

Water Right Number 1173-1

1. Considered July 26, 19 78

2. Name of Applicant Warbonnet, Inc. (Ross Springs Project)

3. Post Office Address Lead, S.D. Priority 1914
Sec. 35-5-2

4. Amount of water claimed .20

5. Source of water supply ground

6. Water to be used for Municipal and Commercial

Acres to be irrigated --

7. Water to be diverted and used in Lawrence County
about 5 Miles W of LEAD

8. Proof of Publication Received

Not received

9. Application Approved

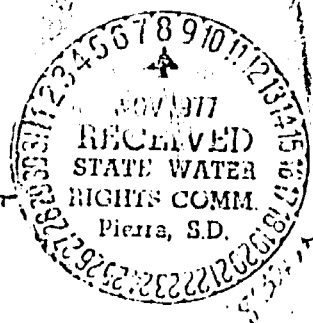
Subject to

Not approved

Action deferred

10. Remarks: VESTED RIGHT

SYSTEM CONSTRUCTED IN 1914

Map No. 984-1No. 1173-1Water Division No. 1 BELLE FOURCHE RIVER District
(Blanks to be filled by the Engineer for the W. R. C.)

VESTED RIGHT APPLICATION FOR A PERMIT

To Appropriately Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

- Name of Applicant WARBONNET, INC.
- Post Office address Box 33-A, Star Route, Lead State South Dakota
- If a corporation show date and place of incorporation December 13, 1966 - South Dakota
- Method of accomplishing work (contract, employment of others, or by direct labor) COMPLETED
- Name of diversion work Ross Springs Reservoir Pump Station
- Amount of water claimed (cubic feet per second) 0.20 cfs
- Source of water supply Surface flowing spring
- Location of point of diversion NW¹, NW¹, Sec. 3, T4N, R2E, F.H.M.
Approximately 3 45' 50 feet from Cor. No. 8 of the Daisy Fraction (ode,
Mineral Survey No. 1567 County Lawrence
- Annual period or periods during which water is ~~to be~~ used Intermittent use - year around
- Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) municipal - commercial
- For irrigation use, 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.

Attach sheet if more space is needed

- Time required to complete construction of water supply system COMPLETED years. Additional time required to complete application of water to the proposed beneficial use COMPLETED years.
- Choice of newspaper for Notice of Intent to Appropriately Water publication NOT REQUIRED
- Principal Features of the Proposed Water Supply System.

A. Works ~~proposed~~ to divert water from its natural source.Concrete faced reservoir at Ross Springs and pump station.B. Works ~~proposed~~ to transport water to place of use.3' and 4" steel pump line, approximately 2.5 miles long, to domestic water storage tanks at Trojan, South Dakota.C. Works ~~proposed~~ to apply water to beneficial use.Additional pumping facilities, storage and gravity distribution lines to domestic and commercial areas.Estimated Total Cost \$ NOT REQUIREDAttachments - 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, P. A. Miller, Warbonnet, Inc. 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 constructionSigned P. A. MillerSubscribed and sworn to before me this 2nd day of November, 1977Carolina Helen Smith
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1173-1

WARBONNET, INC.
(Applicant)

33-A, STAR ROUTE, LEAD
(Post Office Address)

SOUTH DAKOTA 57754
(State)

With the following modifications:

"VESTED RIGHT" CLAIMED

Date of first receipt of application NOVEMBER 8 19 77

Date of return to applicant for correction, amendment, or changes required 19

Date of receipt of corrected application 19

Approved JULY 27 19 78 Recorded in Book 20 Page 42

WATER RIGHT PERMIT NO. 1173-1

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1173-1 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 1914

2. The equivalent of at least one-fifth of the work above specified is not completed

3. The whole of said work is not completed

4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is COMPLETED

5. The water appropriated shall be used for the purpose of COMMERCIAL - MUNICIPAL

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 .20 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

USED FOR COMMERCIAL & MUNICIPAL PURPOSES

actually and beneficially applied for irrigation on or before THIS DATE said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 31ST day of JULY 19 78

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued JULY 31 19 78

Water License Issued JULY 31 19 78

→ COMPLETE IF APPLICABLE

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

Rose Springs Reservoir
Pump Station

12 Principal Features of the ~~Proposed~~ Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter _____, Depth _____
- (2) Casing, Type (wood, concrete, steel, etc) Diameter _____ Thickness _____
- (3) Perforated Screen
- Type _____, Diameter _____, Length _____
- (4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates.

- (1) Surface dimensions 30 feet dia. Depth 6' max

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials _____

Springs in phosphate ls.

Depth to top of water bearing material Springs flowing at surface.

Depth to bottom of water bearing material NA

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

- (2) Distance to nearest existing household or livestock watering wells. None in area.

On same owner's property _____ rods. On property owned by others _____ rods.

G. Water Storage Dams.

If the ~~proposed~~ water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Height @ face of reservoir approx. 6'

Max. water depth approx. 6'

Storage capacity approx. 25,000 gals.

P. H. Miller Vice President
Signature of Applicant
Warbonnet, Inc.

NOTE: This Form is supplemental to Form 2, and is to be used when an affidavit pertaining to construction and water use, already completed, is needed.

**AFFIDAVIT OF CONSTRUCTION OF WATER USE
SYSTEM AND APPLICATION OF WATER TO BENEFICIAL USE**

Name of Applicant (Same as Form 2) Warbonnet, Inc.
 Post Office Address 33-A, Star Route, Lead, State South Dakota
 If a Corporation show date and place of incorporation December 13, 1966 - South Dakota

13. Notice of Appropriation (If available)

Date of Posting N/A Date of Recording _____
 Recording Date _____

14. Date of start of construction of water supply system Year 191415. Date that water was first applied to beneficial use Year 191416. Name of owner of original water supply system Trojan Mining Company17. Amount of water originally applied to beneficial use 0.20 c.f.s.

18. Present Use of Water
 Amount of water now being used 0.20 c.f.s. intermittent use.
 Date that this amount of water was first used Year 1914

19. Chronological History of Water Use Ross Springs Reservoir Pump Station:

Located approx. 2.5 miles west of the town of Trojan.
Reservoir was constructed and pump lines installed about 1914 to supply domestic water to mining settlement at Trojan and the Trojan Mining Company mill (later Bald Mountain Mining Co.). System now supplies domestic water to Trojan townsite, Lost Camp Valley Agresge Development and Stewart Ski Area facilities.

Attach to this Form 2B any copies of maps, posters, filings, publications, affidavits, or other records that apply. You may also attach any written statements by you, or by others, that you deem pertinent.

STATE OF SOUTH DAKOTA

County of Lawrence

I, E. A. Miller, Vice Pres of Warbonnet, Inc., the applicant, certify that I have read the foregoing and that the matters therein stated are true.

Signed E. A. MillerSubscribed and sworn to before me this 2nd day of November, 1977

Carlotta Helen Smith
 (Notary Public or other qualified Officer)

I, the undersigned, do hereby certify that I know about the water use system described above that I have read the foregoing and that the matters therein stated are true.

Robert C. Naquette
Robert C. Naquette

WATER LICENSE NO. 1173-1

(1) WHEREAS, On the 8th day of November A. D. 19 27

Warbonnet, Inc.

made Water Right Application No. 1173-1 **Vested Right** for a permit to use .20 cubic feet per second of the waters of a surface flowing spring

County of Lawrence State of South Dakota, for commercial and municipal purposes; and

(2) WHEREAS, On the 31st day of July A. D. 19 73

Vested Right

Permit No. 1173-1, with a date of priority of 1914

was issued to said applicant s for the diversion of said water, **recognizing** the completion of construction of the water supply system therein described on or before the day of xxxxxx and for the application to beneficial use of said water xxxxxx xxxxxx xxxxxx

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 .20 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,

water to be used for municipal and commercial purposes at Trojan, South Dakota.

(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 Warbonnet, Inc.

_____ of Lead, South Dakota

the holder _____ and owner Vested Right of said permit No. 1173-1 a water right, dating from 1914

_____ to use of .20 cubic feet per second of the waters

of a surface flowing spring

in the County of Lawrence and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at _____

NW 1/4 NW 1/4, Section 3, T4N, R2E, B.H.M. approximately South 45° East, 50 feet

from corner No. 8 of the Daisy Fraction Lode, Mineral Survey No. 1567.

and ~~conduct to well~~ conducted thru Warbonnet, Inc. distribution system.

~~XXXXXXXXXX~~

for the purpose of municipal and commercial purposes.

This Water License No. 1173-1 is based on a Vested Right Claim recorded and filed by the

Water Rights Commission.

Subject to any limitations listed in Water Right Perm't No. 1173-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 31st day of July A. D.

Nineteen Hundred and Seventy-Eight

WATER RIGHTS COMMISSION

By: John Hatch

Chief Engineer, Executive Officer JOHN HATCH

Form 15.

Permit No. 1173-1

Water Diversion No. 1 Belle Fourche River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the Warbonnet, Inc.

Vested Right- Permit No. 1173-1, issued upon Application No. 1173-1, bearing date of priority of 1914 the holders a of
authorizing the diversion of .20 cu. ft. per second of the waters of a
surface flowing spring County of Lawrence, State of South Dakota at
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 3, T4N, R2E, BHM. approximately South 45° East.
50 feet from corner. No. 8 of the Daisy Fraction Lode, Mineral
Survey No. 1587. for domestic and commercial purposes

purposes, has 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 recognized as satisfactory
~~known~~ for diverting and conveying to the place of intended use .20 cu. ft. per second of water.

Date July 31, 1978

By

WATER RIGHTS COMMISSION

John Hatch
JOHN HATCH, Chief Engineer

Report on
Warbonnet, Inc. Vested Right Application
Lead, South Dakota

On April 5, 1978, I made an investigation on the Warbonnet, Incorporated - Vested Right Application.

Ross Springs is a flowing spring. The Springs pump station has a concrete dam for a reservoir. From here the water is pumped at a maximum rate of 90 gpm approximately 2½ miles through a steel pipe of 4 and 3 inches in diameter to the Squaw Creek pumping station. The Squaw Creek station has a 10ft X 10ft X 40ft deep mine shaft that is used for a reservoir. This station has two submersible pumps which pump 300 gpm maximum. The water is pumped from the Squaw Creek station approximately .2 miles east to a storage tank. Gravity flow is then used to supply water to the residential area. From this same storage tank water is pumped to a 37,000 gallon storage tank in the Steward Ski area facility.

From the appearance of the pipes, pumps and storage facilities, this system has been in operation for many years. I recommend that Warbonnet, Inc. be issued a vested right on this facility.

LeRoy J. Mernaugh
Water Resources Engineer

OVERSIZE

DOCUMENT IS

SUPPLEMENTARY

TO MICROFILM FILE



Department of Water & Natural Resources

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

1173-1
1174-1

June 29, 1988

Wharf Resources
Box 446
Deadwood, South Dakota 57732

Dear Sir:

Please find enclosed copies of Notice of Transfer of Water Permit forms. These forms must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50 for each, total of \$5.00 for two transfers.

Upon receipt of the enclosed forms and the \$2.50 filing fee for each, the permits will be transferred to the proper name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

Maxine Stirling
Secretary
(605) 773-3002





WHARF RESOURCES

(A Montana General Partnership)

Wharf Resources Ltd.

Wharf Resources (U.S.A.) Inc.

July 14, 1988

Ms. Maxine Stirling, Secretary
Water Rights Division
Department of Natural Resources
Joe Foss Building, 1st Floor
523 East Capitol
Pierre, South Dakota 57501-3181

RE: Notice of Transfer of Water
Permits Nos. 1173-1 and 1174-1

Dear Ms. Stirling:

Enclosed are Notice of Transfer of Water Permit forms for Water Right Permit Nos. 1173-1 and 1174-1, transferring ownership from Warbonnet, Inc. to Wharf Resources. As per our telephone conversation earlier this week, the \$5.00 transfer fee was mistakenly mailed directly to the Water Rights Division without the accompanying paperwork.

I trust this submittal will complete the requirements to transfer ownership of these water rights. Please feel free to contact me at 584-1441 should you have any questions or require anything further.

Thank you.

Sincerely,

Lea Mathis
Lea Mathis
Secretary

lkm

Enclosures

RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

Pierre, July 13, 1911

RECEIVED OF Wharf Resources, Box 440, Deadwood, SD 57701

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Permit No. 1173-1</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer JOHN HATCH (S)

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

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

WATER RIGHTS DIVISION
(605) 773-3352

1173-1
1174-1

July 20, 1988

Wharf Resources
Box 446
Deadwood, South Dakota 57732

Dear Sir:

Enclosed are receipt Nos. 411311 and 411312 in the amount of \$2.50 each which you paid for transfer of Water Right Nos. 1173-1 and 1174-1.

Our records now show Wharf Resources as the owner of these Water Rights.

Sincerely,

Maxine Stirling
Secretary

ms/
enc.-2



SOUTH DAKOTA

VESTED WATER RIGHT CLAIM NO. 1173-1

Date of Receipt of Claim November 8, 1977.

Date of Validation May 6, 1992.

The Water Management Board validated Vested Water Right Claim No. 1173-1 for Wharf Resources, Box 446, Deadwood SD 57732 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1173-1 appropriates 0.2 cubic feet of water per second from a spring located in the NW 1/4 NW 1/4 Section 3-T4N-R2E.
2. The appropriated water is used for supplying water to the town of Trojan and may not exceed the amount of water needed for beneficial use for municipal and commercial purposes.
The water is to be used during the following annual period:
January 1 - December 31
3. The priority date of the Vested Water Right is January 1, 1914.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water Rights obtained in compliance with the laws of the State of South Dakota must not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: _____

John H. Hatcher
Chief Engineer

JUN 29 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources



JUN 29 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Wharf Resources
Box 446
Deadwood SD 57732

Dear Sir:

The Water Management Board has validated the enclosed Vested Water Right Nos. 1173-1 and 1174-1. These validations give legal status to the claims and are the final document for your vested rights.

As long as you use the water beneficially, as stated in the validation, 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

enclosure



WHARF RESOURCES (U.S.A.), Inc.

A wholly owned subsidiary of Goldcorp Inc.

1173-1



Wharf Resources (U.S.A.), Inc.
HC 37 Box 811
Lead SD 57754

SD DENR WATER RIGHTS PROGRAM
523 EAST CAPITOL
PIERRE SD 57501-3181

As a matter of corporate simplification, Wharf Resources will now be doing business as Wharf Resources (U.S.A.), Inc. Therefore, all contracts, statements, invoices, or other documents you may have with Wharf Resources, a Montana General Partnership, or simply in the name of Wharf Resources, should be changed to Wharf Resources (U.S.A.), Inc. All purchase orders or other correspondence to you in the future will be from Wharf Resources (U.S.A.), Inc. The management structure of the company remains the same.

If you have any questions, please do not hesitate to contact me.

Sincerely,

John A. Begeman
General Manager

1173-1

CHRISTENSEN, MOORE, COCKRELL & CUMMINGS, P.C.

Dana L. Christensen
Mikel L. Moore
Dale R. Cockrell
Steven E. Cummings
Tracy Axelberg

Two Medicine Building
160 Heritage Way
P.O. Box 7370
Kalispell, MT 59904-0370

Office: (406) 751-6000

Fax: (406) 756-6522

*Also Admitted in Arizona

**Also Admitted in South Dakota

***Also Admitted in Washington

April 16, 1999

John Hatch
Chief Engineer, Water Rights Program
Department of Environment and Natural Resources
Joe Foss Building, 523 East Capitol
Pierre, South Dakota 57501-3181



Re: Wharf Resources

Dear Mr. Hatch:

This letter is being written on behalf of Wharf Resources, a Montana general partnership, and Wharf Resources (U.S.A.), Inc. Pursuant to a corporate reorganization, Wharf Resources, a Montana general partnership, has transferred the following water right permit and license numbers to Wharf Resources (U.S.A.), Inc.:

1346-1	1514-1
1365-1	1173-1
1406A-1	1437-1
1460-1	1493-1
PW-1	1667-1

If you have any questions, please do not hesitate to contact me.

Sincerely,

CHRISTENSEN, MOORE, COCKRELL
& CUMMINGS, P.C.

Dale R. Cockrell
Direct Line No. (406) 751-6003

DRC/bls

cc: John Begeman
Carol Koerner



1173-
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 24, 1999

Dale R Cockrell
Christensen, Moore, Cockrell & Cummings, PC
PO Box 7370
Kalispell, MT 59904-0370

RE: Water Permits and Water Rights held by Wharf Resources

Dear Mr. Cockrell:

Thank you for your letter of April 16th regarding the transfer of water rights and permits held by Wharf Resources.

Enclosed are seven partially completed "Notice of Transfer of Ownership" forms for use in filing the transfers with Vested Water Right No. 1173-1, Water Right Nos. 1346-1, 1365-1, 1406A-1 and 1493-1 and Water Permit Nos. 1437-1 and 1667-1

Please review the enclosed forms and complete as needed. The forms should be signed in the presence of a notary public by a representative of Wharf Resources (U.S.A.), Inc. Please return the completed forms to our office with a required filing fee of \$2.50 each (total of \$17.50).

Thank you for your help and if I can answer any questions for you, please give me a call.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3355

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pier 4, SD 57501-3181



No. 1173-1

Date: 6-7-99

I/We request that Vested Water Right No. 1173-1

formerly owned by: Wharf Resources, a Montana general partnership

be transferred to: (name & address) Wharf Resources (U.S.A.) Inc., HC37, Box 811, Lead, SD 57754

Telephone No. (605) 584-1441

Title to the following described land(s)/property has been transferred as described above:

diversion point location: NW 1/4 NW 1/4 Section 3, T4N, R2E

I/We understand that the validity of Vested Water Right No. 1173-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

STATE OF SOUTH DAKOTA)

County of Lawrence)

I/We John A. Begeman being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of ** that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

** General Manager of Wharf Resources (U.S.A.) Inc.

John A. Begeman
(Signed)

Subscribed and sworn to before me this 7th day of June, 1999.

Julius G. [Signature]
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

No 416138

Pierre,

June 14, 1999

RECEIVED OF Wharf Resources, Inc., HC 37, Box 811, Lead, SD 57754
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. _____

Fee for Filing Transfer Form Vested Water Right No. 1773-1

Fee for Filing Extension Request _____

Fee for _____

1 (Any Other Work Provided by Law)

Total

2 50

2 50

by _____
Chief Engineer

John Hatch (C)



1173-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 16, 1996

Dale R Cockrell
Christensen, Moore, Cockrell & Cummings, PC
PO Box 7373
Kalispell, MT 59904-0370

RE: Wharf Resources (U.S.A.) Inc.

Dear Mr. Cockrell:

I am writing to acknowledge receipt of the transfer of ownership forms for Vested Water Right No. 1173-1, Water Right Nos. 1346-1, 1365-1, 1406A-1 and 1493-1 and Water Permit Nos. 1437-1 and 1667-1. The transfers have been completed and the above water rights and permits are now listed in the name of Wharf Resources (U.S.A.) Inc. Enclosed are the receipts for the filing fees.

I noticed when transferring the records that Wharf had an additional water right that I did not send a transfer form to you for. I am including a copy of Vested Right No. 1174-1 to give you an idea of which system the water right pertains to. I apologize for overlooking this in my first correspondence to you.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for Vested Water Right No. 1174-1. The form will need to be signed in the presence of a notary by a representative of Wharf Resources (U.S.A.) Inc. Upon completion, please forward the form and a \$2.50 filing fee to our office.

Thanks again for your help and if I can answer any questions for you please give me a call.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures

c: John Begeman, General Manager of Wharf Resources (U.S.A.) Inc