NOTICE

TO: ROLAND N OR DONNA M MARCH, 28101 ANGUSTORA RD, HOT SPRINGS, SD 57747

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2480-2. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2480-2 qualification:

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

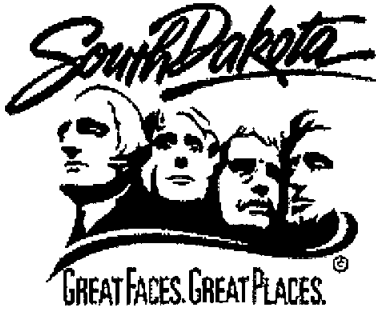
The hearing will be held at **10:00 am, March 4, 2015** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2480-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182

January 27, 2015

2480-2

Roland March
28101 Angustora Rd
Hot Springs SD 57747

Dear Mr. March:

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

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right No. 2480-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 19, 2024

NOTICE

TO: ROLAND OR DONNA MARCH, 28101 ANGUSTORA RD, HOT SPRINGS, SD 57747

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaire(s)

Our records indicate your 2023 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2480-2. The request for the Questionnaire was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 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) 2480-2 qualification:

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

The hearing will be held at **Wednesday, March 6, 2024 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2480-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 6, 2024** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: FPQPKD**

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

2480-2

January 24, 2024

2480-2

Roland & Donna March
28101 Angustora Rd
Hot Springs SD 57747

Dear Mr. & Ms. March:

I am writing to acknowledge the receipt of your 2023 irrigation questionnaire(s).

You may disregard the January 19, 2024, "Notice" concerning the reporting requirements for Water Permit No(s). 2480-2. The information was received prior to the March 6, 2024, Water Management Board meeting and this permit number has been removed from the agenda.

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 14, 2025

NOTICE

TO: ROLAND OR DONNA MARCH, 28101 ANGUSTORA RD, HOT SPRINGS, SD 57747

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2480-2. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 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) 2480-2 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2480-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: PCUPRT**

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 30, 2025

2480-2

Ronald or Donna March
28101 Angustora Rd
Hot Springs SD 57747

Dear Mr. or Ms. March:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 2480-2. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

2480-2



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2026

NOTICE

TO: ROLAND OR DONNA MARCH, 28101 ANGUSTORA RD, HOT SPRINGS, SD 57747

FROM: Ron Duvall, Engineer III
for Adam Mathiowetz, PE, Acting Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaire(s)

Our records indicate your 2025 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2480-2. The request for the Questionnaire was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 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) 2480-2 qualification:

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

The hearing will be held on **Wednesday, March 4, 2026 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2480-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2026** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Shannon Konst at (605) 773-3352 or email at shannon.konst@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: CQLOWO**

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

February 3, 2026

2480-2

Roland or Donna March
28101 Angostura Rd
Hot Springs, SD 57747

Dear Roland and Donna,

I am writing to acknowledge receipt of your 2025 irrigation questionnaire(s).

You may disregard the January 20, 2026, "Notice" concerning irrigation reporting requirements for your water permit/right(s). 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,

Shannon Konst
Water Rights Program
605 773-8204
Shannon.konst@state.sd.us



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 26th, 2026

2480-2

Roland or Donna March
28101 Angostura Rd
Hot Springs, SD 57747

Dear Roland or Donna:

I am writing to acknowledge receipt of your 2025 irrigation questionnaires.

You may disregard the January 20, 2026, "Notice" concerning reporting requirements for Water Right No. 2480-2. 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,

Shannon Konst
Water Rights Program
605 773-8204
Shannon.konst@state.sd.us