

Water Right Number 1029-1

1. Considered 9-11, 1974
2. Name of Applicant HOMESTAKE MINING CO.
3. Post Office Address LEAD
4. Amount of Water claimed 1.39
5. Source of Water supply BELLE FOURCHE RIVER
6. Water to be used for IRRIGATION
- Acres to be irrigated 97
7. Water to be diverted and used in BUTTE County
about 2 miles E of VALE
8. Proof of Publication Received 3-14-74
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

Map No. 852-1 Water Division No. 1 BELLE FOURCHE RIVER Dis.
(Blanks to be Filled by the Engineer for the W. R. C.)

RECEIVED
JUL 22 1974
10:30 AM

STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE-Draw a line through items not applicable)

1. Name of Applicant HOMESTAKE MINING COMPANY
Postoffice address BOX 375 LEAD, State SOUTH DAKOTA 51754
If a corporation show date and place of incorporation November 6, 1877, State of California
2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct labor by tenant
3. Name of diversion work 1.59 MAXIMUM ALLOWABLE
4. Amount of water claimed (cubic feet per second) 2.7-CFS. (1350 gpm pump - 10" diameter)
5. Source of water supply Belle Fourche River
6. Location of point of diversion N58°E. - 1000 feet from SW Corner Sec. 27 T.8 N., R.7 E. BHM
County Butte
7. Annual period or periods during which water is to be used June, July, and August of each year
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, 97 Total number of acres to be irrigated

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
SW $\frac{1}{4}$ SW $\frac{1}{4}$ - Section 27	5.7	NE $\frac{1}{4}$ NW $\frac{1}{4}$ - Section 34	33.7
SE $\frac{1}{4}$ SW $\frac{1}{4}$ - Section 27	25.7	NW $\frac{1}{4}$ NW $\frac{1}{4}$ - Section 34	23.9
NE $\frac{1}{4}$ SW $\frac{1}{4}$ - Section 27	8.0		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 2 years years. Additional time required to complete application of water to the proposed beneficial use years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Sturgis Tribune and/or Belle Fourche Daily Post
12. Principal Features of the Proposed Water Supply System.

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

By pumping

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

Pipe (6" diameter)

C. Works proposed to apply water to beneficial use.

Spray nozzle & flooding

Estimated Total Cost \$ 2500 - 3000

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of LawrenceI, Vice Pres. & Mgr. of

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

Homestake Mining Company
Vice President, and Manager Homestake MineSubscribed and sworn to before me this 18 day of July 1974

Genevieve M. Stroob, Notary Public

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1029-1
HOMESTAKE MINING COMPANY Box 875, LEAD
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57751 With the following modifications
 (State)

DIVERSION OF WATER UNDER THIS PERMIT IS CONTINGENT UPON WATER SUPPLIES BEING FIRST AVAILABLE TO PRIOR WATER RIGHTS ON THE BELLE FOURCHE RIVER. FLOW RECORDS SHOW THAT THERE ARE OCCASIONAL YEARS WHEN THE FLOWS OF THE BELLE FOURCHE RIVER ARE DEFINITELY & RECOGNIZABLY LOWER THAN USUAL DURING THE MONTHS OF JULY, AUGUST & SEPTEMBER. DIVERSIONS OF WATER ARE NOT TO BE MADE UNDER THIS PERMIT DURING SUCH LOW FLOW PERIODS.

Date of first receipt of application JULY 22 1974
 Date of return to applicant for correction, amendments or changes required _____ 19____
 Date of receipt of corrected application _____ 19____
 Approved SEPTEMBER 11 1974 Recorded in Book 13 Page 63

WATER RIGHT PERMIT NO. 1029-1

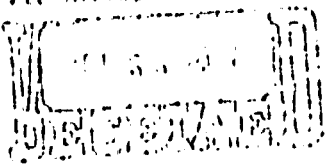
The Water Rights Commission hereby grants and issues this Water Right Permit No. 1029-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is JULY 22 1974
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 11 1975
3. The whole of said work is to be completed on or before SEPTEMBER 11 1976
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 11 1976
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 1.39 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before SEPTEMBER 11 1976; said water to be used during the following described annual period: JUNE THRU AUGUST

Witness my hand this 13TH day of SEPTEMBER 1974
 WATER RIGHTS COMMISSION

By: Donald J. Dinsdale
 Chief Engineer, Executive Officer, CIVIL WATER RIGHTS COM.

Certificate of Construction Issued February 26 1982
 Water License Issued February 26 1982



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1029-1

(1) WHEREAS, On the 22nd day of July A. D. 19 76
Forestake Mining Company

made Water Right Application No. 1029-1 for a permit to use 1.39 cubic feet per second of the waters of the Falla-Fourche River

County of Butte, State of South Dakota, for irrigation purposes; and

(2) WHEREAS, On the 11th day of September A. D. 19 76

Permit No. 1029-1, with a date of priority of July 22, 1976

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 11th day of September A. D. 19 76 and for the application to beneficial use of said water on or before the 11th day of September A. D. 19 76

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 0.51 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,
 to irrigate the following land all in T9N, R7E:

Section 27 SW 1/4 SW 1/4 5 acres
SE 1/4 SW 1/4 7 acres

Section 34 NW 1/4 NW 1/4 5 acres
NE 1/4 NW 1/4 19 acres

TOTAL 36 acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Montana Mining Company

of Lead, South Dakota
the holder 6 and owner 6 of said permit No. 1029-1 a water right, dating from July 22, 1921
to use of 0.51 cubic feet per second of the waters
of the La Fourche River

in the County of Butte and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point 480 feet N and 950 feet E of the S.E. corner,
Section 27, T6N, R7E

and conducted to and upon portions of Sections 27 and 34, T6N, R7E, one full
described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1029-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 24th day of February A.D.
Nineteen Hundred and Eighty-two

WATER MANAGEMENT BOARD

By:

John Welch
Chief Engineer, Executive Officer
JOHN WELCH

Permit No. 1029-1

Water Diversion No. 1 Belle Fourche River Water District

CERTIFICATE OF CONSTRUCTION

Homentale Mining Company

This is to Certify, That _____

_____ the holder s of

Permit No. 1029-1, issued upon Application No. 1029-1, bearing date of priority of _____

July 22, 1974 authorizing the diversion of 1.39 cu. ft. per second of the waters of _____
the Belle Fourche River County of Butte, State of South Dakota at _____

a point 480'N and 950'E of the SW corner Section 27, T8N, R7E

_____ for irrigation

_____ purposes, has ve complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 1.33 cu. ft. per second of water.

Date February 26, 1952


JOHN HATCH, Chief Engineer
Water Rights Division

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 1029-1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Meade) ss.

I, Teresa Shoun hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Sturgis Tribune

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

R. H. Publishers of Sturgis

County of Meade and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

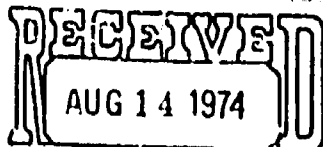
July 31, Aug 7

Teresa Shoun
(Signature)

Bookkeeper
(Title)

August 13, 1974
(Date Signed)

No 1029-1
NOTICE
INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
July 24, 1974
Notice is hereby given that
Homestake Mining Com-
pany whose post office ad-
dress is Lead, South Dakota,
has made an application in
accordance with the
provisions of the water laws
of South Dakota for a permit
to appropriate for beneficial
use 1.39 cubic feet of water
per second of time from the
Belle Fourche River through
the point of diversion of
which is to be located in the
SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27,
Twp. 8N, Range 7E. Said
water to be used for the
purpose of providing
irrigation on portions of the
following described land:
S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
Section 27; N $\frac{1}{2}$ NW $\frac{1}{4}$,
Section 24, all in T8N, R7E.
This application No.
1029-1 will be considered by
the Water Resources Com-
mission at their office at
Pierre upon the 11th day of
September, 1974, at 2:30
P.M. All interested persons
may appear and be heard.
WATER RESOURCES
COMMISSION
Burton F. Jones,
Water Rights Specialist
Trib July 31, Aug 7.



STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

No. 1029-1Publish first publication, on or before August 29, 1974NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

July 24, 1974Notice is hereby given that Homestake Mining Companywhose post office address is Lead, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use1.39 cubic feet of water per second of time from the Belle Fourche River through the _____, the point of diversion of which is to be located in the _____SW 1/4of Section 27, Twp. 3N, Range 7E. Said water to be used for the purpose of providing irrigation on ^{portions of} the following described land:SW 1/4, NE 1/4, Section 27; NW 1/4, Section 34, all in T8N, R7EThis application No. 1029-1 will be considered by the Water Resources Commission at their office at Pierre upon the 11th day of September, 1974, at 2:30 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFJ/LW

cc: Donald T. Delicate, Manager, Homestake Mining Company, Box 875, Lead, S.D. 57754

SOUTH DAKOTA Department of
Water & Natural Resources
Joe Foss Building Water Rights Division (605) 773-3352
Pierre, South Dakota 57501

June 10, 1981

Honestake Mining
Box 875
Lead, SD 57754

Gentlemen:

The rules adopted by the Water Management Board for establishing a water use control area on the Belle Fourche River, Whitewood Creek and Owl Creek requires that the water right holder be assessed a fee of ten dollars for each cubic foot per second or portion thereof of the diversion capability of the diversion works plus twenty-five cents for each acre irrigated as shown by the water rights of record in the Division of Water Rights. These fees are required to be paid to the Division of Water Rights by July 1, 1981.

Permits for which fees have not been paid by July 1, 1981 shall be refused the right to divert water for the remainder of the year. The fees paid will be used to defray the costs of providing water master services within the water use control area. The following is a tabulation of your assessment.

<u>Permit No.</u>	<u>Diversion Rate</u>	<u>Acreage</u>	<u>Fee</u>
✓1029-1	1.59		
1148-1	13.50	97.00	\$ 44.25
1149-1	3.20	949.00	377.00
1150-1	7.60	126.00	96.50
1151-1	5.50	534.00	213.50
1152-1	6.60	390.00	157.50
1153-1	6.10	462.00	185.50
		428.00	177.00
		TOTAL	\$1,251.25

Please make check or money order payable to the Dept. of Water and Natural Resources and send to the Division of Water Rights, Joe Foss Building, Pierre, SD 57501.

If you have any questions, do not hesitate to contact this office.

Very truly yours,

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

JH/JW/jy

Equal Opportunity Employer

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8277

PIERRE, June 17, 1981

RECEIVED OF Homestake Mining Co., Lead SD

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and Issuing Cert. of Construction No.		
Fee for Inspecting Beneficial Use, and Issuing Water License No.		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for water master services on WR # 1029-1	44	25
(any other work as provided by law)		
TOTAL	44	25

WATER RIGHTS COMMISSION

By *John Hatch*
 Chief Engineer, Executive Officer
 JOHN HATCH *kw*

Belle Fourche River and Tributaries
Water Use Control Area
Financial Report
1981

Summary of Receipts and Expenditures
June, 1981 - July, 1981

	<u>Receipts</u>	<u>Disbursements</u>	<u>Balance</u>
Collections (Water User's fees)	\$7,379.37	\$ 2,028.62	\$ 5,350.75
Watermaster (Salary and Mileage)	\$7,379.37	\$2,028.62	\$5,350.75

Detailed Report of Receipts

No.	Name	Diversion Rate	Acreage	Receipts (total fee)	Amount Returned
789-1	Louis Budmayr	0.90	95.50	\$ 34.00	\$ 30.10
429-1	Ed Brunner & Son	1.43	106.00	46.50	41.16
429-1A	Mel Pittman	1.07	79.00	40.00	35.41
506-1	Bob Bartels	.23	17.00	14.25	12.61
892-1	Bob Bartels	1.00	70.00	27.50	24.34
417-1A	Quinten & Karen Watson	.53	78.00	29.50	26.11
417-1B	Clarence Anderson	1.43	206.00	64.00	56.65
417-1	Mrs. Eddie (Vivian) Anderson	1.15	69.00	69.50	61.52
531-1	Ruby Dillinger	1.27	89.29	42.50	37.62
1162-1	Charles & Dorothy Shaykett	4.61	324.70	131.00	115.96
1210-1	Charles & Dorothy Shaykett	1.80	128.30	52.00	46.03
1132-1	Ezra Pauley	4.00	285.00	111.25	98.48
1204-1	Art Heitz, Jr.	2.19	153.00	68.25	60.41
1205-1	Harlan K Schnell	1.88	132.00	53.00	46.91
1215-1	H L & Mildred Brunner	3.00	264.50	96.12	85.08
418-1	Alex Miller	1.67	117.00	49.25	43.59
1213-1	Robert W Grant	1.43	100.00	45.00	39.83
419-1	Herman Stark	2.50	179.00	74.75	66.17
421-1	Lee Dutton	2.50	175.00	73.75	65.28
1049-1	Thorval Jensen	1.47	103.00	45.75	40.50
1122-1	Thorval Jensen	4.88	324.14	135.75	120.16
1160-1	Thorval Jensen	1.90	133.49	53.50	47.36
1029-1	Homestake Mining	1.39	97.00	44.25	39.17
910-1	Donald Halbmaier	2.50	175.00	73.75	65.28
1165-1	Tom Bowen	2.05	200.00	80.00	70.81
722-1	Edith Anderson & Tom Bowen	2.80	196.00	79.00	69.93
1148-1	Homestake Mining	13.50	943.00	377.00	333.71
430-1	Gerald Wetz	1.65	116.00	49.00	43.37
432-1	Roy Casteel	4.30	307.00	126.75	112.20
414-1	Mary Ann Schummer	3.40	239.00	99.75	88.30
411-1	Edward Poss	5.10	452.00	173.00	153.13
440-1	David A Richards	5.00	416.00	154.00	136.32
1149-1	Homestake Mining	3.20	226.00	96.50	85.42
1150-1	Homestake Mining	7.60	534.00	213.50	188.98
437-1	McNenny Ranch Inc.	5.90	418.00	164.50	145.61
1151-1	Homestake Mining	5.50	390.00	157.50	139.41
821-1	George Levin & Sons	7.00	490.00	192.50	170.40
1136-1	George Levin & Sons	3.07	215.00	93.75	82.98

Detailed Report of Receipts Cont.

No.	Name	Diversion Rate	Acreage	Receipts (total fee)	Amount Returned
1152-1	Homestake Mining	6.60	462.00	\$ 185.50	\$ 134.20
449-1	George Wurnig	5.00	365.00	171.25	151.59
1153-1	Homestake Mining	6.10	428.00	177.00	156.68
311-1	Lester Clark	16.61	1,163.66	461.00	408.06
310-1	Lester Clark	5.76	473.20	189.50	166.85
248-1	Lawrence Burke	0.90	64.00	26.00	23.01
1077-1	Charles M Arneson	1.44	131.00	52.75	46.69
165-1	Trigg Ranches Inc.	4.30	301.00	275.00	243.42
122-1	Trigg Ranches Inc.	3.75	263.00		
1146-1	Trigg Ranches Inc.	1.89	336.00		
928-1	Charles Wennberg	2.20	155.00	68.75	60.86
912-1	Gilbert Alan	1.46	101.80	45.50	40.28
926-1	Donald Berger	2.04	143.00	65.75	58.20
1176-1	Arthur J Odekovan	2.30	163.00	70.75	62.63
1190-1	Neil Shuck	3.53	247.00	101.75	90.07
611-1	Alex Miller	3.35	235.00	98.75	87.41
569-1	Ramona McFarland	0.97	68.00	27.00	23.90
870-1	Eugene C Bishop	0.70	49.00	22.25	19.70
401-1	Kenneth & Dorothy Aker	1.88	132.00	53.00	46.91
135-1	Walter Hoffman	3.11	220.00	95.00	84.09
400-1	James A Mickelson	3.10	218.00	94.50	83.65
469-1	Raymond Garnes	1.30	91.00	42.75	37.84
1218-1	William Dillinger	.40	42.75	20.75	18.37
1222-1	John Ismay (Norman)	1.11	79.00	39.75	35.19
1154-1	Homestake Mining	4.50	319.00	129.75	114.85
285-1	Edgar Colin Smart	1.42	150.00	67.50	---
331-1	Anna Stetta (Louis Budmayr)	1.87	131.00	52.75	---
472-1	Timothy Reich	2.00	167.84	62.00	---
275-1	John Durr	1.90	133.00	53.25	---
271-1	Herbert Clarkson	.06	43.00	20.75	---
296-1	Robert Helmer	2.50	179.00	74.75	---
308-1	Lewis Bertolotto	.64	45.00	21.25	---
282-1	James Jeffrey	1.05	73.70	38.50	---
1182-1	George Leach	1.60	108.00	47.00	---
228-1	Thornton Vallery	.72	54.17	23.75	---
290-1	Thornton Vallery	5.50	386.00	156.50	---
264-1	Thornton Vallery	.22	15.30	14.00	---
321-1	Clarence & Lawrence Foos	1.64	115.00	48.75	---
962-1	Ione A Shevling	3.00	251.00	92.75	---
960-1	Thornton & Gwenivere Vallery	.50	35.00	18.75	---
289-1	Thornton & Gwenivere Vallery	1.02	75.00	38.75	---
273-1	Ruben & Esther Kling	.46	32.60	18.25	---
273-1A	Ruben & Esther Kling	1.54	108.40	47.25	---
1177-1	Ruben & Esther Kling	3.30	231.00	97.75	---
416-1	Creta & Leslie Miner	2.66	198.00	79.50	---
865-1	Solomon Sta	2.14	150.00	67.50	---
287-1	David G Ratcliff	2.20	154.00	68.50	---
1126-1	John Lewis	3.11	339.00	124.75	---

STATE OF SOUTH DAKOTA

Do not use this space.

DIRECT VOUCHER

AGENCY VOUCHER No.	DATE

PAYEE

Homestake Mining
Box 875
Lead, SD 57754

DEPT.

DWR, Water Rights Division
Foss Bldg.
Pierre, SD 57501

AGENCY

ADDRESS

Agency	Fund	Sub Fund	Prog. Act.	Obj. Sub. Obj	Agency Coding	Amount	Contract No.
21301	699	01	0000	0801		1,222.42	1
							2
							3
							4
							5
							6
							7
							8
							9
							10
TOTAL						22 1,222.42	

NOTE: Vendors invoice must be attached.

Invoice No.s	Date Delivered	QUAN.	DESCRIPTION OF SERVICE OR COMMODITY	UNIT PRICE	AMOUNT	MEMO
			Refund of unexpended funds collected from the Belle Fourche River and tributaries Water Use Control Area Permit Owners			
			1029-1 Homestake Mining	39.17		
			1148-1 " "	333.71		
			1149-1 " "	85.42		
			1150-1 " "	188.98		
			1151-1 " "	139.41		
			1152-1 " "	164.20		
			1153-1 " "	156.68		
			1154-1 " "	114.85		
			1,222.42		1,222.42	
TOTAL					1,222.42	

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federally assisted programs.

Claimant Signature

Date

I hereby certify that this claim has been examined by me, and to the best of my knowledge and belief is in all things true and correct and the same is hereby approved.

DIVISION APPROVAL

DATE

APPROVAL SIGNATURE

DATE

Permit No. 1029-1
 Water Division 1 Belle Fourche River Water District
10120202

REPORT OF EXAMINATION OF WORKS
 AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by Homestake Mining Company of Box 875, Lead, S.Dak 57754 holder of Permit No. 1029-1, bearing date of priority of July 22, 19 74 authorizing the diversion of 1.39 cu. ft. per second of the waters of Belle Fourche River for Irrigation purposes, in Butte County.

I have to report on the condition of the same as follows:

The Water Use System consists of,

A. Works used to divert the water:

7½ HP Single Phase Electric Motor
Berkeley Pump, Tractor Power Take-off.
Pumping 600 gpm @ 20 ft head

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

1000 ft P.V.C. Main & Gated pipe 5" & 10" dia.

C. Works used to apply water to beneficial use.

Flood Irrigation with gated pipe

The system is in the following condition. Good.

The point of diversion is located 450 ft N and 950 ft E of the SW Cor. Sec. 27, T8N R7E

The works are capable of diverting and conveying to the place of use 1.39 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: The following in Sec. 27

T8N R7E, SW¼ SW¼ - 5 Ac., SE¼ SW¼ - 7 Ac.
The following in Sec. 34 T8N R7E NE¼ NW¼ - 5 Ac
NE¼ NW¼ - 19 Ac.

comprising a total of 36 acres of land

36 ÷ 70 = .51 cfs.

because for .51 cfs.

Date September 29, 1981
Leroy J. Merriam
 (Signature)

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 8639

PIERRE, January 6, 1982

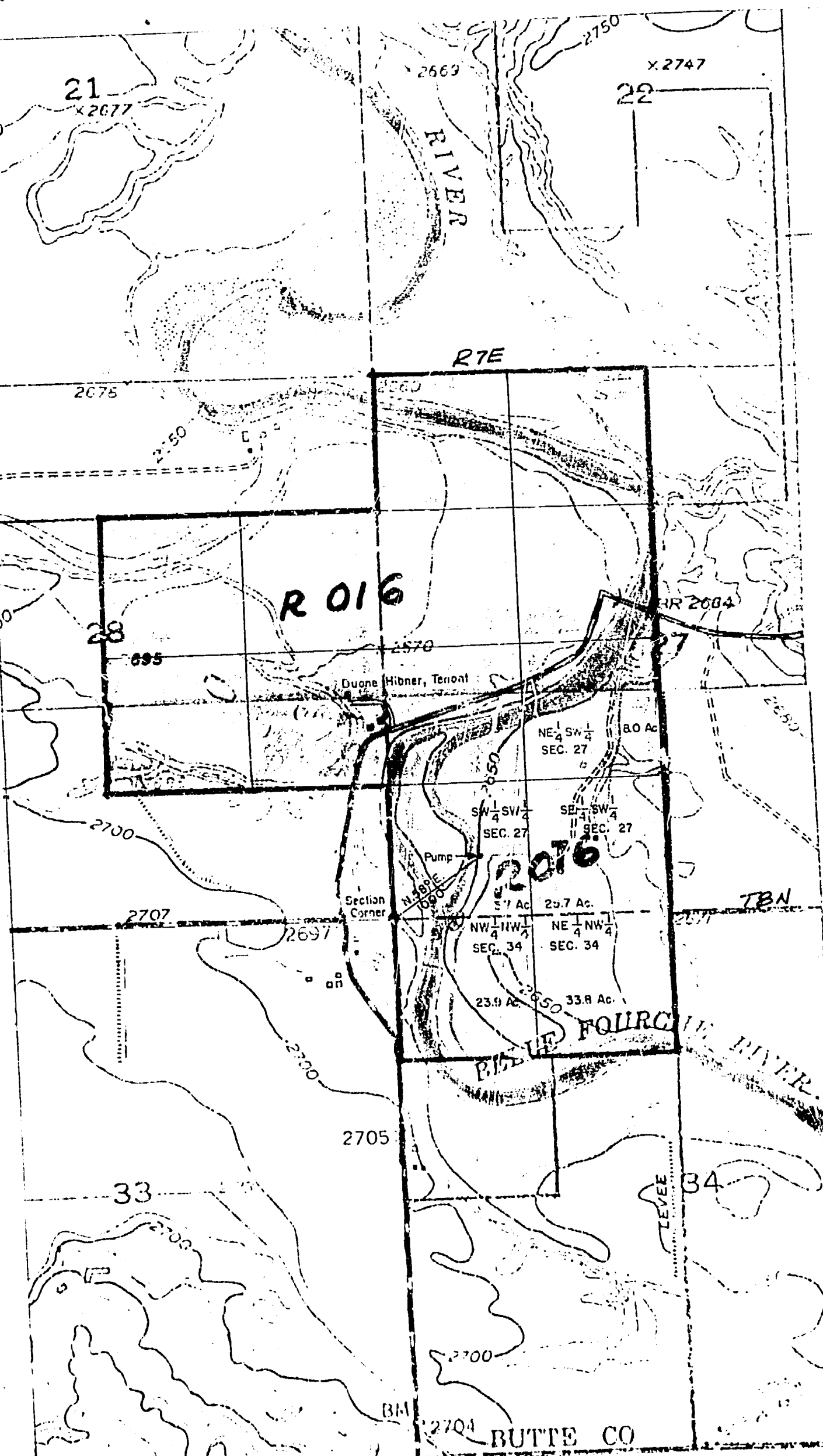
RECEIVED OF Homestake Mining Company, Box 875, Lead SD 57754

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and Issuing Cert. of Construction No. 1029-1)	50	00
Fee for Inspecting Beneficial Use, and Issuing Water License No. 1029-1)		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COM.

By *John Hatch*
Chief Engineer, Executive
JOHN HATCH



Lyle B. Warren
 1959
 1959

44°37'30"

LANDS TO BE IRRIGATED — OUTLINED IN RED — TOTAL ACRES = 97 AC.
 GRAY SHADED AREA = HOMESTEAD MINING COMPANY PROPERTY
 DEWEY HIBNER, TENANT.

JUNE 21, 1974.

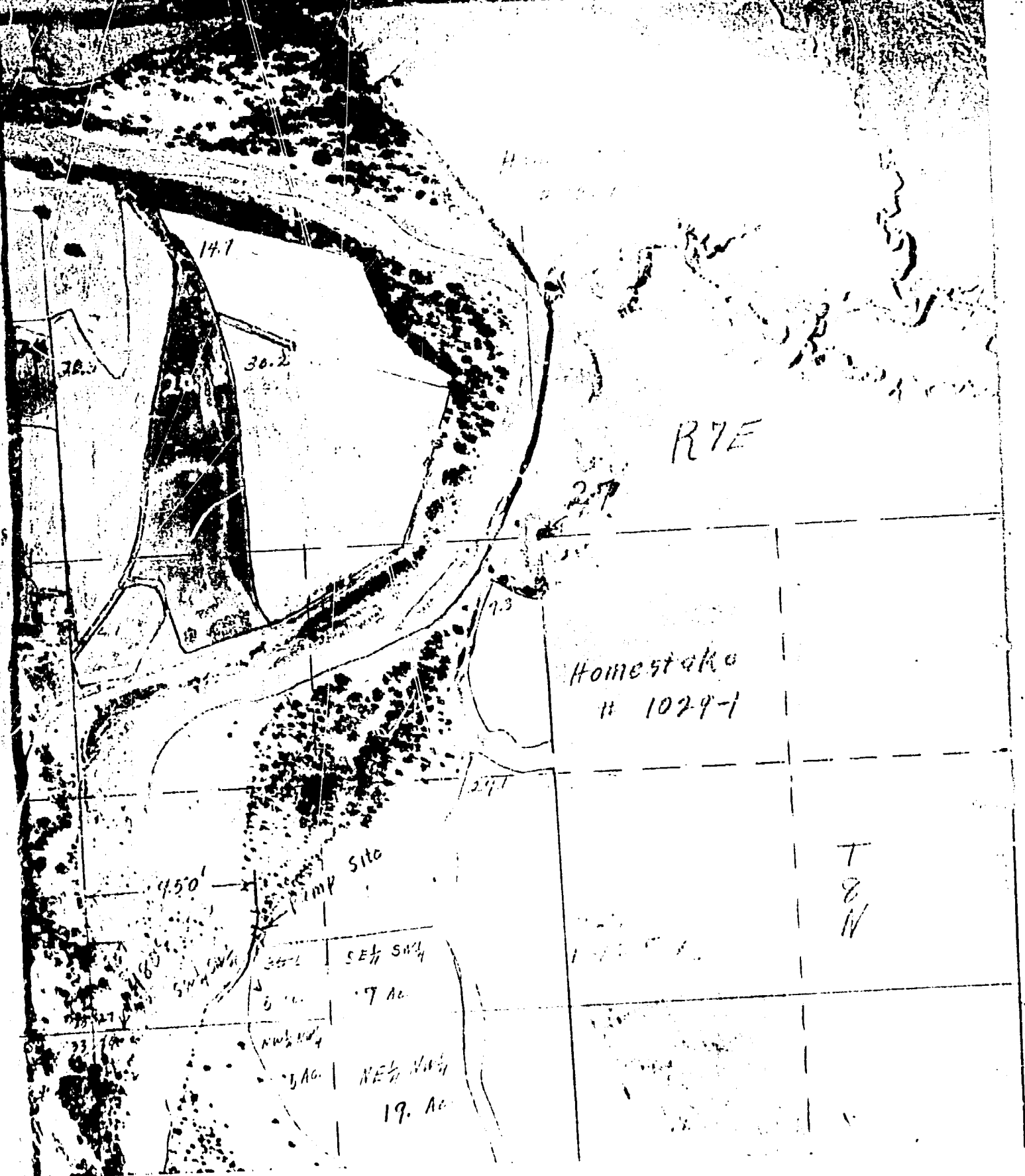
1" = 1000'

300000
 FEET

T. 2 N.

BUTTE CO

NOT TO SCALE



NOT TO SCALE

SW 1/4

1/4

1/4

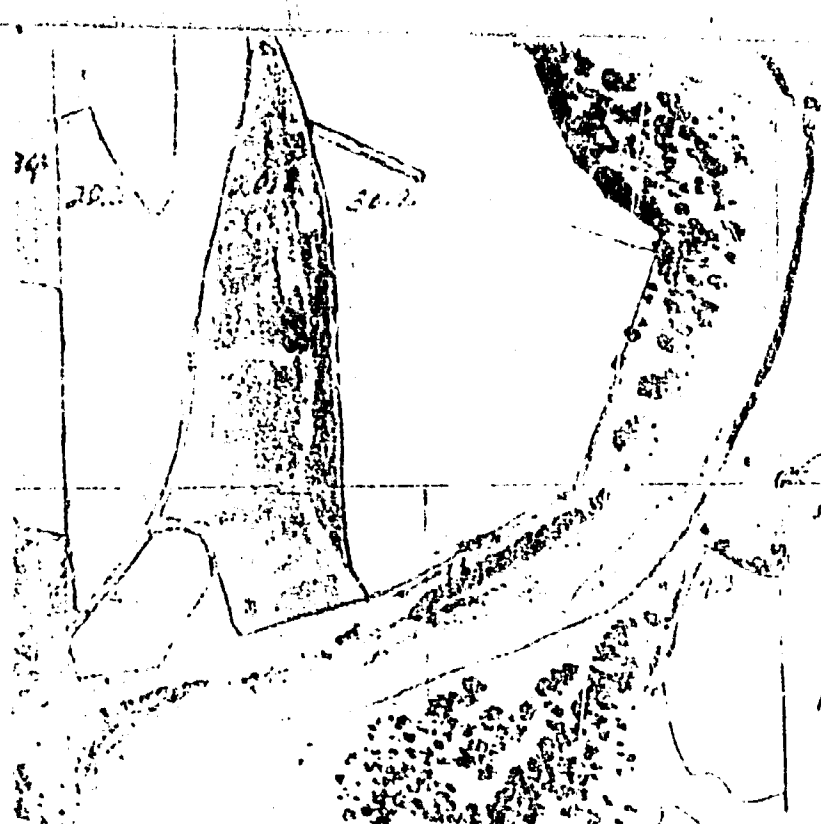
1/4

19.42

19.42

1/4

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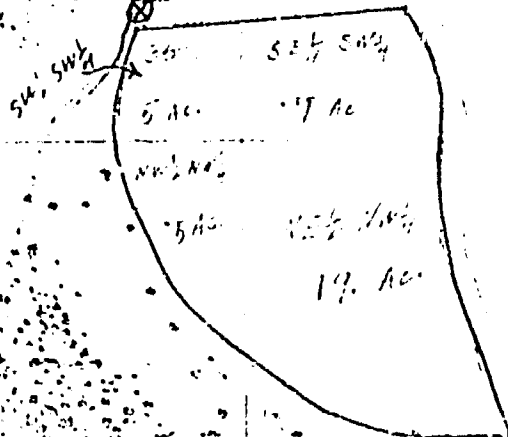


R 7E

Homestead
1029-1

T
8
N

950' Pump Site



 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-2181

February 8, 1989

RICH HARR
HOMESTAKE MINING CO
BOX 875
LEAD, SD 57754

NOTICE

RE: Violation of Requirement to Submit 1988 Irrigation Questionnaire

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s) 1029-1, 1151-1, 1152-1, 1153-1, 1148-1. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of hearing to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

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

1. Amend Permit No(s). 1029-1, 1151-1, 1152-1, 1153-1, 1148-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
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 is received in this office before the March 1st hearing date, your name will be deleted from the agenda for the hearings.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division
605 773-5352



South Dakota
Department of
Water & Natural Resources

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

February 24, 1989

1029-1
1148-1
1151-1
1152-1
1153-1

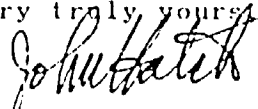
Bob Sliper
Homestake Mining Co
Box 875
Lead, SD 57754

Dear Mr. Sliper:

I am writing to acknowledge receipt of your 1988 irrigation questionnaires for Water Permit Nos. 1029-1, 1148-1, 1151-1, 1152-1 and 1153-1. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. With receipt of the questionnaires your name has been deleted from the March Water Management Board meeting agenda.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

HOMESTAKE MINING COMPANY
630 E. Summit Street
Lead, South Dakota 57754-1700
605-584-GOLD (4653)

August 22, 2007

Mr. Steven M. Pirner, P.E.
Secretary
SD Dept. of Environment and Natural Resources
523 East Capitol / Joe Foss Building
Pierre, SD 57501-3181

**Re: Homestake Mining Company and LAC Minerals (USA) LLC
Notification of Change of Address**

Dear Mr. Pirner:

Homestake Mining Company and LAC Minerals are hereby submitting this notification of a change of address. Homestake and LAC will be moving to the Blacktail Offices adjacent to the Blacktail Water Treatment Plant in Central City effective September 1, 2007. The new address is:

Homestake Mining Co.	LAC Minerals
11457 Bobtail Gulch Street	or 11457 Bobtail Gulch Street
Central City, SD 57754	Central City, SD 57754

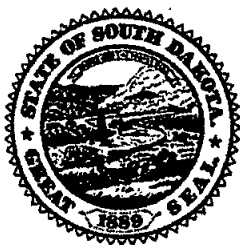
Please send all correspondence for the Homestake Mining Company or LAC Minerals to the new address beginning September 1st.

Sincerely,



Todd A. Duex
Closure Manager

cc: Mr. Garland Erbele, P.E.
Ms. Jeanne Goodman, P.E.
Ms. Vonni Kallemeyn
Mr. Bill Markley
Mr. Tim Tollefsrud
Mr. Bob Townsend, P.G.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 21, 2016

~~JAMIE JETER~~
~~BARRICK GOLD OF NORTH AMERICA~~
~~460 W 50TH N STE 500~~
~~SALT LAKE CITY UT 84101 1240~~

Please send 2017 questionnaire to:
Closure Manager
Homestake Mining Co. of CA
11457 Bobtail Gulch Street
Central City, SD 57754

NOTICE TO SUBMIT THE 2016 IRRIGATION QUESTIONNAIRE

With the fall season upon us and the ending of the irrigation season, it is time to complete and return your 2016 Irrigation Questionnaire form(s). Some items to note are:

Thanks!
Julie

- Please complete each form separately. Return all form(s) by December 1, 2016.
- If you have multiple permits, do not combine information on one form if the water sources are not the same for each permit. The water source for each permit is shown in No. 4 on the questionnaire.
- Submission is required whether you irrigate or not, otherwise your permit or right may be suspended or cancelled.
- Submission does NOT protect a water right from being subject to cancellation for periods of nonuse greater than 3 years unless legal excuse exists for not using water. Legal excuse includes unavailability of water, excessive precipitation, or participation in a federal acreage set aside program such as the Conservation Reserve Program.
- For more information regarding water rights visit our web site at <http://denr.sd.gov/wr>

The information gathered from the questionnaire is a valuable tool for guiding the Water Rights Program in the protection and beneficial use of the waters of the State. *Accuracy in your reporting is important.*

For the Water Management Board

Jeanne Goodman, Chief Engineer
Water Rights Program

enclosures

3 easy options to return your irrigation questionnaire(s)	1. Online (preferred method)	2. Mail	3. Fax
	http://denr.sd.gov/iq.aspx You need a PC able to send & receive email and uses the free Adobe Reader software. You can save a copy for your records and be notified by email when questionnaires are received.	Use the enclosed postage paid return envelope	Fax the completed form(s) to 605 773-4068
For assistance contact Genny McMath at 605 773-3352 or email: genny.mcmath@state.sd.us			
Note: UPDATED examples of how to complete questionnaires are on the reverse side of this page.			

1029-1

RECEIVED

FEB 26 2021

WATER RIGHTS
PROGRAM

LAW OFFICES OF
BENNETT MAIN GUBBRUD & WILLERT
A PROFESSIONAL CORPORATION
618 STATE STREET
BELLE FOURCHE, SOUTH DAKOTA 57717-1419
TEL (605) 892-2011
FAX (605) 892-4084
Email: bellelaw@bellelaw.com

MAX MAIN*
DWIGHT A. GUBBRUD*
*LICENSED in SOUTH DAKOTA and WYOMING

Est. 1908

KELLEN B. WILLERT**
**LICENSED in SOUTH DAKOTA, WYOMING and COLORADO

February 24, 2021

SD DENR, Water Rights Program
Attn: Eric Gronlund
523 East Capitol
Pierre, SD 57501

**RE: HMC Water Licenses 1029-1 and 1151-1; Our File No.
2365.291020.**

Dear Eric:

I represent Homestake Mining Company ("HMC") regarding the above-referenced water licenses.

Water License 1029-1

This license has one specific diversion point from the Belle Fourche River. HMC requests that the points of diversion under the license be changed to a starting point on the Belle Fourche River 512 feet north and 19 feet west of the southeast corner of the northwest quarter, Section 27, T8N, R7E, and ending at a point on the Belle Fourche River 316 feet east of the southwest corner of the northwest quarter of the northwest quarter of Section 34, T8N, R7E. The enclosed map shows these starting and ending points, as well as other information relating to the license.

Water License 1151-1

This license has two diversion points from the Belle Fourche River and dry draws. HMC requests that the points of diversion from the Belle Fourche River under this license be changed to a starting point on the Belle Fourche River 2,914 feet east and 2,597 north of the southwest corner of Section 13, T5N, R9E, and

ending at a point on the Belle Fourche River 745 feet north and 1,342 feet west of the southeast corner of Section 24, T5N, R9E. The enclosed map shows these starting and ending points, as well as other information relating to this license.

HMC is making this request to increase the flexibility in diverting water under the licenses, thereby reducing the amount, and the constant relocation, of transportation piping. This request is made pursuant to SDCL 46-5-13.1, as all diversions will still be from the Belle Fourche River, no additional water will be appropriated and no new land will be irrigated.

Should you have questions, or require additional information, please do not hesitate to contact me.

Sincerely,

BENNETT MAIN GUBBRUD & WILLERT, P.C.

A handwritten signature in cursive script that reads "Max Main".

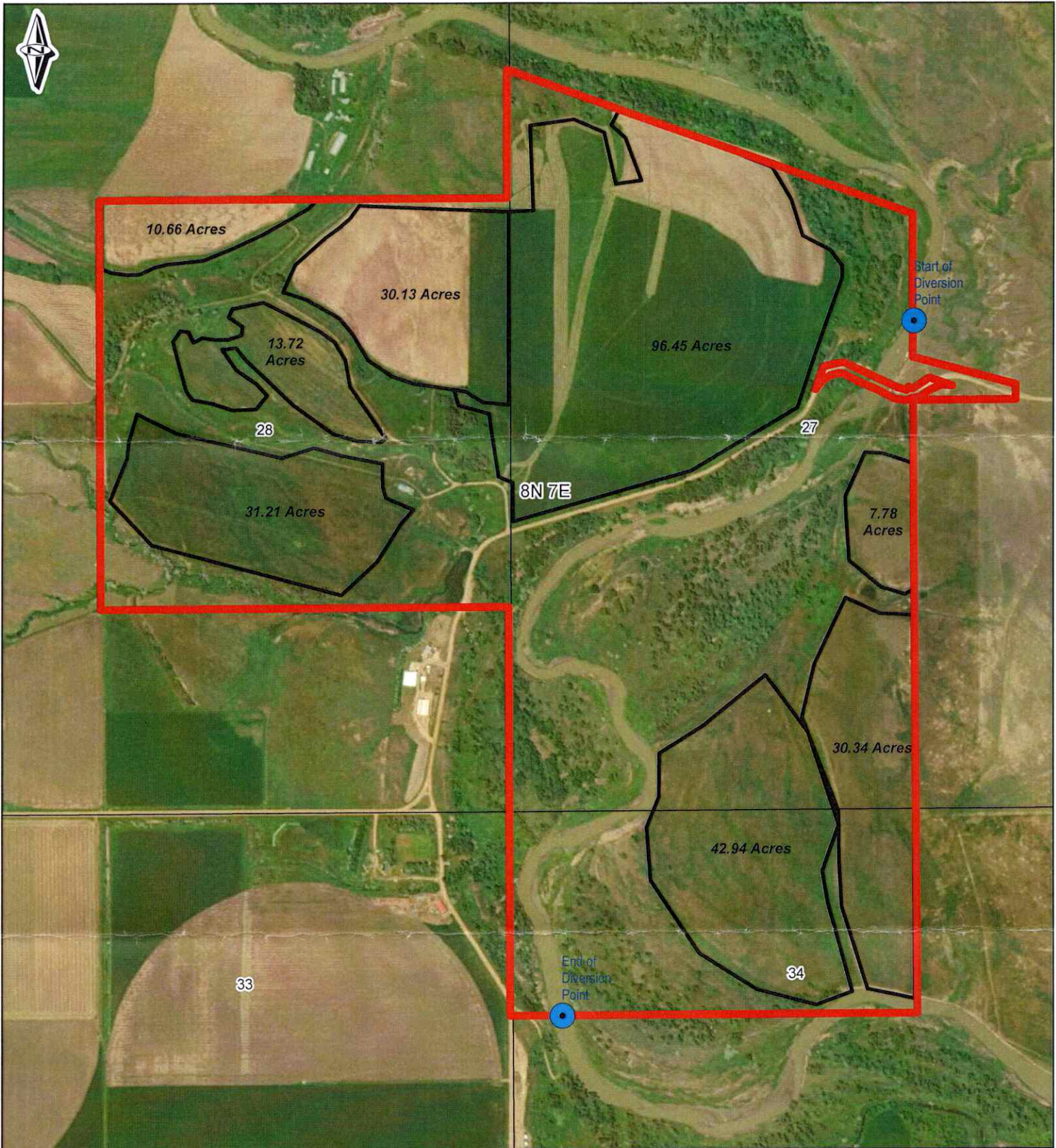
Max Main

(Writer's direct email address: max@bellelaw.com)

MM/ak

Encs.

cc: Jeff Burich (by email w/ encs.)
Julie Stone (by email w/ encs.)



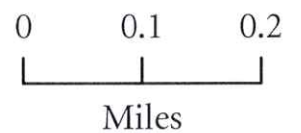
BARRICK

Provisional Map – This map was not prepared from a field survey and should not be relied on as a representation of legal land descriptions. Information on this map may not be complete or up to date and its accuracy is not to be relied upon. This map is intended only as a general representation of land status and is for Barrick's use only.

Legend

-  Diversion Start and End Point for 1029-1
-  HMC Ownership
-  Fields
-  Township
-  Section

Change in Diversion Point Location for Water Right 1029-1





DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 2, 2021

1029-1
1151-1

Max Main
Bennett Main Gubbrud & Willert
618 State Street
Belle Fourche, South Dakota 57717

Dear Mr. Main:

I am writing regarding Homestake Mining Company's request for the change in diversion point locations for the diversion points authorized under Water Right Nos. 1029-1 and 1151-1.

Upon review of Homestake Mining Company's requests and pursuant to SDCL 46-5-13.1, I have approved the change in the Belle Fourche River diversion point for Water Right No. 1029-1 from a single point located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27-T8N-R7E to allow for diversion within a river reach starting in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27 to a point in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34; all in T8N-R7E.

I have also approved the change in the Belle Fourche River diversions points for Water Right No. 1151-1 from two points located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24-T5N-R9E to allow for diversion within a river reach starting in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13 to a point in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24; all in T5N-R9E.

These approvals do not allow for an increase in the authorized diversion rates or irrigated acres for either water right. Any increase in a diversion rate would require a new water permit to be obtained.

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

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program

Approval of Location Change of Diversion Point

NAME: Homestake Mining Company**ADDRESS:** 11457 Bobtail Gulch Street Central City, South Dakota 57754**DATE:** February 26, 2021**COUNTY:** Butte**TELEPHONE:** 605-584-4653**BACKGROUND:**

Water Right No. 1029-1 authorizes the appropriation of 0.51 cubic feet of water per second (cfs) from one diversion point completed into the Belle Fourche River and located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27-T8N-R7E for the irrigation of 36 acres located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27 and NW $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14; all in T8N-R7E. The current location of the diversion point is 480 feet north and 950 feet east of the southwest corner of Section 27-T8N-R7E.

Mr. Max Main, representing Homestake Mining Company, submitted a letter on February 24, 2021 requesting that the diversion point under Water Right No. 1029-1 be changed to be from points on the Belle Fourche River between approximately 512 feet north and 19 feet west of the southeast corner of the NW $\frac{1}{4}$ (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 27-T8N-R7E, and an ending point on the Belle Fourche River approximately 316 feet east of the southwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34-T8N-R7E. Mr. Main indicated the request for the change in diversion point location is to increase the flexibility in diverting water under the water license, thereby reducing the amount, and the constant relocation, of transportation piping.

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

Mr. Main indicated in the letter that the diversion will still be from the Belle Fourche River and no additional water will be appropriated.

- **If irrigation, no new land is irrigated**

Mr. Main indicated in the letter that no new land will be irrigated.

- **Review of existing diversions**

Mr. Main indicated in the letter that the diversion point will be changed to locations on the Belle Fourche River between approximately 512 feet north and 19 feet west of the southeast corner of the NW $\frac{1}{4}$ (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 27-T8N-R7E, and an ending point on the Belle Fourche River approximately 316 feet east of the southwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34-T8N-R7E. The closest water right to the proposed diversion point change (not held by Homestake Mining Company) is Water Right No. 1913-1, held by Darrel Cox, which is located approximately 276 feet south of the proposed ending point. Given there has not been a history of interference complaints between water rights/permits for the Belle Fourche River in this area while this diversion has been happening for some time, and no additional water is to be appropriated, there is a reasonable probability the change in diversion point location will not increase the potential for unlawful impairment of existing water rights/permits, or domestic users within the Belle Fourche River.

RECOMENNDED ACTION:

Based on the above criteria, it is recommended that the additional diversion point location be authorized under Water Right No. 1029-1.



Nakaila Steen
Natural Resources Engineer I
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46:5:13.1 and ARSD 74:02:01:14:01 that:

This change in diversion point location does not increase the potential for adverse effects to existing diversions.



Eric Gronlund, Chief Engineer
Water Rights Program

RECEIVED

MAR 08 2021

WATER RIGHTS
PROGRAM

LAW OFFICES OF
BENNETT MAIN GUBBRUD & WILLERT
A PROFESSIONAL CORPORATION
618 STATE STREET
BELLE FOURCHE, SOUTH DAKOTA 57717-1419
TEL (605) 892-2011
FAX (605) 892-4084
Email: bellelaw@bellelaw.com

MAX MAIN*
DWIGHT A. GUBBRUD*
*LICENSED in SOUTH DAKOTA and WYOMING

Est. 1908

KELLEN B. WILLERT**
**LICENSED in SOUTH DAKOTA, WYOMING and COLORADO

March 5, 2021

Eric Gronlund, Chief Engineer
SD DENR, Water Rights Program
523 East Capitol
Pierre, SD 57501-3182

RE: HMC Water Licenses 1029-1 and 1151-1; Our File No. 2365.291020.

Dear Eric:

Thank you for your March 2, 2021 letter approving the requests to change points of diversion. There may be a couple of errors in legal descriptions.

In 1029-1, the starting point would appear to be in the SENW of Section 27, rather than the SWSW. We are enclosing a different map from our surveyor that is easier to read.

In 1151-1, it appears that the starting point is in the NWSE of Section 13, rather than the SENW. Again, we are enclosing a different map from our surveyor that is easier to read.

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

Sincerely,

BENNETT MAIN GUBBRUD & WILLERT, P.C.



Max Main

(Writer's direct email address: max@bellelaw.com)

MM/ak
Encs.

cc: Jeff Burich (by email w/ encs.)
Julie Stone (by email w/ encs.)



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 10, 2021

1029-1
1151-1

Max Main
Bennett Main Gubbrud & Willert
618 State Street
Belle Fourche, South Dakota 57717

Dear Mr. Main:

I am writing regarding Homestake Mining Company's request for the change in diversion point locations authorized under Water Right Nos. 1029-1 and 1151-1. This letter corrects legal descriptions in the previous letter dated March 2, 2021.

Upon review of Homestake Mining Company's requests and pursuant to SDCL 46-5-13.1, I make a finding that the changes to the diversion point locations do not increase the potential for interference with existing diversions. Therefore, the following is approved:

- Water Right No. 1029-1 - change in the Belle Fourche River diversion point from a single point located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27-T8N-R7E to allow for diversion within a river reach starting in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27 to a point in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34; all in T8N-R7E.
- Water Right No. 1151-1 - change in the Belle Fourche River diversion points from two points located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24-T5N-R9E to allow for diversion within a river reach starting in the Lot 2 (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 13 to a point in the Lot 7 (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 24; all in T5N-R9E.

These approvals do not allow for an increase in the authorized diversion rates or irrigated acres for either water right. Any increase in a diversion rate would require a new water permit to be obtained.

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

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program

Approval of Location Change of Diversion Point

NAME: Homestake Mining Company

ADDRESS: 11457 Bobtail Gulch Street Central City, South Dakota 57754

DATE: March 10, 2021

COUNTY: Butte

TELEPHONE: 605-584-4653

BACKGROUND:

Water Right No. 1029-1 authorizes the appropriation of 0.51 cubic feet of water per second (cfs) from one diversion point completed into the Belle Fourche River and located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27-T8N-R7E for the irrigation of 36 acres located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27 and NW $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14; all in T8N-R7E. The current location of the diversion point is 480 feet north and 950 feet east of the southwest corner of Section 27-T8N-R7E.

Mr. Max Main, representing Homestake Mining Company, submitted a letter on February 24, 2021 requesting that the diversion point under Water Right No. 1029-1 be changed to be from points on the Belle Fourche River between approximately 512 feet north and 19 feet west of the southeast corner of the NW $\frac{1}{4}$ (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 27-T8N-R7E, and an ending point on the Belle Fourche River approximately 316 feet east of the southwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34-T8N-R7E. Mr. Main indicated the request for the change in diversion point location is to increase the flexibility in diverting water under the water license, thereby reducing the amount, and the constant relocation, of transportation piping.

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

Mr. Main indicated in the letter that the diversion will still be from the Belle Fourche River and no additional water will be appropriated.

- **If irrigation, no new land is irrigated**

Mr. Main indicated in the letter that no new land will be irrigated.

- **Review of existing diversions**

Mr. Main indicated in the letter that the diversion point will be changed to locations on the Belle Fourche River between approximately 512 feet north and 19 feet west of the southeast corner of the NW $\frac{1}{4}$ (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 27-T8N-R7E, and an ending point on the Belle Fourche River approximately 316 feet east of the southwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34-T8N-R7E. The closest water right to the proposed diversion point change (not held by Homestake Mining Company) is Water Right No. 1913-1, held by Darrel Cox, which is located approximately 276 feet south of the proposed ending point. Given there has not been a history of interference complaints between water rights/permits for the Belle Fourche River in this area while this diversion has been happening for some time, and no additional water is to be appropriated, there is a reasonable probability the change in diversion point location will not increase the potential for unlawful impairment of existing water rights/permits, or domestic users within the Belle Fourche River.

RECOMENNDED ACTION:

Based on the above criteria, it is recommended that the additional diversion point location be authorized under Water Right No. 1029-1.

Nakaila Steen
Natural Resources Engineer I
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46:5:13.1 and ARSD 74:02:01:14:01 that:

This change in diversion point location does not increase the potential for adverse effects to existing diversions.

Eric Gronlund, Chief Engineer
Water Rights Program