

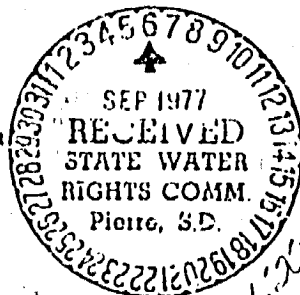
Water Right Number 1148-1

1. Considered 10-6 19 77
2. Name of Applicant HOMESTAKE MINING CO.
3. Post Office Address LEAD
4. Amount of water claimed 13.5
5. Source of water supply BELLE FOURCHE RIVER & DRY DRAWS
6. Water to be used for IRRIGATION
Acres to be irrigated 948
7. Water to be diverted and used in MEADE County
about 16E, 12N Miles of STURGIS
8. Proof of Publication
Received MAY 10 - 5 - 77
Not received _____
Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

Correct 15

*47
90
4380
6.660*

No. 114B-1Map No. 959-1 Water Division No. 1 BELLE FOURCHE RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)

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 875 LEAD, State SOUTH DAKOTA 57754
 If a corporation show date and place of incorporation: NOVEMBER 5, 1877 - STATE OF CALIFORNIA
 2. Method of accomplishing work (contract, employment of others, or by direct labor): CONTRACT
 3. Name of diversion work: HOMESTAKE MINING COMPANY UNIT A
 4. Amount of water claimed (cubic feet per second): 13.5 CFS
 5. Source of water supply: BELLE FOURCHE RIVER
 6. Location of point of diversion: FROM A POINT WHICH IS N. 89° 49' E. - 900 FEET FROM THE WEST QUARTER COR. OF SEC. 1, T. 7N. R. 7E., BHM., TO A POINT WHICH IS N. 33° E. - 1575 FEET FROM THE SW COR. OF SEC. 21, T. 7N. R. 8E., BHM. County LEAD
 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, Total number of acres to be irrigated: 948

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.
	SEE ATTACHED SHEET		

Attach sheet if more space is needed

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

Pumps, and Dry draw diversions

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

Pipes, ditches and/or dykes

C. Works proposed to apply water to beneficial use.

Sprinklers and gravity

Estimated Total Cost \$ 5113.00Attachments: 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 LAWRENCE) ss.I, DONALD T. DELICATE the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed Donald T. Delicate, Vice Pres.Subscribed and sworn to before me this 1 day of September 1977

Notary Public (or other qualified officer)

WEST 1/4 COR.
SECTION 1
T.7N. R.7E.

NW CORNER-SECTION 7

55°30' 2480'

93 ACRES

SPREADER
AT 1000 YD
INTAKE 01

70 ACRES

IRRI-GATED
DISHING
INTAKE 1-E

60.60

95 ACRES

11.68

9.22

70.10

19.10

19.40

12.77

12 ACRES

33.00

170.00

170.00

170.00

170.00

170.00

170.00

170.00

170.00

170.00

170.00

170.00

170.00

170.00

170.00

170.00

170.00

170.00

170.00

170.00

170.00

170.00

170.00

SEC. 1, T.7N. R.7E. TO SEC. 21, T.7N. R.8E. — MEADE COUNTY

HOMESTAKE MINING COMPANY UNIT A

SCALE: 1" = 1 MILE



ROBERT J. SLIPPER, REGISTERED LAND SURVEYOR NO. 2505

Alan Sigman
lives in 17416
420 NW 1/4 of 21
North of John

AUG. 1977

SW COR. OF
SECTION 20,
T.7N. R.8E.

N. 1/4 COR. - SEC. 21

13.08

252 ACRES

DISHING
INTAKE 1-E

IRRI-GATED

106.82

20.20

25.55

49.00

11.45

11.45

11.45

11.45

11.45

11.45

11.45

11.45

11.45

MAP NO 959-1 (APPL NO 1148-1)

Office Copy

TO SCALE

TO SCALE



R8E

7-8
247

Point of Diversion on
Belle Fourche River
From a point which is
900 ft from the west 1/4
Cor. of Sec. 1, T7N R7E
To a point which is N33°E
1575 ft from the SW Cor.
of Sec. 21, T7N R8E

T
7
N

7-8
247

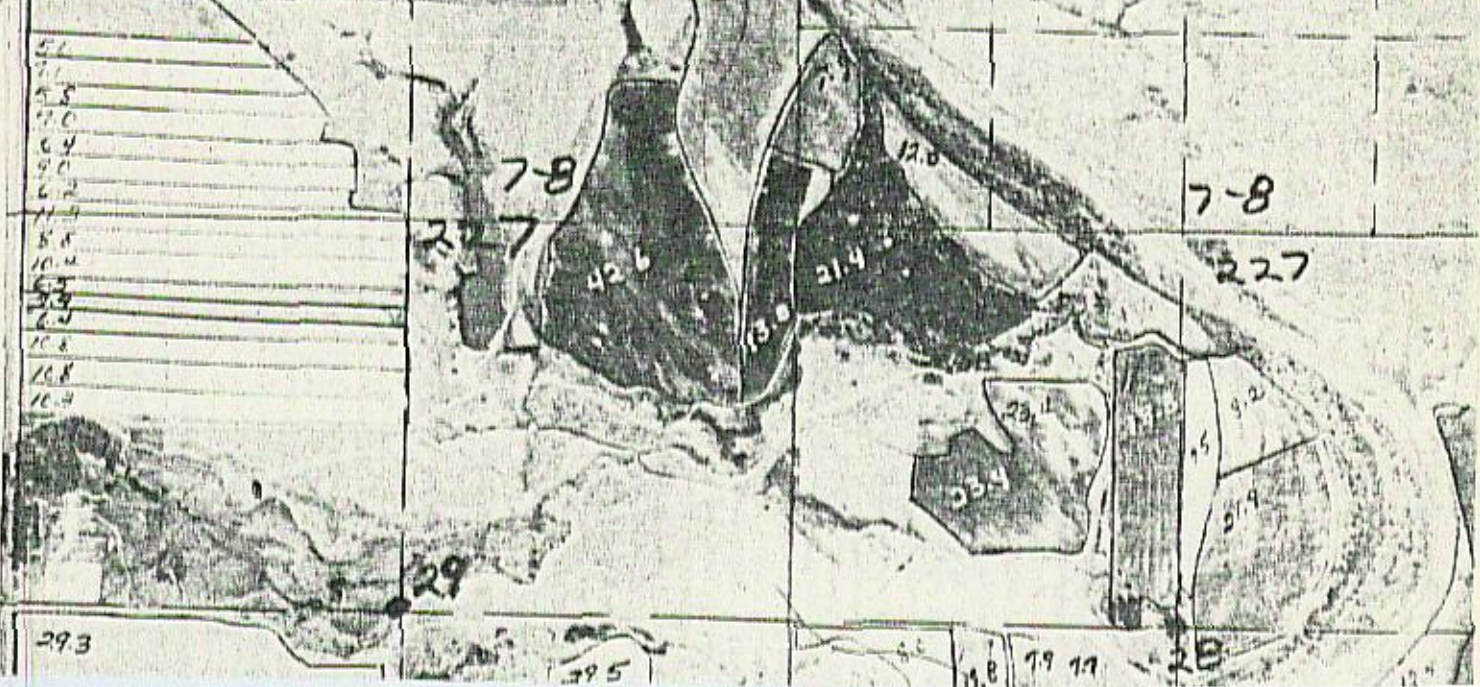


Homestake Mining Co
Permit # 1148-1

Point of Diversion



21



WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1148-1
HOME STAKE MINING CO. Box 875, LEAD
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57754 With the following modifications:
 (State)

Diversion of water under this permit is contingent upon supplies being first available to the prior water rights on the Belle Fourche River.

This permit does not authorize diversions of water from the Belle Fourche River after August 15th of each calendar year, nor at any time when the river flow is obviously low, unless written orders have been so issued by the State Water Rights Commission, or its legally appointed representative. Diversions under this permit shall be in accordance with any written orders by the Commission or its representative.

Date of first receipt of application SEPTEMBER 6 19 77
 Date of return to applicant for correction, amendments or changes required _____ 19 ____
 Date of receipt of corrected application SEPTEMBER 16 19 77
 Approved DECEMBER 1 19 77, Recorded in Book 1148-1 Page 144

WATER RIGHT PERMIT NO. 1148-1

The Water Rights Commission hereby grants and issues this Water Right, Permit No. 1148-1 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 SEPTEMBER 6 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JUNE 1 19 80
3. The whole of said work is to be completed on or before DECEMBER 1 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is DECEMBER 1 19 82
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 13.5 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 DECEMBER 1 19 82; said water to be used during the following described annual period: JUNE THRU AUGUST 15

Witness my hand this 5TH day of DECEMBER 19 77

WATER RIGHTS COMMISSION

By:

John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction issued _____ 19 ____

Water License issued _____ 19 ____

HOMESTAKE MINING COMPANY UNIT A

LAND DESCRIPTION

NO. ACRES IRR.

S $\frac{1}{2}$ - Section 1

T. 7 N, R. 7 E.

119.0

NW $\frac{1}{4}$ - Section 12

58.0

(S $\frac{1}{2}$ NW $\frac{1}{4}$ - Section 7)
(SW $\frac{1}{4}$ NE $\frac{1}{4}$ - Section 7)
(NE $\frac{1}{4}$ SW $\frac{1}{4}$ - Section 7)

123.0

(W $\frac{1}{2}$ SW $\frac{1}{4}$ - Sec. 8)
(NW $\frac{1}{4}$ NW $\frac{1}{4}$ - Sec. 17)
(NE $\frac{1}{4}$ NE $\frac{1}{4}$ - Sec. 18)

94.0

(SW $\frac{1}{4}$ SE $\frac{1}{4}$ - Sec. 8)
(SE $\frac{1}{4}$ SE $\frac{1}{4}$ - Sec. 8)
(NW $\frac{1}{4}$ - Sec. 17)

95.0

T. 7 N. R. 8 E.

(SW $\frac{1}{4}$ SW $\frac{1}{4}$ - Sec. 17)
(N $\frac{1}{2}$ NW $\frac{1}{4}$ - Sec. 20)
(NW $\frac{1}{4}$ NE $\frac{1}{4}$ - Sec. 20)

152.0

(S $\frac{1}{2}$ NW $\frac{1}{4}$ - Sec. 16)
(SW $\frac{1}{4}$ - Sec. 16)
(SE $\frac{1}{4}$ - Sec. 1)
(N $\frac{1}{2}$ NE $\frac{1}{4}$ - Sec. 20)
(N $\frac{1}{2}$ NW $\frac{1}{4}$ - Sec. 21)

252.0

(S $\frac{1}{2}$ NW $\frac{1}{4}$ - Sec. 21)
(NE $\frac{1}{4}$ SW $\frac{1}{4}$ - Sec. 21)

55.0

Total 849.0 acres

Dry Draw Diversion Points

Point No. 1 bears S.57°30'E. - 2480 feet from the NW Corner of Sec. 7, T.7N. 8E; BHM

Point No. 2 bears South - 1895 feet from the North $\frac{1}{4}$ Cor. of Sec. 21, T.7N. R8E; BHM

Publish first publication, on or before September 21, 1977

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

September 16, 1977

Notice is hereby given that Homestake Mining Co. whose post office address is Lead, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 13.5 cubic feet of water

per second of time from the Belle Fourche River & dry draws through the

Homestake Unit A, the point of diversion of which ~~is~~ ^{are} to be located ~~in the~~

from Belle Fourche River between points in the NW 1/4, Section 20, T7N, R8E,
and in the NW 1/4, Section 1, T7N, R7E; from dry draws in the NE 1/4, Section
7 and in the SW 1/4

of Section 21, Twp. 7N Range 8E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

S 1/4 NW 1/4, S 1/4 NE 1/4, NE 1/4 S 1/4, Section 7; W 1/4 S 1/4, S 1/4 SE 1/4, Section 8; S 1/4 NW 1/4, SW 1/4, Sec. 16;
NW 1/4, SW 1/4 SW 1/4, SE 1/4, Section 17; NE 1/4 NE 1/4, Sec. 18; N 1/4 NW 1/4, N 1/4 NE 1/4, Sec. 20; NW 1/4, NE 1/4 SW 1/4
Sec. 21, all in the T7N, R8E; and S 1/4 Section 1; NW 1/4, Section 12, T7N, R7E

This Application No. 1148-1 will be considered by the Water Rights Commission at the Holiday Inn, Spearfish, SD upon the 6th day of October, 1977 at 10 A.M. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

WATER RIGHTS COMMISSION

BURTON F. JONES

Water Rights Specialist

cc: Homestake Mining, Lead, SD

NOTE: Final Proof of Publication must be received by the hearing date for the Commission to take action.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County, Mende) 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

B.H. Publishers, Inc. of Sturgis

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

Sept. 21, 28, 1977

Teresa Shoun
(Signature)

Broker
(Title)

Oct 3, 1977
(Date Signed)



NOTICE OF HEARING
ON APPLICATION
TO APPROPRIATE
WATER

No. 1148-1

Pierre, South Dakota
57501, September 18, 1977

Notice is hereby given that
Homestake Mining Co.
whose post office address is
Lead, South Dakota, has
made an application in
accordance with the
provisions of SDCL 46-1-1
thru 46-1-8; 46-2-9 thru
46-2-11; 46-2-13; 46-5-1
thru 46-5-8; 46-5-10 thru
46-5-22, 46-5-41, and Com-
mission Rules ARSD
52:01:01:01 thru 52:01:01:13,
for a permit to appropriate
for beneficial use 13.5 cubic
feet of water per second of
time from the Belle Fourche
River & dry draws through
the Homestake Unit A. the
points of diversion of which
are to be located from Belle
Fourche River between
points in the NW $\frac{1}{4}$ SW $\frac{1}{4}$,
Section 20, T7N, R5E, and in
the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 1,
T7N, R7E; from dry draws
in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 7
and in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, of
Section 21, Twp. 7N Range
5E. Said water to be used for
the purpose of providing
irrigation on portions of the
following described land:
SW $\frac{1}{4}$ NW $\frac{1}{4}$, or SW $\frac{1}{4}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ SW $\frac{1}{4}$, in Section 7;
NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section
8; SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 16;
NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$,
Section 17; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec.
18; NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec.
20; NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21,
all in the T7N, R5E; and SW $\frac{1}{4}$
Section 1; NW $\frac{1}{4}$, Section 12,
T7N, R7E.

This Application No. 1148-1
will be considered by the
Water Rights Commission at
the Holiday Inn, Spearfish,
SD upon the 6th day of
October, 1977 at 10 A.M. The
Commission is authorized to
make a determination on
this application at the
hearing. All interested
persons may appear and be
heard. Any person who may
be affected by a Commission
decision who desires to
present evidence or cross-
examine witnesses ac-
cording to SDCL 1-26 may
notify the Commission in
writing prior to the hearing
or orally at the hearing.

WATER RIGHTS
COMMISSION

Burton F. Jones
Burton F. Jones
Water Rights
Specialist

Tribune, Sept. 21, 28

We, the undersigned, are in opposition to Homestake Mining Company's applications to appropriate water from the Belle Fourche River in Meade County.

NAME	ADDRESS	DATE
1. George H. Moore	Elm Springs S.D.	Oct 3, 77
2. Beina K. Moore	Elm Springs S.D. 57736	Oct 3-77
3. Donald Bergeson	Wasta S.D. 57791	Oct 3-77
4. Lawrence Clark	Elm Springs S.D. 57736	Oct 3-77
5. Doris Burke	Elm Springs S.D. 57736	Oct 3-77
6. Monte Moore	Elm Springs S.D. 57736	Oct 3-77
7. Norma Moore	Elm Springs S.D. 57736	Oct 3-77
8. Max M. Arneson	Elm Springs S.D. 57736	Oct 3, 1977
9. Gladys Arneson	Elm Springs S.D. 57736	Oct 3, 1977
10. Ira Mac Leigg	Elm Springs S.D. 57736	Oct 3, 1977
11. Donald J. Leigg	Elm Springs S.D. 57736	Oct 3, 1977
12. Marion Leigg	Elm Springs S.D. 57736	Oct 3, 1977
13. Alfred Arneson	Elm Springs S.D. 57736	Oct 3, 1977
14. Barbara Burmeister	Elm Springs S.D. 57736	Oct 3, 1977
15. Carl D. Mathers	Elm Springs S.D. 57736	Oct 3, 1977
16. James Leigg	Elm Springs S.D. 57736	Oct 3, 1977
17. James Burke	Elm Springs S.D. 57736	Oct 3, 1977
18. Alan C. Bergeson	Wasta S.D. 57791	Oct 3, 1977
19. Eugene J. Bergeson	Wasta S.D. 57791	Oct 3, 1977
20. Arthur Bowman	Elm Springs S.D. 57736	Oct 4, 1977
21. Alma Bowman	Elm Springs S.D. 57736	Oct 4, 1977
22. Ruth E. Olsen	Elm Springs S.D. 57736	Oct 4, 1977
23. Marion Wilson	Elm Springs S.D. 57736	Oct 4, 1977
24. Ethel Wilson	Elm Springs S.D. 57736	Oct 4, 1977
25. James E. Smith	Wasta S.D. 57791	Oct 4, 1977
26. Fred E. Olsen	Elm Springs S.D. 57736	Oct 4, 1977
27. Jerry Bell	Wasta S.D. 57791	Oct 4, 1977
28. Betty Olsen	Elm Springs S.D. 57736	Oct 4, 1977
29. Mary Olsen	Elm Springs S.D. 57736	Oct 4, 1977
30. Emma A. Olsen	Elm Springs S.D. 57736	Oct 4, 1977
1. Mary Ann Wilson	Elm Springs S.D. 57736	Oct 4, 1977
Phillip Wilson	Elm Springs S.D. 57736	Oct 4, 1977
Jimmy Wilson	Elm Springs S.D. 57736	Oct 4, 1977
William E. Frank	Elm Springs S.D. 57736	Oct 4, 1977
John E. Frank	Elm Springs S.D. 57736	Oct 4, 1977
Charles E. Frank	Elm Springs S.D. 57736	Oct 4, 1977
James E. Arneson	Elm Springs S.D. 57736	Oct 4, 1977
Richard E. Arneson	Elm Springs S.D. 57736	Oct 4, 1977
Jack Arneson	Elm Springs S.D. 57736	Oct 4, 1977
John Arneson	Elm Springs S.D. 57736	Oct 4, 1977

We, the undersigned, are in opposition to Homestake Mining Company's applications to appropriate water from the Belle Fourche River in Meade County.

NAME	ADDRESS	DATE
1 <u>Lynn Parsons</u>	<u>Union Center, S.D.</u>	<u>10/1/77</u>
2 <u>John Eichenlaub</u>	<u>Union Center</u>	<u>10/1/77</u>
3 <u>Allen R. Watters</u>	<u>Plainview S.D.</u>	<u>10/1/77</u>
4 <u>Wayne E. Watters</u>	<u>Union Center S.D.</u>	<u>10/3/77</u>
5 <u>Bob Smith</u>	<u>Union Center S.D.</u>	<u>10/3/77</u>
6 <u>Tommy Carter</u>	<u>Union Center S.D.</u>	<u>10/3/77</u>
7 <u>Paul H. H. H.</u>	<u>Union Center S.D.</u>	<u>10-3-77</u>
8 <u>John H. H.</u>	<u>Union Center S.D.</u>	<u>10-3-77</u>
9 <u>Wendell H. H.</u>	<u>Union Center S.D.</u>	<u>10-3-77</u>
10 <u>Jacques H. H.</u>	<u>Union Center S.D.</u>	<u>10-4-77</u>
11 <u>John H. H.</u>	<u>Union Center S.D.</u>	<u>10-4-77</u>
12 <u>John H. H.</u>	<u>Union Center S.D.</u>	<u>10-4-77</u>
13 <u>John H. H.</u>	<u>Union Center S.D.</u>	<u>10-4-77</u>
14 <u>John H. H.</u>	<u>Union Center S.D.</u>	<u>10-4-77</u>
15 <u>Robert J. H.</u>	<u>Union Center S.D.</u>	<u>10-4-77</u>
16 <u>Morris L. H.</u>	<u>Union Center S.D.</u>	<u>10-4-77</u>
17 <u>John H. H.</u>	<u>Union Center S.D.</u>	<u>10-5-77</u>
18 <u>John H. H.</u>	<u>Union Center S.D.</u>	<u>10-5-77</u>
19 <u>John H. H.</u>	<u>Union Center S.D.</u>	<u>10-5-77</u>
20 <u>John H. H.</u>	<u>Union Center S.D.</u>	<u>10-5-77</u>
21 <u>Bernard R. H.</u>	<u>Union Center S.D.</u>	<u>10-6-77</u>
22 <u>John H. H.</u>	<u>Union Center S.D.</u>	<u>10-6-77</u>
23 <u>John H. H.</u>	<u>Union Center S.D.</u>	<u>10-6-77</u>
24 <u>John H. H.</u>	<u>Union Center S.D.</u>	<u>10-6-77</u>
25 <u>John H. H.</u>	<u>Union Center S.D.</u>	<u>10-6-77</u>
26 <u>John H. H.</u>	<u>Union Center S.D.</u>	<u>10-6-77</u>
27 <u>John H. H.</u>	<u>Union Center S.D.</u>	<u>10-6-77</u>
28 <u>John H. H.</u>	<u>Union Center S.D.</u>	<u>10-6-77</u>
29 <u>John H. H.</u>	<u>Union Center S.D.</u>	<u>10-6-77</u>
30 <u>John H. H.</u>	<u>Union Center S.D.</u>	<u>10-6-77</u>
31 <u>John H. H.</u>	<u>Union Center S.D.</u>	<u>10-6-77</u>
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We, the undersigned, are in opposition to Homestake Mining Company's applications to appropriate water from the Belle Fourche River in Meade County.

NAME	ADDRESS	DATE
1 Karl W. Richter	Epping, S.D.	10/1/77
2 Joseph V. Buchler	Epping, S.D.	10/1/77
3 Frank J. Zimmerman	Epping, S.D.	10/1/77
4 Clifford G. Matt	Red Owl S.D.	10/1/77
5 Larry J. Bluff	Epping, S.D.	10/3/77
6 Clifford G. Matt	Epping, S.D.	10/3/77
7 Alfred Taylor	Epping, S.D.	10/4/77
8 Clifford Standen	Epping, S.D.	10/8/77
9 Norma Richter	Epping, S.D.	10/5/77
10 Opaline Appenrode	Epping, S.D.	10/5/77
11 Kenneth Vign	Epping, S.D.	10/6/77
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We, the undersigned, are in opposition to Homestake Mining Company's applications to appropriate water from the Belle Fourche River in Meade County.

NAME	ADDRESS	DATE
1 Wesley Kester	White Owl	10-1-1977
2 Harold A. Bauer	Ennis	10-1-1977
3 Harry B. King	Ennis	10-1-1977
4 James D. Baker	Ennis, S.D.	10-1-1977
5 Margaret King	Ennis	10-1-1977
6 Mark Kelleher	Ennis	10-1-1977
7 Harold Kester	White Owl	10-1-1977
8 Shirley Andrews	Ennis	10-1-77
9 Betty L. Farrell	White Owl	10-1-77
10 David Anderson	White Owl S.D.	10-1-77
11 Wayne J. Moberg	White Owl S.D.	10-1-77
12 Gary Mickelson	White Owl S.D.	10-1-77
13 Duane Kelleher	Red Owl S.D.	10-1-77
14 Dorothy Denny	Union Center, S.D.	10-1-77
15 Joe Farrell	White Owl S.D.	10-1-77
16 Duane Kelleher	Red Owl S.D.	10-1-77
17 Mike Howe	White Owl, S.D.	10-2-77
18 Linda Howe	White Owl S.D.	10-2-77
19 Gary Kelleher	Ennis S.D.	10-3-77
20 J. A. Long	White Owl S.D.	10-3-77
21 Leslie Shatt	White Owl S.D.	10-3-77
22 Hugh Anderson	Plainview S.D.	10-3-77
23 William Gries	White Owl S.D.	10-3-77
24 Jessie June Mickelson	White Owl S.D.	10-3-77
25 Elmer Tarrant	White Owl S.D.	10-3-77
26 Ed Schickelmeier	White Owl S.D.	10-3-77
27 Joseph L. Tarrant	Ennis S.D.	10-3-77
28 Joyce L. Choud	White Owl S.D.	10-4-77
29 Ethel Ann Simon	Marion, South Dakota	10-4-77
30 Lynn Shaw	White Owl S.D.	10-5-77
31 Elaine Tarrant	White Owl S.D.	10-5-77
32 Monte Ferguson	Ennis, S.D.	10-6-77
33 Paul L. Ferguson	Ennis, S.D.	10-6-77
34 Dan Ferguson	Ennis, S.D.	10-6-77
35		
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My name is George Blair -
~~the son of the late George Blair~~
a Meade Co. Rancher, who owns
land within 3 miles of one of the
proposed diversions.

I oppose the approval of the
Homestake Mining Co.'s application
for the right to appropriate water
from the Belle Fourche River.

I think the total amount of
water requested by Homestake is so
large that would probably have an
adverse effect on the rest of the
people who reside along the river.

The amount of flow of the Belle
Fourche River - at least below the
river bridge on Highway 34 - is some-
what dependent of the flow of White-
wood Creek and also return flow from
the Ormon Dam irrigation project.

So in a dry or abnormal year,
I would question if the volume of
flow would justify the granting of
this permit.

I would urge you to deny the
Homestake Mining Co.'s application
for the right to appropriate water from
the Belle Fourche River.

George W Blair
Winford 127
Stargis, S.D.

1153-1 1152-1 ← 1151-1 1150-1 1149-1 Specifically
Stargis is here in meade co.

"My name is George Blair -
~~owner of the meade co. ranch~~
a meade co. rancher, who owns
land within 3 miles of one of the
proposed diversions.

I oppose the approval of the
Homestake Mining Co.'s application
for the right to appropriate water
from the Belle Fourche River.

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this permit.

over K. I would urge you to deny the
Homestake Mining Co.'s application
for the right to appropriate water from
the Belle Fourche River.

George W Blair
Winford RT
Stargis, S.D.

44 cu ft per sec.

I would point out that the South State
Board of Environmental Protection are in
the process of establishing Water Quality
Standards for the streams and lakes
in S. D. - and are adopting certain criteria
for each beneficial use - ~~and~~ to reduce
the flow of the Belle Fourche River to
the extent that it would be reduced
if these water permits requested by
Homestake mining Co. were granted. Then

Obviously the less flow there is in a
certain stream - the higher the concentration
of pollutants. I can't help but
wonder what the repercussions will be
from the EPA and down water people.

George W Blair
Hilford RT
Sturgis, S. D.

October 17, 1977

Re: 1148-1, 1149-1,
1150-1, 1151-1,
1152-1, 1153-1,
1154-1,

A.P. Fuller
Kellar, Kellar, Fuller & Amundson
Attorneys at Law
P.O. Box 898
Lead, SD 57754

Dear Mr. Fuller:

This will acknowledge your letter concerning the Homestake Water Right Applications Nos. 1148-1, 1149-1, 1150-1, 1151-1, 1152-1, 1153-1 and 1154-1 and the hearing in Spearfish. Attached are a list of the names and addresses of all the Commission members and a list of the names and addresses of the persons who spoke in opposition or signed petitions in opposition to the applications at Spearfish. Enclosed also is a tape of the minutes pertaining to the Homestake applications which you requested at the time of the meeting.

With respect to the hearing in Spearfish, we recognize that the hearing was frustrating to you as applicants. The Water Rights Commission has usually been under considerable pressure from both opponents and proponents of water rights; however, the past 2½ years have been extremely difficult with the large number of applications considered by the Commission. At least 150 to 200 people have been attending Commission Meetings the past 2½ years.

The Commission must determine before approving an application,

1. That unappropriated water is available
2. That the project is feasible and
3. That the project is in the public interest

Also the Remedies for Protection of Environment Statute SDCL 21-10A, 21-10A-8 specifies that in any administrative licensing or other proceeding as performed by an agency such as the Water Rights Commission where pollution, impairment or destruction of the air, water or other natural resources where the public trust therein is alleged, such effect shall be determined, and no conduct shall be authorized or approved which does, or is likely to have such an effect so long as there is a feasible prudent alternative consistent with the reasonable requirements of the public health, safety, and welfare.

October 17, 1977

A. P. Fuller

Page 2

All witnesses were placed under oath because the Commission must comply with the Administrative Procedures Act, SDCL 1-26. You may be interested to know that 32 of the 93 applications considered by the Commission in Spearfish were deferred and that the Commission also had an additional 238 applications deferred prior to the Spearfish meeting.

Thank you for your letter.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/gy

KELLAR, KELLAR, FULLER & AMUNDSON

CHAMBERS KELLAR 1009-1950
KENNETH C. KELLAR
A. P. FULLER
ROBERT A. AMUNDSON
JOHN J. DELANEY

ATTORNEYS AT LAW
215 W. Main Street
P.O. Box 899
Lead, South Dakota 57754

October 12, 1977

of counsel:
RICHARD A. FURZE
AREA CODE 605
PHONE 384 7640

Mr. Vern Butler, Secretary
Department of Natural Resources & Development
Capitol Complex
Pierre, SD 57501

RECEIVED

OCT 13 1977

DEPT. OF NATURAL
RESOURCE DEVELOPMENT

Dear Vern:

First of all, I wish to apologize for losing my temper at the Water Commission meeting at the Holiday Inn at Spearfish on October 6, 1977. The way Homestake was treated during that hearing upset me greatly and I lost my cool. Would you please extend my apologies to your staff?

Would you please have the Secretary of the Water Commission send to me the names and addresses of all of the Commission members and the names and addresses of all of those people who spoke at the meeting in opposition to Homestake's water application.

Thank you very much. I remain,

Respectfully yours,

KELLAR, KELLAR, FULLER & AMUNDSON

APF
A. P. Fuller

APF/dt

BELLE FOURCHE RIVER AND CHEYENNE RIVER
RECORDED FLOWS AND WATER RIGHT AMOUNTS

October 5, 1977

On the following pages are tabulations of water right amounts and recorded stream flows on the Belle Fourche River and Cheyenne River.

TABLE 1., shows the individual water right amounts and priorities on the Belle Fourche River between Owl Creek and its confluence with the Cheyenne River.

TABLES 2 and 2A., is a tabulation of the stream flow as measured by the U.S. Geological Survey at a point near Sturgis and at a point near Elm Springs, both covering the last 31 years.

TABLE 3., shows the individual water right amounts on the Cheyenne River below the confluence with the Belle Fourche River.

TABLE 4., is a tabulation of the stream flow as measured at a point near Plainview covering the past 26 years.

Summarizing Table No. 1, we find that there are 31 existing water right permits for a total diversion rate of 140.62 c.f.s. to irrigate 10,282.7 acres in the stretch below the mouth of Owl Creek. Flow records indicate that during the past 15 years during the months of May, June, July, August and September, when the mean flows for the month were below 200 c.f.s. at both stations. ~~THERE WERE 4 MONTHS~~

The proposed irrigation projects of Homestake show that three of the projects (24.3 c.f.s.) are above the Bear Butte gaging station, one (5.5 c.f.s.) almost at the station site, and three (17.2 c.f.s) are between the Bear Butte station and the station near Elm Springs. The Trigg application (2.0 c.f.s.) is below the Elm Spring station.

Eight permits are approved between the two gaging stations calling for a combined diversion rate of 48.3 c.f.s., and there is approximately 10 c.f.s. diversion authorized below the Elm Spring station. This leaves roughly 82 c.f.s. of approved diversions from the Belle Fourche River between the mouth of Owl Creek and the Bear Butte station east of Sturgis. In comparing this with the flow records it indicates that during the irrigation season there is unappropriated water available for the 24.3 c.f.s. as applied for by Homestake. Likewise, comparing the flow records with total authorized diversions, there appears to be adequate water for the other Homestake applications and the Trigg application.

####

TABLE II

BELLE FOURCHE RIVER - OWL CREEK TO CHEYENNE RIVER

	<u>No.</u>	<u>Name</u>	<u>Priority</u>	<u>Amount C.F.S.</u>	<u>Acreage</u>	<u>Remarks</u>
BUTTE CO.	417-1	Carrie Anderson & Sons	9-23-59	3.11	450.0	L
	418-1	Alex Miller	9-23-59	1.67	117.0	L
	419-1	Fred Miller	9-23-59	2.50	179.0	L
	412-1	Lee Dutton	9-23-59	2.50	175.0	L
	429-1	Melvin Pittman	10-03-59	2.50	185.0	L
	509-1	Thomas E. Lewis	7-22-60	1.74	122.0	L
	531-1	Mrs. Christine McDermott	2-02-61	1.27	89.3	L
	829-1	Bob Bartels	4-01-70	1.00	70.0	
	910-1	Donald Halbreier	9-01-70	2.50	175.0	L
	1029-1	Homestake Mining	7-22-74	1.39	97.0	
	1049-1	William Uren	2-04-75	1.47	103.0	
	1122-1	William Uren	11-02-76	4.88	342.1	
	1128-1	Dennis Chowen	2-04-77	.70	50.0	
	1132-1	Ezra Pauley	2-25-77	4.00	285.0	
HEADS CO.	165-1	Trigg Ranches, Inc.	4-17-12	4.30	301.0	L
	199-1	Irving Walthall	3-22-50	2.90	203.0	L
	302-1	Arnold A. Matt	5-06-57	4.02	282.0	L
	310-1	F. A. Mooney	9-8-56 & 11-07-57	6.76	473.2	L
	311-1	F. A. Mooney	9-8-56 & 11-07-57	16.61	1163.6	L
	411-1	Edward H. Poss	8-31-59	5.10	452.0	L
	414-1	Mary Ann Schumner	8-31-59	3.40	239.0	L
	430-1	Gerald Wetz, Jr.	10-03-59	1.65	116.0	L
	432-1	Roy Casteel	1951 & 10-14-59	4.30	307.0	L
	437-1	McNenny Ranch, Inc.	11-07-59	5.90	418.0	L
	440-1	David A. Richards	9-54 & 11-16-59	5.00	416.0	L
	499-1	George Wurnig	1-08-60	5.00	365.0	L
	530-1	Paul Brothers	1-31-61	1.51	105.8	L
	553-1	Paul Keiffer	3-21-61	2.91	203.7	L
	722-1	Ernest Gutsche	3-21-64	2.80	196.0	L
	821-1	George Levin	10-11-67	7.00	490.0	
	882-1	Northwest Realty	1-05-70	2.50	177.0	
	985-1	Roy O. Phillips	5-08-73	1.70	119.0	
	1070-1	A. B. Thomerson	7-22-75	6.56	450.0	
	1071-1	Ed Mushitz	8-25-75	3.17	222.0	
	1077-1	Charles Arneson	12-10-75	5.93	415.0	
	1135-1	George Levin & Sons	3-28-77	7.30	514.0	
	1136-1	George Levin & Sons	3-28-77	3.07	215.0	
				<u>140.62</u>	<u>10,282.7</u>	

BELLE FOURCHE RIVER NEAR STURGIS

YEAR	MAY	JUNE	JULY	AUGUST	SEPT.	OCTOBER
1946	1,951	3,404	670	267	636	787
1947	370	2,168	477	261	241	96
1948	316	793	434	298	295	157
1949	328	344	286	254	232	89
1950	663	248	262	267	261	92
1951	87	245	181	200	222	105
1952	269	251	261	248	189	81
1953	369	830	258	436	270	125
1954	265	232	188	243	224	91
1955	98	178	241	182	203	75
1956	85	194	312	159	120	67
1957	176	92	159	202	142	72
1958	59	397	292	242	189	73
1959	70	118	137	70	36	33
1960	58	84	52	102	33	30
1961	16	81	59	2	10	16
1962	1,915	1,466	671	200	177	147
1963	584	1,026	293	255	244	126
1964	147	1,300	454	330	217	113
1965	2,340	882	469	307	255	96
1966	281	250	250	265	199	93
1967	1,022	1,411	310	339	324	82
1968	150	233	268	273	225	70
1969	826	243	344	300	269	102
1970	1,041	921	322	348	261	10
1971	1,112	911	288	367	406	393
1972	1,105	1,685	428	428	303	96
1973	962	789	383	481	216	123
1974	353	260	340	354	245	59
1975	1,193	454	336	402	303	97
1976	129	2,499	800	623	349	
31 Year Average	591	774	329	280	235	116

BELLE FOURCHE RIVER NEAR ELM SPRINGS

YEAR	MAY	JUNE	JULY	AUGUST	SEPT.	OCTOBER
1946	3,031	5,074	832	238	689	901
1947	398	2,768	500	248	269	120
1948	303	940	389	338	237	156
1949	387	384	273	315	227	98
1950	933	248	258	339	268	103
1951	1,192	325	191	200	245	126
1952	402	285	279	240	206	77
1953	687	1,314	328	511	257	123
1954	312	643	169	229	211	94
1955	96	271	253	158	225	77
1956	99	186	206	161	112	64
1957	486	160	140	207	130	77
1958	68	780	327	240	183	68
1959	63	111	125	59	29	27
1960	78	85	34	98	24	18
1961	14	76	95	1	3	14
1962	1,683	2,647	608	221	169	136
1963	750	1,422	293	230	247	123
1964	165	2,860	451	298	213	125
1965	3,428	998	504	316	228	66
1966	329	252	230	279	228	111
1967	1,740	2,503	347	356	308	71
1968	132	293	273	278	240	76
1969	897	225	424	278	240	120
1970	1,276	389	296	331	261	78
1971	1,659	1,311	281	410	442	451
1972	1,319	1,975	488	392	288	110
1973	1,082	776	392	559	231	138
1974	354	239	337	360	242	58
1975	1,679	531	342	387	285	103
1976	129	2,985	787	634	357	

31 Year Average	837	1,180	365	224	235	130
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CHEYENNE RIVER - BELOW BELLE FOURCHE RIVER

	<u>No.</u>	<u>NAME</u>	<u>PRIORITY</u>	<u>AMOUNT</u> <u>C.F.S.</u>	<u>ACREAGE</u>	<u>REMARKS</u>
Meade	529-1	Paul Brothers	1-31-51	2.49	174.5	
	756-1	Caruthers Ranch, Inc.	7-21-65	6.77	474.0	
	877-1	Caruthers Ranch, Inc.	11-12-69	51.80	3631.0	
	1040-1	James O'Grady	12-02-74	5.00	354.0	
	1053-1	Hattie E. Newcombe	3-14-75	3.00	210.0	
	1054-1	Maynard Newcombe	3-14-75	1.27	86.6	
	1060-1	Maynard Newcombe	3-14-75	4.74	332.2	
	1068-1	Chester E. Walker	7-14-75	4.40	308.2	
Pennington	565-2	Mrs. Maurice Hoffman	1934 & 1952	4.57	320.0	L
	948-2	Ruby Davis Breck	1953	.50	36.0	L
	1015-2	Brian Barber	2-20-70	8.30	583.0	
	1201-2	Wesley Wilsey	3-12-74	3.34	234.0	
	1487-2	A & B. Ranch Inc.	11-22-76	.64	45.0	
	1562-2	Kenneth McIlravy	3-08-77	5.19	363.5	
	550-2	Kirby Briggs	3-25-59	2.20	154.3	L
	572-2	Ike McQuistion	1-29-60	1.15	80.6	L
Haakon	647-2	P.C. Hamilton	12-13-60	3.00	210.0	L
	700-2	W. A. Hickman	4-27-61	2.29	160.9	
	1212-2	Billie Parsons	6-10-61 & 9-24-74	17.30	1212.2	
	1244-2	Robert & James Blair	2-25-75	9.80	691.0	
	1263-2	Ike McQuistion	4-29-75	1.90	134.0	
	1281-2	Robert & James Blair	8-25-75	8.10	568.5	
	1323-2	Mortenson Family Land, LTD	12-22-75*	11.00	780.0	
	1324-2	Philip Norman	12-23-75*	11.00	800.0	
	1388-2	Ike McQuistion	4-30-76	3.68	257.5	
	1519-2	Allen Towne	2-04-77	7.65	550.0	
	1571-2	Kirby Briggs	3-16-77	4.80	335.0	
	1325-2	Marvin Scarborough	12-23-75*	4.00	400.0	
Stanley	1326-2	Gaylord Norman	12-23-75*	10.00	800.0	
				200.08	13,556.0	

164.08* 10,786.0*

*Back-up Water from the Missouri River (16.0 c.f.s.)

TABLE IV

CHEYENNE RIVER NEAR PLAINVIEW						
YEAR	MAY	JUNE	JULY	AUGUST	SEPT.	OCTOBER
1950	137	782	397	290	545	220
1951	1,457	394	589	491	317	219
1952	1,700	1,982	507	753	333	225
1953	380	839	159	284	254	190
1954	405	650	511	367	1,110	197
1955	426	310	468	359	171	228
1956	3,096	2,076	494	380	238	116
1957	225	1,378	945	584	251	234
1958	370	215	292	116	164	199
1959	78	85	34	98	24	27
1960	83	172	197	48	16	53
1961	6,279	6,278	2,585	494	256	39
1962	1,203	3,215	599	265	388	321
1963	553	4,766	860	434	256	206
1964	5,475	3,381	1,484	595	423	209
1965	530	296	350	535	401	378
1966	2,880	8,981	805	503	512	275
1967	233	1,492	479	535	506	263
1968	1,300	1,720	373	344	326	178
1969	1,702	1,424	366	339	360	269
1970	4,065	3,344	447	466	479	229
1971	1,705	2,549	1,065	719	413	745
1972	1,744	1,249	555	578	402	282
1973	501	322	367	402	334	325
1974	2,080	1,019	468	410	330	148
1975	378	3,522	982	638	387	207
26 Year Average	1,514	2,298	629	425	353	238



1148-1, 1149-1, 1150-1,
1151-1, 1152-1, 1153-1,
1154-1

Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

November 22, 1977

TO: Persons Concerned With Water Right Applications Nos. 1148-1, 1149-1, 1150-1, 1151-1, 1152-1, 1153-1, and 1154-1, Homestake Mining Company, Lead, South Dakota

FROM: John Hatch, Chief Engineer, Water Rights Commission

SUBJECT: Notice of Reconsideration Hearings on Applications Nos. 1148-1, 1149-1, 1150-1, 1151-1, 1152-1, 1153-1 and 1154-1

The Water Rights Commission will reconsider Water Right Application Nos. 1148-1, 1149-1, 1150-1, 1151-1, 1152-1, 1153-1 and 1154-1 at 11:15 A.M., December 1, 1977 at the South Dakota Education Association Auditorium, 411 East Capitol, Pierre, South Dakota.

This reconsideration hearing will be conducted in accordance with the provisions of SDCL 46-1-1 thru 46-1-3; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13.

Application Nos. 1148-1, 1149-1, 1150-1, 1151-1, 1152-1, 1153-1 and 1154-1 were deferred by the Water Rights Commission on October 6, 1977.

After reconsideration of the above Applications the Commission can approve, defer, or deny all or part of the Applications.

Sincerely,

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/bw



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VIII
1860 LINCOLN STREET
DENVER, COLORADO 80203

August 6, 1979

Ref: 8S-S

Water Quality Control Program
Department of Environ. Protection
Joe Foss Building
Pierre, South Dakota 57501

Attention: Mr. James D. Nelson

Gentlemen:

We have attached for your information the field and laboratory reports for the following facilities:

<u>NPDES</u>	<u>Date Sampled</u>	<u>Facility</u>
SD-C000043	6/13/79	Homestake Mining Co.

Sincerely,

Marshall L. Payne
Marshall L. Payne, Chief
Surveillance Branch
Surveillance & Analysis Division

Enclosures



DATA
File
Homestake
Training
W/R

NPD COMPLIANCE INSPECTION REPORT (Continued)

Instructions on back of last page

TRANSACTION CODE		NPDES		YR		MO		DA		TYPE		INSPEC. TOR		FAC. TYPE		TIME	
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469		470		471		472		473		474		475		476		477	
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496		497		498		499		500		501		502		503		504	
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532		533		534		535		536		537		538		539		540	
541		542		543		544		545		546		547		548		549	
550		551		552		553		554		555		556		557		558	
559		560		561		562		563		564		565		566		567	
568		569		570		571		572		573		574		575		576	
577		578		579		580		581		582		583		584		585	
586		587		588		589		590		591		592		593		594	
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622		623		624		625		626		627		628		629		630	
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649		650		651		652		653		654		655		656		657	
658		659		660		661		662		663		664		665		666	
667		668		669		670		671		672		673		674		675	
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685		686		687		688		689		690		691		692		693	
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703		704		705		706		707		708		709		710		711	
712		713		714		715		716		717		718		719		720	
721		722		723		724		725		726		727		728		729	
730		731		732		733		734		735		736		737		738	
739		740		741		742		743		744		745		746		747	
748		749		750		751		752		753		754		755		756	
757		758		759		760		761		762		763		764		765	
766		767		768		769		770		771		772		773		774	
775		776		777		778		779		780		781		782		783	
784		785		786		787		788		789		790		791		792	
793		794		795		796		797		798		799		800		801	
802		803		804		805		806		807		808		809		810	
811		812		813		814		815		816		817		818		819	
820		821		822		823		824		825		826		827		828	
829		830		831		832		833		834		835		836		837	
838		839		840		841		842		843		844		845		846	
847		848		849		850		851		852		853		854		855	
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865		866		867		868		869		870		871		872		873	
874		875		876		877		878		879		880		881		882	
883		884		885		886		887		888		889		890		891	
892		893		894		895		896		897		898		899		900	
901		902		903		904		905		906		907		908		909	
910		911		912		913		914		915		916		917		918	
919		920		921		922		923		924		925		926		927	
928		929		930		931		932		933		934		935		936	

PERMIT NO.
SD-0500043

SECTION L - Effluent/Receiving Water Observations (Further explanation attached _____)

OUTFALL NO.	OIL SHEEN	GREASE	TURBIDITY	VISIBLE FOAM	VISIBLE FLOAT SOL	COLOR	OTHER
001	None	None	None	None	None	Clear	Slight color

(Sections M and N: Complete as appropriate for sampling inspections)

SECTION M - Sampling Inspection Procedures and Observations (Further explanation attached _____)

- ☐ GRAB SAMPLES OBTAINED
☒ COMPOSITE OBTAINED
☒ FLOW PROPORTIONED SAMPLE
☒ AUTOMATIC SAMPLER USED
☒ SAMPLE SPLIT WITH PERMITTEE
☒ CHAIN OF CUSTODY EMPLOYED
☐ SAMPLE OBTAINED FROM FACILITY SAMPLING DEVICE

COMPOSITING FREQUENCY 1/15 min PRESERVATION As required

SAMPLE REFRIGERATED DURING COMPOSITING: ☒ YES ☐ NO Yes

SAMPLE REPRESENTATIVE OF VOLUME AND NATURE OF DISCHARGE _____

SECTION N - Analytical Results (Attach report if necessary)

Handwritten signature

FIELD SAMPLE RECORD

I. Company/Facility Homestake Mining Company Lat-Long _____
 Samplers RW & LM Date 1/13/79
 Application # SD-0000247-1 STORET Station Designation _____

FIELD MEASUREMENTS							
Disc. argo Description & Pipe #	Sample Type & Time	Flow (cont or intermit) in GPH - Est. or Act.	Temperature of Water	Temperature of Air	pH	D.O. mg/l	Baro press mm hg
Discharge - cool	Comp		0C				3PM
	0900	0.76 MGP	-20		7.7		525
	1030				7.5		525
	1500		21		7.5		525

OTHER ANALYSES & REMARKS			
Analyze for	Bottle No.	Treatment Code(s) & Quantity Added	Remarks
TSS			
Total Cadmium			
Copper			
" Zinc			
" Chromium			
" Lead			
" Mercury			
Nickel			
Silver			
Arsenic			
Cyanide			

TREATMENT CODE
 UU - Unfiltered Unpreserved UP - Unfiltered & Preserved
 FU - Filtered Unpreserved FP - Filtered & Preserved
 C - Chilled HNO₃ - Nitric Acid HCl - Hydrochloric Acid H₂SO₄ - Sulfuric Acid
 HgCl₂ - Mercuric Chloride NaOH - Sodium Hydroxide O - Other (Specify in Remarks)

IV. OTHER OBSERVATIONS (Circle as appropriate)

Type Discharge: (pipe) culvert, ditch, weir, and/or _____

Appearance of Discharge: (clean) colored, oil, floating debris, algae, bubbles, and/or _____

Odor of Discharge: none, acrid, H₂S, rotten, (strong), and/or T.C.N. (slight)

Appearance of Bed: clean, algae, mucky, debris, ooze, and/or N/A

Appearance of Bank: clean, rubble, eroded, sludge, algae, and/or N/A

Other Comments: CN- 1, 5, 9, 13, 17, 21, 25 Pre-Preservation/No. 1
 Contact - Henry H. H. - Metrollogist

COMPLIANCE MONITORING I ION VIII
Evaluation of Effluent Violations

Company/Facility Amestake Mining Company
Location Lead, South Dakota NPDES Number SD-0000043
Date Sampled 6/13/79 Investigator Warner/Martinez
Receiving Stream Cold Run Creek

PARAMETER	UNITS	Station Number		Station Number		Station Number		Station Number	
		Time		Time		Time		Time	
		Grab Sample		Composite Sample		Grab Sample		Composite Sample	
		Allowed	Actual	Allowed	Actual	Allowed	Actual	Allowed	Actual
Flow	GPM			82.5	525				
pH	S.U.			6.0-9.0	7.5-7.7				
D.O.	—								
Temp.	°C			—	20-21				
TSS	mg/l			10	143.0				
Total Cadmium	mg/l			0.00025	0.005				
Total Copper	mg/l			0.009	0.63				
Total Zinc	mg/l			0.020	0.020				
Total Chromium	mg/l			0.85	<0.01				
Total Lead	mg/l			0.28	0.005				
Total Mercury	mg/l			0.001	0.0058				
Total Nickel	mg/l			1.25	0.13				
Total Silver	mg/l			0.001	0.003				
Total Arsenic	mg/l			0.38	0.055				
Total Cyanide	mg/l			0.02	4.665 ^A				

REMARKS

Δ Total Cyanide results invalid owing to SCN⁻ interference and sample loss during digestion
O At the time of sampling the discharge appeared clear (clear)
*Value shown is a net value. (This value has been determined by decreasing the actual effluent value by the actual intake value.)

REGION VIII, DENVER, COLORADO
LABORATORY SERVICES REQUEST

to 126 b 2/11/79

PROJECT NAME Compliance Monitoring

PROJECT CODE 390

SAMPLES COL. BY FWH/LLH

DATE 6/15/79

SAMPLES RECEIVED AT LABORATORY BY

DATE 11-79

DATA REVIEWED BY AK

DATE 3/11/79

STATION CODE		SAMPLE COLL. TIME		TAG COLOR SYMBOL	
				Home Science Mining Company	
				STATION DESCRIPTION	
				AND REMARKS	
				Analyte	
				Via AA only	
				Composite	
CODE	PARAMETER				
	TSS	✓	143		
*	Total Cadmium	✓	5		
*	" Copper	✓	630		
*	" Zinc	✓	20		
*	" Chromium	✓	140		
*	" Lead	✓	5		
*	" Manganese	✓	5.8		
*	" Nickel	✓	130		
*	" Silver	✓	3		
*	" Arsenic	✓	55		
*	Cyanide	✓	3700	1/6.5	over
				126/126	

units in mg/l unless otherwise indicated, H in units, TSS, specific conductance in $\mu\text{mhos/cm}$, as per STORE.

GPO 842-386

REPA-01

* Total suspended solids results in mg/l. In addition to SCN interference and - can be

File 11/82

KELLAR, KELLAR, FULLER & AMUNDSON

ATTORNEYS AT LAW
213 W. Main Street
P.O. Box 876
Lead, South Dakota 57754

CHAMBERS KELLAR 1889-1950
KENNETH C. KELLAR
A. P. FULLER
ROBERT A. AMUNDSON
JOHN J. DELANEY

November 10, 1977

of counsel:
RICHARD A. FURZE
AREA CODE 605
PHONE 584 2440

Department of Natural Resources Development
State of South Dakota
Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

Attention: Vern Butler, Secretary

Re: Homestake Mining Company's Water Right Application
No. 1148-1, 1149-1, 1150-1, 1151-1, 1152-1, 1153-1 and 1154-1

Dear Mr. Butler:

South Dakota Codified Laws 46-2-1.1 provides that the Water Rights Commission shall be administered under the direction and supervision of the Department of Natural Resources Development, and the Secretary thereof. In view of that statutory language, this letter is directed to you pursuant to the Administrative Procedures Act of the State of South Dakota found at SDCL 1-26.

On October 6, 1977, during the afternoon of said date, the above captioned water right applications were finally submitted to the Water Rights Commission. At the close of the testimony and matters submitted to the Water Rights Commission, a motion was made and seconded and duly carried that the above captioned water right applications be deferred.

SDCL 1-26-30.1 provides that after a matter has been finally submitted to the agency a decision must be rendered within a period of thirty days unless the agency serves upon a party an order extending such time for an additional period not to exceed sixty days. No such order has been received by Homestake Mining Company.

Therefore, pursuant to SDCL 1-26-30.1, Homestake Mining Company hereby presents to the Water Rights Commission a proposed decision. Said decision to read as follows:

"1. That unappropriated water is available in the Belle Fourche River at the point of diversions requested by Homestake Mining Company.

2. That the project submitted by Homestake Mining Company is feasible.

RECEIVED
NOV 14 1977
DEPT. OF NATURAL
RESOURCE DEVELOPMENT

3. That the project is in the public interest and the water will be for irrigable purposes on lands tested and specifically found to be conducive to irrigation by the Soil Conservation Service.

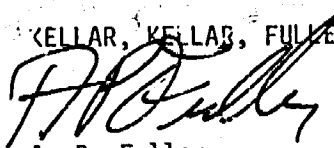
4. Granting of these water rights to Homestake Mining Company will not cause pollution or impairment or destruction of the air or water or other natural resources.

Based upon the above enumerated items and facts, there being no evidence in the record to the contrary, it is the decision of the Water Rights Commission that Homestake Mining Company Water Right Applications No. 1146-1, 1149-1, 1150-1, 1151-1, 1153-1, 1153-1 and 1154-1 are hereby granted and approved."

If this proposed decision is not adopted within five days after presentation and filing, Homestake Mining Company will appeal to the Circuit Court in and for Hughes County, South Dakota, pursuant to SDCL 1-26-31 as if this proposed decision had been denied.

Yours truly,

KELLAR, KELLAR, FULLER & AMUNDSON



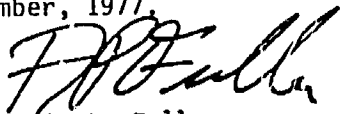
A. P. Fuller

APF/dt

-Certificate of Mailing-

The undersigned hereby certifies that on the 10th day of November, 1977, he mailed the foregoing to Vern Butler, Secretary, Department of Natural Resources Development, State of South Dakota, Pierre, South Dakota, and that said mailing was by First Class United States Post Office mail.

Dated this 10th day of November, 1977.



A. P. Fuller

Subscribed and sworn to before me this 10th day of November, 1977.

Donny M. Linnell
Notary Public

My commission expires:

September 18, 1983

cc: Donald T. Delicate
William Langston
Robert Sliper

SOUTH Dakota Department of
Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division (605) 773-3352

June 10, 1981

Homestake 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	1.39		
1148-1	13.50	97.00	\$ 44.25
1149-1	3.20	948.00	377.00
1150-1	7.60	226.00	96.50
1151-1	5.50	534.00	213.50
1152-1	6.60	390.00	157.50
1153-1	6.10	452.00	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/gy

Equal Opportunity Employer

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8278

June 17 81

PIERRE, _____, 19____

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 filling _____

Fee for certified copy of _____

Fee for print copy of map _____

Fee for Certifying _____

Fee for water master services on WR# 1148-1

(any other work as provided by law)

377 00

TOTAL

377 00

WATER RIGHTS COMMISSION

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

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
			95.50	\$ 34.00	\$ 30.10
789-1	Louis Budmayr	0.90	106.00	46.50	41.16
429-1	Ed Brunner & Son	1.43	79.00	40.00	35.41
429-1A	Mel Pittman	1.07	17.00	14.25	12.61
506-1	Bob Barzels	.23	70.00	27.50	24.34
892-1	Bob Bartels	1.00	78.00	29.50	26.11
417-1A	Quinten & Karen Watson	.53	206.00	64.00	56.65
417-1B	Clarence Anderson	1.43	69.00	69.50	61.52
417-1	Mrs. Eddie (Vivian) Anderson	1.15	85.29	42.50	37.62
531-1	Ruby Dillinger	1.27	324.70	131.00	115.96
1162-1	Charles & Dorothy Shaykett	4.61	128.30	52.00	46.03
1210-1	Charles & Dorothy Shaykett	1.80	285.00	111.25	98.48
1132-1	Ezra Pauley	4.00	153.00	68.25	60.41
1204-1	Art Heitz, Jr.	2.19	132.00	53.00	46.91
1205-1	Harlan K Schnell	1.88	264.50	94.12	85.08
1215-1	H L & Mildred Brunner	3.00	117.00	49.25	43.59
418-1	Alex Miller	1.67	100.00	45.00	39.83
1213-1	Robert W Grant	1.43	179.00	74.75	66.17
419-1	Herman Stark	2.50	175.00	73.75	65.28
421-1	Lee Dutton	2.50	103.00	45.75	40.50
1049-1	Thorval Jensen	1.47	324.14	135.75	120.16
1122-1	Thorval Jensen	4.88	133.49	53.50	47.36
1160-1	Thorval Jensen	1.90	97.00	44.25	39.17
1029-1	Homestake Mining	1.39	175.00	73.75	65.28
910-1	Donald Halbmaier	2.50	200.00	80.00	70.81
1165-1	Tom Bowen	2.85	196.00	79.00	69.93
722-1	Edith Anderson & Tom Bowen	2.80	948.00	377.00	333.71
1148-1	Homestake Mining	13.50	116.00	49.00	43.37
430-1	Gerald Wetz	1.65	307.00	126.75	112.20
432-1	Roy Casteel	4.30	239.00	99.75	88.30
414-1	Mary Ann Schummer	3.40	452.00	173.00	153.13
411-1	Edward Pos	5.10	416.00	154.00	136.32
440-1	David A Richards	5.00	226.00	96.50	85.42
1149-1	Homestake Mining	3.20	534.00	213.50	188.98
1150-1	Homestake Mining	7.60	418.00	164.50	145.61
437-1	McNenny Ranch Inc.	5.90	390.00	157.50	139.41
1151-1	Homestake Mining	5.50	490.00	192.50	170.40
821-1	George Levin & Sons	7.00	215.00	93.75	82.98
1136-1	George Levin & Sons	3.07			

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	\$ 164.20
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	1,163.60	461.00	408.06
310-1	Lester Clark	6.76	473.20	188.50	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 Odekoven	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	Patricia 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
408-1	James A Nickelson	3.10	218.00	94.50	83.65
469-1	Raymond Garness	1.30	91.00	42.75	37.84
1218-1	William Dillinger	.40	42.70	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	167.34	62.00	---
273-1	John Durr	1.90	133.00	53.25	---
271-1	Herbert Clarkson	.06	43.00	20.75	---
296-1	Robert Helmer	.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 Focs	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	Cret. & Leslie Miner	2.66	198.00	79.50	---
865-1	Solomn Stark	2.14	150.00	67.50	---
287-1	David G Rathbun	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

FUND No.

DATE

PAYEE

Homestake Mining
Box 875
Lead, SD 57754

DEPT.

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

ADDRESS

STAPLE
HERE

AGENCY

Agency	Fund	Sub Fund	Prog. Act.	Obj. Sub. Obj.	Agency Coding	Amount	Contract No.
200301	699	01	0000	0801		1,222.42	1
							2
							3
							4
							5
							6
							7
							8
							9
							10
TOTAL						22 1,222.42	

NOTE: Vendor 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 Bello 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 " "	156.63		
			1154-1 " "	114.85		
				1,222.42	1,222.42	
				TOTAL	1,222.42	

AGENCY VERIFICATION

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.

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

John Hatch
Claimant Signature

Date

DIVISION APPROVAL

APPROVAL SIGNATURE

DATE

DATE

NOTICE DATED NOVEMBER 22, 1977 sent to these people

James Blair Milesville, S.D. 57553	Charles Wennberg Whitewood, S.D. 57793	Steve Paulson Sierra Club 824 1/2 Sixth Street Rapid City, S.D. 57701
Stephen Keiry Nisland, S.D. 57762	David Rathbun Nisland, S.D. 57762	Robert Murphy Enning, S.D. 57737
Jess Watkins St. Route New Underwood, S.D. 57761	William Keiry Belle Fourche Irr. District R.R. 1, Box 70 Nisland, S.D. 57762	Morris W. Fields Elm Springs, S.D. 57736
Edwin A. Lynn 36 Water Street Deadwood, S.D. 57732	Clark Arends Enning, S.D. 57737	Howard Mason Box 425 Leade, S.D. 57754
Joseph McFarland Rt. 3, Box 38 Rapid City, S.D. 57701	George W. Blair Hereford Rt. Sturgis, S.D. 57785	George L. Wurnig Sturgis, S.D. 57785
Robert J. Sliper Homestake - Box 875 Lead, S.D. 57754	Mr. & Mrs. Joe M. Schenk Rt. 1, Box 204 Spearfish, S.D. 57783	Mrs. Clark Arends Enning, S.D. 57737
Archie J. Keegan Vale, S.D. 57788	Donald Berger Whitewood, S.D. 57793	Mr. and Mrs. Gerald Metz Vale, S.D. 57788
A.P. Fuller Homestake Mining Co. Box 898 Lead, S.D. 57754	Daniel J. Oedekoven Vale, S.D. 57788	Mrs. Alfred Arneson Elm Springs, S.D. 57736
Terry L. Flyger Hurley, S.D. 57036	Glen Keuber R.R., Box 171 Spearfish, S.D. 57783	Willard Gralaff Whitewood, S.D. 57793
J.G. Morrison Box 448 Sturgis, S.D. 57785	David Richards Howes Rt. Sturgis, S.D. 57785	Alvin Barler A & B Ranch Inc. Owanka, S.D. 57767
Arnold Matt Elm Springs, S.D. 57736	A.B. Thomerson New Underwood, S.D. 57761	Glenn Riley R.R. #1 Belle Fourche, S.D. 57717

Martin E. Moore
Elm Springs, S.D. 57736

Edward H. Ross
Howes Rt.
Sturgis, S.D. 57785

Alfred Arneson
Elm Springs, S.D. 57736

Marvin Anders
Elm Springs, S.D. 57736

Charlotte Pavlas
Spearfish, S.D. 57783

Gilbert Alcen
Whitewood, S.D. 57793

William M. Caruthers
Two Rivers Ranch
White Owl, S.D. 57792

Bill Evans
Cook Ditch Co.
R.R. #1
Spearfish, S.D. 57783

Mr. & Mrs. Dale Sturer
Box 127
Keystone Rte.
Rapid City, S.D. 57701

Kenneth McNenny
Rt. 2
Sturgis, S.D. 57785

R.D. McKay
Beile Fourche, S.D. 57717

George E. Wells
Wells Real Estate
Sturgis, S.D. 57785

George H. Moore
Elm Springs, S.D. 57736

Kenneth Vig
1303 3rd St.
Sturgis, S.D. 57785

Leo McGuigan
Spearfish, S.D. 57783

Herman Stark
Rimrock Highway
Rapid City, S.D. 57701

Roy Phillips
New Underwood, S.D. 57761

Lawrence Bierke
Elm Springs, S.D. 57736

Irene Larson
Elm Springs, S.D. 57736

Lee Dutton
Vale, S.D. 57788

Harold D. Skjoldal
Belle Fourche Irr. District
Belle Fourche, S.D. 57717

Charles M. Arneson
Elm Springs, S.D. 57736

Glen Speers
White Owl, S.D. 57792

Wiles Brezler
901 3rd Ave. NE
Aberdeen, S.D. 57401

Donald & Nancy Halbmaier
Vale, S.D. 57788

Richard Johnston
Elm Springs, S.D. 57736

Mauraine Fridel
Rt. 1, Box 29A
Custer, S.D. 57730

Walter W. McVay
R.R. 1
Spearfish, S.D. 57783

Joe Hutzel
Homestake Mining Co.
Spearfish, S.D. 57783

Jeanne Koster
609 N. Broadway
Watertown, S.D. 57201

Robert W. Humphrey
Spearfish, S.D. 57783

George D. Levin
Hereford, S.D. 57743

HOMSTAKE MINING COMPANY, LEAD., S.D.

Permit No 1148-1

CORRECT LAND DESCRIPTION FOR CRT

S $\frac{1}{2}$	Section 1-7N-7E	119.00
NW $\frac{1}{4}$	Section 1-7N-7E	58.00
	Section 7-7N-8E	123.00
S $\frac{1}{2}$	Section 8	81.60
	Section 21	75.20
NE $\frac{1}{4}$ NE $\frac{1}{4}$	Section 18	19.10
W $\frac{1}{2}$	Section 17	120.27
SE $\frac{1}{4}$	Section 17	86.77
NW $\frac{1}{4}$ NE $\frac{1}{4}$	Section 17	1.23
W $\frac{1}{2}$	Section 16	119.28
N $\frac{1}{2}$	Section 20	144.55

Total 948.00 acres

LEGAL DESCRIPTION

1. BELLE FOURCHE RIVER, MEADE COUNTY

From a point which bears N.39°49'E. - 900 feet from the West Quarter Corner of Section 1, T.7N. R.7E., BHM. to a point which bears N.33°E. - 1575 feet from the Southwest Corner of Section 21, T.7N. R.8E., BHM.

2. T. 7 N. R. 7 E., B.H.M.

S₁¹/₂ - Section 1 119.0 acres ✓

NW₁¹/₄ - Section 12 58.0 " ✓

T. 7 N. R. 8 E., B.H.M.

SW₁¹/₂ - Section 7 123.0 acres ✓

SW₁¹/₄NE₁¹/₄ - Section 7

NE₁¹/₄SW₁¹/₄ - Section 7

W₁¹/₂SW₁¹/₄ - Section 8 94.0 acres ✓

NW₁¹/₄NW₁¹/₄ - Section 17

NE₁¹/₄NE₁¹/₄ - Section 18

SW₁¹/₄SE₁¹/₄ - Section 8 95.0 acres ✓

SE₁¹/₄SE₁¹/₄ - Section 8

NW₁¹/₄ - Section 17

SW₁¹/₄SW₁¹/₄ - Section 17 152.0 acres ✓

NW₁¹/₄NW₁¹/₄ - Section 20

NW₁¹/₄NE₁¹/₄ - Section 20

SW₁¹/₄NW₁¹/₄ - Section 16 252.0 acres ✓

SW₁¹/₄ - Section 16

SE₁¹/₄ - Section 17

N₁¹/₂NE₁¹/₄ - Section 20

NW₁¹/₄NW₁¹/₄ - Section 21

S₁¹/₂NW₁¹/₄ - Section 21 55.0 acres

NE₁¹/₄SW₁¹/₄

TOTAL ACRES - UNIT A - - - - - 948.0

Over flow 1964 5

Havens S.L. Kerche L. 1964 5
Havens S.L. Lehmiller S.L.

(Total S.L.) (Total FSL) (Total S.L.)
(Tushoff S.L.) (Foster S.L.)
Tushoff S.L. (Lichen 485)

Channel Stages 1964 5
1964 5 13/A

Black S.L. 1964 5 13/A
Foster S.L. 1964 5 13/A

1964 5 13/A
1964 5 13/A

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1964 5 13/A
1964 5 13/A

DRY DRAW DIVERSION POINTS

Point No. 1 - bears S.57°30'E. - 2480 feet from the Northwest Corner of Section 7, T.7N. R.8E., BHM.

Point No. 2 - bears South - 1895 feet from the North Quarter Corner of Section 21, T.7N. R.8E., BHM.

21

STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE



IMPORTANT: Read Instructions Before Proceeding!!!

NAME HOMESTEAD MINING COMPANY Lead, Lawrence Co., S.D.

ADDRESS BOX 875 - LEAD, SOUTH DAKOTA - 57754

COUNTY LAWRENCE

Unit R-2137-MD

In accordance with State Law (Section 1, SB-58), if a water right is granted with a conditional permit (Soil/Water compatibility), a copy of such conditional permit must be filed with the County Register of Deeds.

This action must be taken by the holder of a water right within 6 months of receipt of such water right.

LEGAL DESCRIPTION:

1. WELL LOCATION OR DIVERSION POINT SEE ATTACHED SHEET
2. LOCATION OF AREA TO BE IRRIGATED SEE ATTACHED SHEET

TYPE OF IRRIGATION:

3. GRAVITY X TOWLINE CENTER PIVOT X GUN
OTHER (SPECIFY) Sprinkler
4. CROPS TO BE IRRIGATED ALFAIFA AND GRASS

WATER QUALITY: (To be completed by SDSU Water Quality Lab)

5. SAMPLE NUMBER
6. SALINITY (EC X 10⁶)
7. SODIUM (SAR)
8. RESIDUAL SODIUM CARBONATE (mg/l.)

I do hereby certify that a chemical analysis of the irrigation water representative of that used to irrigate shall be acquired from South Dakota State University and the soils information has been acquired from Conservation District, County Extension Office or Soil Conservation Service; and further, that the legal description for the location of the well and land to be irrigated is true and correct.

SUBSCRIBED AND SWORN BEFORE ME THIS
21st DAY OF August, 1977.

[Signature]
(TITLE OR SEAL)

4-12-80

Donald J. DeWente, Manager
Homestead Mining Co.
APPLICANT'S SIGNATURE
[Signature]
Approved
Disapproved
Conditionally Approved X

(SOILS INFORMATION ON REVERSE SIDE)



HOMESTAKE MINING COMPANY

P. O. BOX 875

LEAD, SOUTH DAKOTA 57754

December 21, 1982



John Hatch
Water Management Board
Water Rights Division
Pierre, SD 57501

Subject: Water Rights - Belle Fourche River

Dear John:

During the past five years, Homestake has been working with the U.S. Department of Agriculture's Soil Conservation Service under their Great Plains Conservation Program. In conjunction with the Great Plains Conservation, an effort is being made to establish water rights to complement the stock dams and water spreader systems that have been built.

Due to various circumstances, we were unable to completely develop the program and to establish the actual amount of water required under the various permits that have been applied for in the time allotted, and, therefore, we request that we be given some additional time in which to bring this project to a successful completion.

A recap of work completed to date is as follows:

Permit No. 1148-1 (13.5 cfs, 948 acres) -

1. Water spreading dikes
(6898 cubic yards - cost \$5324.89)
2. Stock dam
(4291 cubic yards - cost \$2789.15)
3. Stock dam and water spreading dikes
(5721 cubic yards - cost \$3774.43)

This permit covers three different tenants. One tenant irrigated during the summer of 1981. This same tenant did land leveling on a 62-acre field in anticipation of irrigating in 1982, however, due to abundant moisture, found it unnecessary to irrigate. Another tenant under this permit was prepared to irrigate this year, but found it unnecessary.

Permit No. 1149-1 (3.2 cfs, 226 acres)

1. Stock dam
(3874 cubic yards - cost \$1433.38)
2. Stock dam
(3812 cubic yards - cost \$2923.44)

This permit covers two tenants, neither of whom irrigated this year.

Permit No. 1150-1 (7.6 cfs, 534 acres)

1. Stock dam
(5759 cubic yards - cost \$3466.60)
2. Stock dam
(3013 cubic yards - cost \$2620.49)
3. Stock dam
(3067 cubic yards - cost \$1134.79)
4. Diversion dam and spreader system
(15,581 cubic yards - cost \$6745.61)

This permit covers two tenants. One tenant set up a side-roll irrigation system, but found it unnecessary to use it this summer.

Permit No. 1151-1 (5.5 cfs, 390 acres)

1. Stock dam
(5368 cubic yards - cost \$1986.60)
2. Two spreader systems
(18,130 cubic yards - cost \$8926.10)
3. Stock dam
(4,292 cubic yards - cost \$2847.04)

One tenant. No irrigation done this year.

Permit No. 1152-1 (6.6 cfs, 462 acres)

1. Stock dam
(6939 cubic yards - cost \$2567.43)

One tenant. Was prepared to irrigate this year, but had a lot of flood damage in spring and a wet summer.

Permit No. 1153 -1 (6.1 cfs, 428 acres)

Tenant had his own Great Plains contract. Did not irrigate this year because of plenty of rain.

Permit No. 1154-1 (4.5 cfs, 319 acres)

1. Stock dam.
(4712 cubic yards - cost \$3152.94)
2. A very large (24,530 to 40,000 cubic yard) spreader dike system has been designed for this ranch; however, due to its high estimated cost (\$21,000 to \$36,000) something smaller will be built.

No irrigation done this year.

Thank you for any consideration that you can give this matter.

Yours truly,



Robert J. Sliper
Assistant Plant Engineer

RJS/sp

Water Rights Division
605 773-3352

January 4, 1983

Robert J Sliper
Assistant Plant Engineer
Homestake Mining Com
Box 875
Lead SD 57754

Dear Mr. Sliper:

I am in receipt of your letter dated December 21, 1982 concerning Homestake Water Rights on the Belle Fourche River. Enclosed please find application forms for extension of time. An applicant has five years from the date of approval to complete construction and an additional four years to apply the water to beneficial use. In this case, the dates for applying the water to beneficial use may be extended to December 1, 1986. Please fill out these forms and enclose the filing fee of \$2.50 each (\$17.50 total). This matter will be handled at the Water Management Board Meeting in February.

If you have any questions on this matter, please contact this office.

Sincerely,

TIMOTHY G SCHAAAL
Water Resources Engineer

TGS:ks

enclosures

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9144

PIERRE, February 1, 1933

RECEIVED OF Homestake Mining Company, Box 875, Lead, SD 57754-0875

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 EXTENSION OF WR# 114-1 (any other work as provided by law)	2	50
TOTAL	2	50

WATER RIGHTS COMMISSION

By *John Hatcher*
Chief Engineer, Executive Officer
JOHN HATCHER

APPLICATION FOR EXTENSION OF TIME

TO: Water Rights
Foss Building
Pierre, South Dakota 57501

Date Jan 31, 1983

Dear Sirs:

In Water Right Permit No. 1148-1 it is specified that the water diversion system is to be completed by December 1, 1982 and that the water is to be put to the limit of beneficial use by December 1, 1982.

I hereby request that the date for completing the diversion system be extended to December 1, 1984 and that the date for putting the water to the limit of beneficial use be extended to December 1, 1986.

The extension of time for the completion of these works is requested for the following reasons: Work completed prior to Dec 1, 1982: @water spreading dikes - 6898 cu.yds. - \$324.89, @ stock dam - 4291 cu.yds. - \$289.15, @ stock dam & water spreading dikes - 5721 cu.yds. - \$374.43. This permit covers 3 different tenants. One tenant irrigated during the summer of 1981. This same tenant did land leveling in fall of 1981 & additional irrigating in 1982; however, due to abundant moisture, found it unnecessary to irrigate. Another tenant under this permit was prepared to irrigate in 1982 but found it unnecessary. The third tenant needs a little more time to get his irrigation system going.

Enclosed herewith is a fee of Two Dollars and Fifty Cents (\$2.50) to pay the cost of filing this request for extension of time.

W. J. Slipes
(Signed)

1148-1

Permit Number

APPROVED:

Board of Water Management

BY:



No. 1148-1

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

March 4, 1983

HOMastake Mining Co.
Box 875
Lead SD 57754-0875

Dear Sirs:

This is to inform you that your request for extension of time dated
January 31, 1982 for Water Right No. 1148-1 has been
approved by the Water Management Board as follows:

The date for completing construction of the water system has
been extended to December 1, 1984, and the date for
putting the water to the limit of beneficial use has been
extended to December 1, 1986.

Enclosed herewith is Receipt No. 4 9144 for \$2.50 fee for filing
of this Extension of Time.

Sincerely,

KEVIN LARSON
Water Resources Engineer

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-5181

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.

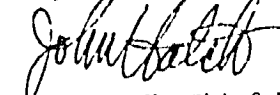
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

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
605 773-3352



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

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

February 24, 1989

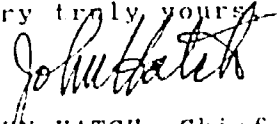
1029-1,
1148-1
1151-1
1152-1
1153-1

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



1148-1

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

SEP 17 1993

1455-1

A. S. Winters
Vice-President/General Manager
Homestake Mining Company
P.O. Box 875
Lead, SD 57754

Dear Mr. Winters:

Enclosed is Water Permit and Water License No. 1455-1. Also enclosed is Receipt No. 411145 for \$50.00 which was assessed for an inspection and issuance of the license. Water License No. 1455-1 is the final document which completes the process of obtaining a water right.

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.

Very truly yours,

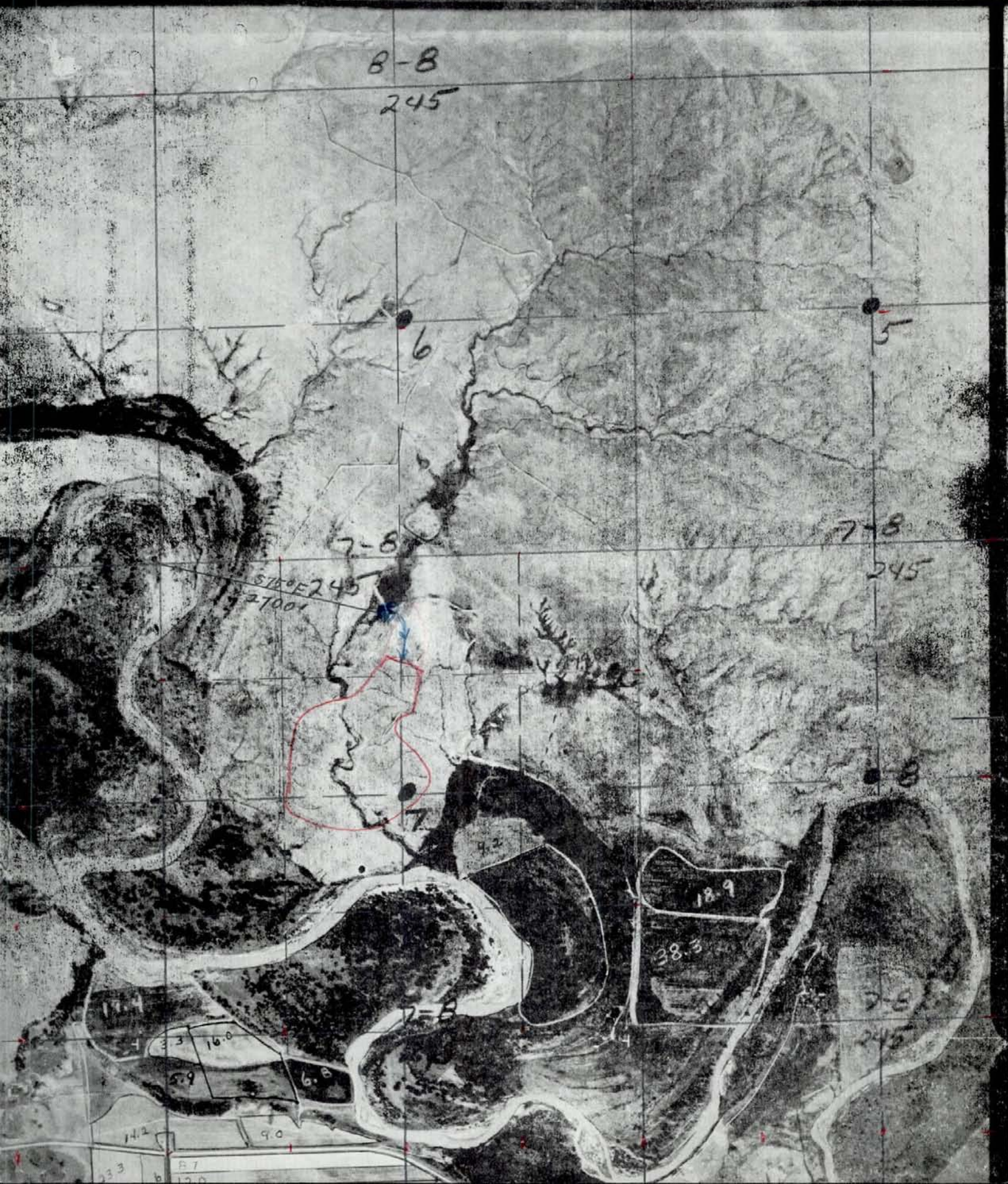
JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

gm
enclosures

NOTE: The applicable portions of Water Permit No. 1148-1 have been incorporated into Water License No. 1455-1.

NOT TO SCALE



NOT TO SCALE

NOT TO SCALE



Homestake Mining Co

Permit # 1148-1

Fred + Glenn Schummer - leasee

Honestake

1148-1

NOT TO SCALE



NOT TO SCALE

7-8

247

R8E

7-8

247

Point of Diversion on
Belle Fourche River

From a point which is
900 ft from the west $\frac{1}{4}$
Cor. of Sec. 1, T7N R8E
To a point which is N33°E
1575 ft from the SW Cor.
of Sec. 21, T7N R8E

08

**T
7
N**

9

7-8

247

7-8

247

Homestake Mining Co
Permit # 1148-1

17

16

7-8

247

7-8

247

Point of Diversion

2060'

Homestake Mining Co

4" = 1 mi



NOT TO SCALE

