

Water Right No. 1195-1

1. Considered 3-26 19 80
2. Name of Applicant AMERICAN COLLOID COMPANY
3. Post Office Address BELLE FOURCHE, S.D.
4. Amount of Water Claimed .10
5. Source of Water Supply WELL
6. Water to be used for INDUSTRIAL
7. Acres to be irrigated — maximum acre feet —
8. Water to be diverted and used in BUTTE County
about 2N, 2W miles — of BELLE FOURCHE
9. PROOF OF PUBLICATION Received (initials) 3-21-80
Not Received —
- APPLICATION Approved 3-27-80
Subject to Domestic Well & Log
Not Approved —
Action deferred —

Priority 3-3-80 Date Received 3-3-80 Application Complete yes ☒ no ☒ FEE 150.00

Remarks requested statement of use.

water for coal-fired boiler & heat shop, steam clean equipment & heat exch.

Date Information and/or Fee or corrected Application received 3/10/80 letter stating use
Period of Annual use CONTINUOUSLY

**WATER
QUALITY**

Received yes ☐ no ☐ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application yes ☐ no ☐ Remarks —

Disapproved —

Returned —

Version Point —

*	33				
					150

SW⁴ SW⁴ 33-9N-2E

Lands to be Irrigated —

**WELL
LOG**

Remarks FALL RIVER - LAKOTA FORMATION

Driller N & L DRILLING, WYO License (yes) X no —

Depth 1250' dup.

Page 2

Water Right No. _____

MAP Map No. 1004-1 Map located in Water Right X Map file _____
Type of Map drawn Prepared By Registered Land Surveyor
Boyle H. Lingler

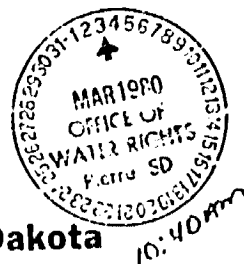
+++++

REVIEWED This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on 3-26-80
Boyle H. Lingler
(Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date _____
F.F. & C Final Decision, including F.F. & C of Law were adopted _____
OF LAW, Date _____
FINAL Final Decision mailed to parties and/or parties notified that Final Decision
DECISIONS was adopted _____
ETC. Remarks _____



Check one of the following

New λ Vested Right _____ Future Use _____

Change in Diversion N/A Additional Diversion N/A

Change in Acreage N/A Additional Acreage N/A

1. Name of Applicant American Colloid Company Phone No. 605-592-4781

Name of Applicant _____
Post Office Address P. O. Box 818 Belle Fourche State South Dakota 57717
(Street, RR, or Box) (Town) (Zip Code)
If a corporation show date and place of incorporation 1925 - Delaware

2 Method of accomplishing work (contract, employment of others, or by direct labor) contract

3. Name of diversion work American Colloid Field Department No. 1

4. Amount of water claimed (cubic feet per second) 10-1-0 cfs on 1-7-82

5. Source of water supply Dakota formation Well No. 1 1/2 mile S. of

6. Location of point of diversion 943.8 feet N 79°55' E from the southwest corner of
Section 33, Township 9 North, Range 2 East

County Butte

7 Annual period or periods during which water is to be used year around industrial

8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) industrial

9. For irrigation use, N/A Total number of acres to be irrigated 0

	Last Description	No. Acres Irr.
1		
2		
3		
4		
5		
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7		
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100		

[illegible]

Attach sheet if more space is needed

10. Time required to complete construction of water supply system one years. Additional time required to complete application of water to the proposed beneficial use 0 years

13: Choice of county newspaper for publication of Notice of Intent to Appropriate Water Belle Fourche Daily Post

12. Principal Features of the Proposed Water Supply System

A. Works proposed to divert water from its natural source

Well

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

Two inch underground line.

C. Works proposed to apply water to beneficial use.

Boiler and shop facilities.

Estimated Total Cost 15,000.00

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

STATE OF SOUTH DAKOTA)

County of Butte) ss.

I, Robert Baker 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

American Colloid Company
8-1-1886

Signed - By: Robert Baker

Subscribed and sworn to before me this 28th day of February, 1980.

Notary Public (or other qualified officer)

Notary Public, BUTTE COUNTY, S. DAK.

My Commission Expires NOV. 11, 1982

WATER RIGHT APPLICATION APPROVAL

The Board of Water Management hereby approves Water Right Application No. 1195-1

AMERICAN COLLOID COMPANY P.O. Box 818 Belle Fourche
(Applicant) (Post Office Address)
SOUTH DAKOTA 57717 With the following qualifications:
(State)

The ~~well~~ well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The ~~well owner~~ well owner, under this Permit, shall control his ~~withdrawals~~ withdrawals so there is not a reduction of needed water supplies in adequate domestic wells.

Date of first receipt of application MARCH 3, 1980
 Date of return to applicant for correction, amendments or changes required _____, 19____
 Date of receipt of corrected application MARCH 3, 1980
 Approved MARCH 27, 1980, Recorded in Book 21 Page 128

WATER RIGHT PERMIT NO. 1195-1

The Board of Water Management hereby grants and issues this Water Right Permit No. _____ authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is MARCH 3, 1980.
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 27, 1980.
3. The whole of said work is to be completed on or before MARCH 27, 1981.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 27, 1981.
5. The water appropriated shall be used for the purpose of INDUSTRIAL USE.

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 10 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 irrigation purposes said appropriation must be limited to not more than 2 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~~ **USED FOR INDUSTRIAL PURPOSES**

~~for irrigation~~ on or before MARCH 27, 1981, said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 31ST day of MARCH, 1980

THE BOARD OF WATER MANAGEMENT

By John Hatch
 Chief Engineer, Water Rights

Certificate of Construction Issued March 4, 1980

Water License Issued March 4, 1980

4-78

Well Location:

Mark location with an "X"

North

W E

X

1 mile

Proposed Use: ☒ Domestic ☐ Municipal ☐ Test
☒ Irrigation ☒ Industrial ☐ Stock
Holes

Well Construction:
 Diameter of Hole 6" 4"
 Depth 10 ft 12 ft
 Casing ☒ Steel ☐ Concrete
☐ Plastic ☐ Other
 If other, specify _____

Remarks:

Well Test Data:

☐ Pumped

☐ Balled

☒ Other

Describe: AIR TESTER
AT 280'

Pumping Level Below Land Surface
30' ft. After 2 hrs. pumped 45 GPM

30 " " " " " " " " " " " "

Signed By William Linderson Date 2-18-61

thin bedded sandstone	776-848	776-848
thin bedded sandstone	848-990	
thin bedded grey & pink shale	990-1055	Morrison
thin bedded sandstone	1055-1088	
thin bedded sandstone	1088-1176	Sundance
thin bedded shale	1176-1188	
thin bedded shale	1188-1258	Speerish

South Dakota
 This location
 is in the
 State of South Dakota

~~N & L Drilling~~
~~M & R DRILLING~~

Hotel 440, 82720

Belle-Fourche, -South Dakota.

LOG OF WELL

11-15-39

SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 33 Twp. 9 Rg. 2

2-12-80

(Date Started)

Butte Co.

55 56 57 58 59 60

→ (Data Completed)

From Feet	To Feet	Description of Material Drilled: and Formations Encountered
0	1	Surface
1	7	Brown shale - sandy
7	21	Dark gray & green shale
21	32	Dark gray & black shale w/ bentonite streaks
32	520	Black & dark gray shale w/ bentonite & siltstone streaks
520	625	Light gray & dark gray shale w/ bentonite & siltstone streaks
625	655	Black massive shale
655	668	Light brown sand
668	760	green, yellow, & gray claystone
760	776	tan & white sand
776	843	Dark gray & green shale w/ large streaks of siltstone
843	990	Gray shale w/ streaks of siltstone
990	1055	tan, white, gray & pink shale.
1055	1088	Gray shale w/ siltstone streaks
1088	1176	light reddish brown micaceous
1176	1188	Gypsum
1188	1250	red silty shale

[illegible]

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

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

D. Well Information

- (1) Drill Hole, Diameter 6 1/4 inch, Depth 1,250 feet
- (2) Casing, Type steel, Diameter 4 inch, Thickness .237 inch
(wood, concrete, steel, etc)
- (3) Screen, Type none, Diameter _____, Length _____
- (4) Gravel Pack, Thickness none, Length of gravel pack _____

E. Dugcut Information or Estimates N/A

- (1) Surface dimensions, _____, Depth _____

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

(1) Water Bearing Materials. (Attach a copy of test well log)

Depth to top of water bearing material 650 feet

Depth to bottom of water bearing material 800 feet

Depth to water (ground surface to water level) 35 feet

(2) Distance to nearest existing household or livestock watering well.

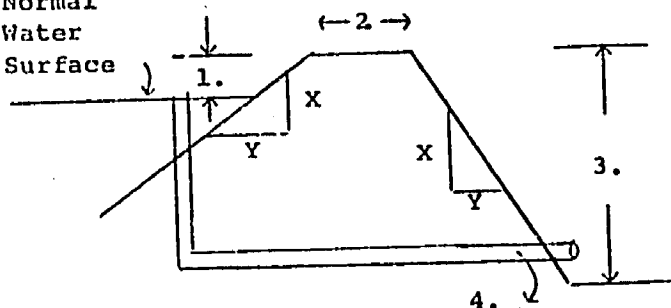
On same owner's property 200 rds.

On property owned by others 600 rds.

G. Water Storage Dams N/A

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

Normal
Water
Surface



1. Freeboard _____
2. Crest width _____
3. Height of Dam _____
4. Outlet dimensions:
Pipe diameter _____
Spillway width _____
- X & Y slope:
Upstream _____
Downstream _____
Surface area of impoundment _____
Drainage area above dam _____

American Colloid Company

by Robert Baker
Signature Applicant

Permit No. 1195-1

Water Diversion No. 1 Belle Fourche River Water District

10129202

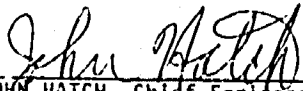
CERTIFICATE OF CONSTRUCTION

This is to Certify, That American Colloid Co.

_____ the holder _____ of
Permit No. 1195-1, issued upon Application No. 1195-1, bearing date of priority of _____
March 3 1980 authorizing the diversion of .10 cu. ft. per second of the waters of _____
groundwater (one well) County of Butte, State of South Dakota at _____
a point 943.8' North 79° 55' East from the SW Corner of Section 33,
T-9N, R- E
_____, for Industrial

purposes, has ve complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use .10 cu. ft. per second of water.

Date March 4, 1982


JOHN HATCH, Chief Engineer
Water Rights Division

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1195-1.

(1) WHEREAS, On the 3rd day of March A. D. 19 80

American Colloid Company

made Water Right Application No. 1195-1 for a permit to use 10 cubic feet per second of the waters of groundwater (one well)

County of Butte, State of South Dakota, for Industrial

—purposes; and

(2) WHEREAS, On the 27th day of March A. D. 1980

Permit No. 1195-1, with a date of priority of March 3, 1930

was issued to said applicant? 5 for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 27th day of March A. D. 19 81 and for the application to beneficial use of said water on or before the _____ day of _____ A. D. 19 _____

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 10 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 used for industrial purposes

(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 the American Colloid Company

of Belle Fourche, South Dakota

the holder _____ and owner _____ of said permit No. 1195-1 a water right, dating from March 3, 1980

to use of .10 cubic feet per second of the water of groundwater (one well)

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

purposes hereinbelow mentioned, to be diverted at a point 943.81 North 79055 feet East from the

SW corner of Section 33, T-9N, R-2E

and conducted ~~XXXXXX XXXXX~~ through the Company's distribution system

27th

March

81

for the purpose of Industrial use

Subject to any limitations listed in Water Right Permit No. 1195-1 and subject to the laws of the State of South Dakota.

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

this 4th day of March A.D.

Nineteen Hundred and Eighty-two

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

No. 1195-1

Publish first publication, on or before March 14, 1980

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 10, 1980

Notice is hereby given that American Colloid Company whose post office address is Belle Fourche, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-3; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARS 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use .10 cubic feet of water per second of time from groundwater ^{#1} (one well) through the American Colloid Field Dept. the point(s) of diversion of which is (xxx) to be located in the SW 1/4 SW 1/4

of Section 33, Twp. 9N, Range 2E. Said water to be used for the purpose of providing ~~xxxxxx~~ water for industrial use.

This Application No. 1195-1 will be considered by the Water Management Board at SDEA Auditorium, 411 E. Capitol, Pierre, SD 57501 upon the 26th day of March, 1980

at 10 AM. The Board 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 Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. *Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law. Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DMNR, Foss Bldg., Pierre, SD prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

DW:plh

Betty Westlund,
Water Rights Specialist

cc: American Colloid Co., P.O. Box 813, Belle Fourche, SD 57717

No. 1195-1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Battle) ss

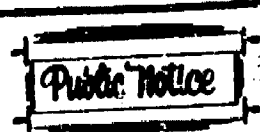
I, Page Kennedy hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Daily Belle Fourche Post

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____
city of Belle Fourche
County of Battle and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

March 13, 1980
March 20, 1980

Page Kennedy
(Signature)
Sec - Treas.
(Title)

March 20, 1980
(Date Signed)



No. 1195-1
NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER
Pierre, South Dakota 57501
March 19, 1980

Notice is hereby given that
American Colloid Company
whose post office address is
Belle Fourche, South Dakota,
has made an application in
accordance with the provisions
of SDCL 46-1-1 thru 46-1-9,
46-1-14; 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;
46-6-3, 46-6-3.1, 46-6-5,
46-6-6.1, 46-6-10, 46-6-14 and
Board Rules ARSD 52:01:01:01
thru 52:01:01:13, for a permit
to appropriate for beneficial
use .10 cubic feet of water per
second of time from ground-
water (one well) through the
American Colloid Field Dept.,
#1 the point of diversion of
which is to be located in the
SW 1/4 SW 1/4 of Section 33,
Twp. 9N, Range 2E. Said water
to be used for the purpose of
providing water for industrial
use.

This application No. 1195-1
will be considered by the
Water Management Board at
SDEA Auditorium, 411 E.
Capitol, Pierre, SD 57501 upon
person wishing to attend this
hearing can contact the Water
Rights Division, DWNR, Foss
Bldg., Pierre, SD prior to the
hearing date for assistance
to secure access to the hearing.

WATER MANAGE-
MENT BOARD
Betty Westlund,
Water Rights Specialist
P213/13-20



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7352

PIERRE,

March 3

80

RECEIVED OF American Coal and Company, Box 818, Belle Fourche SD 57717

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

Fee for Application for Permit to Appropriate Water No. <u>1195-1</u> (examination, processing, recording and filing)	150	00
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		
(any other work as provided by law)		
TOTAL	150	00

WATER RIGHTS COMMISSION

By John H. Hatch
Chief Engineer, Executive Officer

DATE MICROFILMED

CANADA DEPARTMENT

Permit No. 1195-1Water Division 1 Belle Fourche River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by American
Colloid Co. of P.O. Box 818, Belle Fourche, S.D. 57717 holder
of Permit No. 1195-1, bearing date of priority of March 3, 1980
authorizing the diversion of .10 cu. ft. per second of the waters of One Well.
for Industrial purposes, in Batte. County.

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

The Water Use System consists of,

A. Works used to divert the water:

3/4 H.P. Submersible Pump - pumps 45 gpm.

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

Pipeline from Well to Building.

C. Works used to apply water to beneficial use.

Office and Shop use. Water not fit for drinking.The system is in the following condition. GoodThe point of diversion is located 943.8 ft N 79°55' E from the SW corner
of Section 33, T9N R2EThe works are capable of diverting and conveying to the place of use .10 (45 gpm)
cu. ft. per second of water which is to be used for Industrial purposes.

Water has been put to beneficial use to the maximum extent as follows:

comprising a total of _____ acres of land.

Well Data.

Depth 1250 ftStatic 36 ftPump @ 120 ftPumping 45 gpm

Date

September 29, 1981
Le Roy J. McLaughlin
(Signature)

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 8670

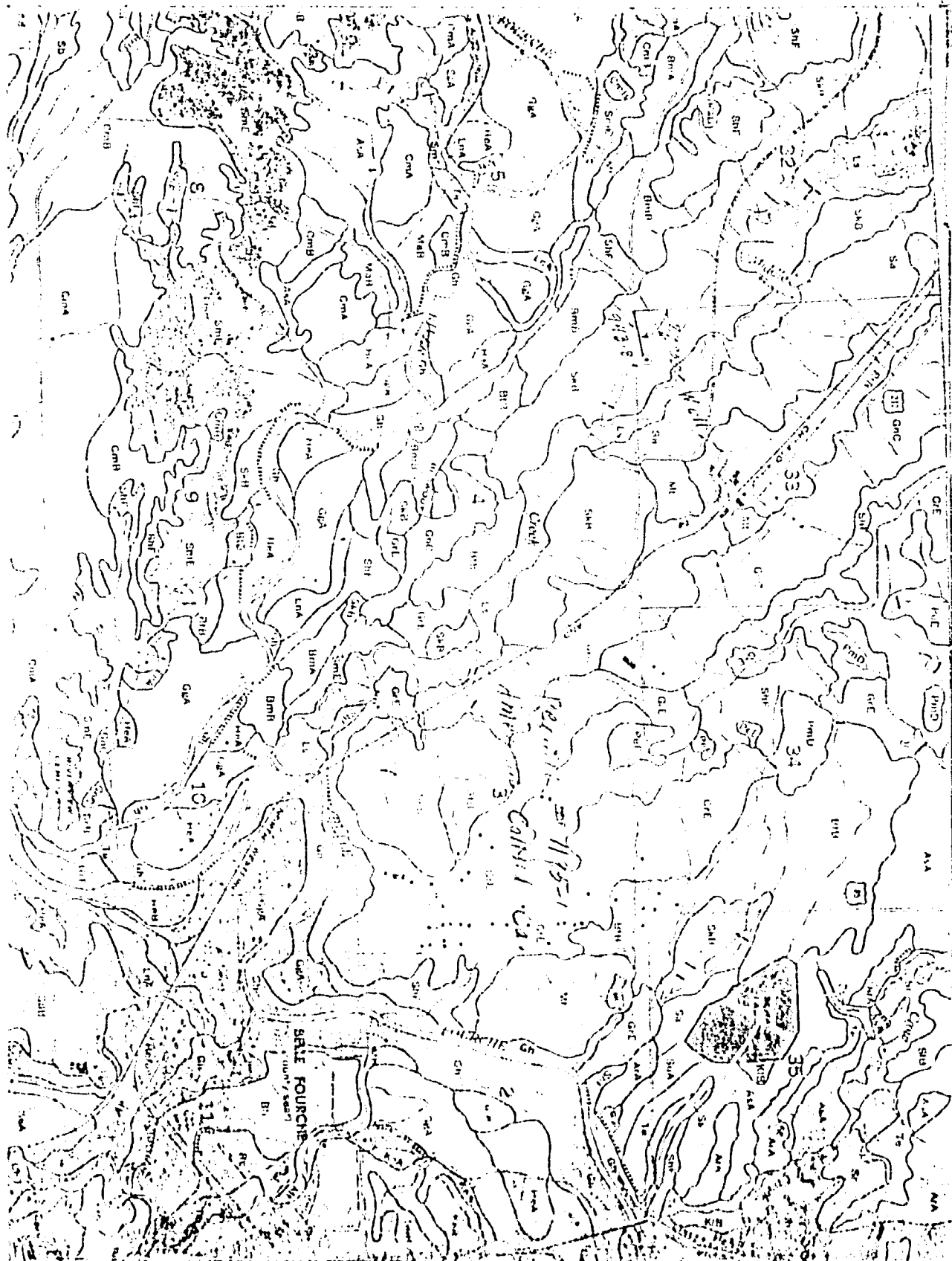
PIERRE, January 25, 1982, 19 82

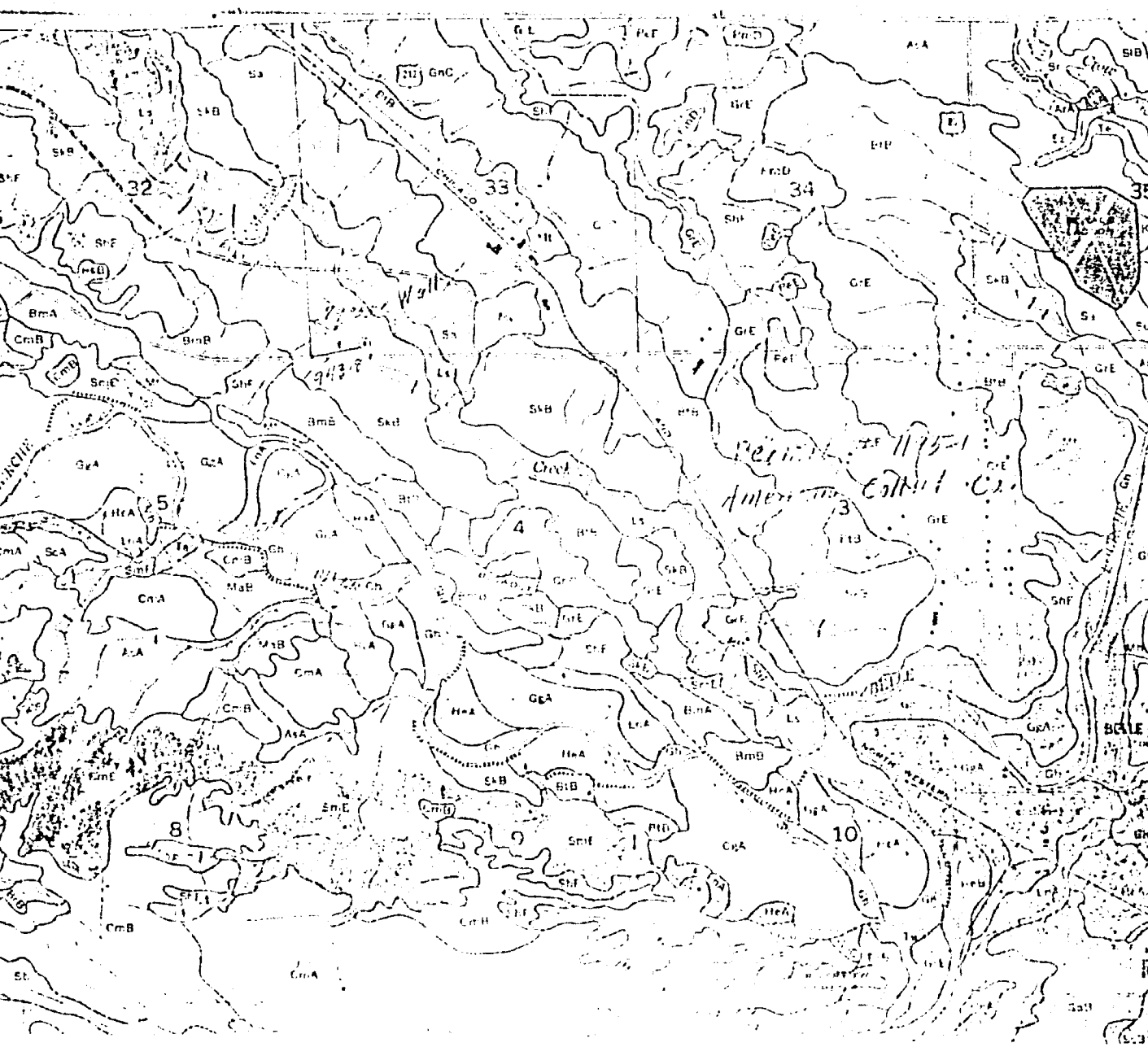
RECEIVED OF American Colloid Company, Box 318, Belle Fourche, SD 57717, Robert Baker
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No. <u>1195-1</u>		
Fee for inspecting Beneficial Use, and issuing Water License No. <u>1195-1</u>	50	00
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By J. H. Hatch
Chief Engineer, Executive Officer
JOHN HATCH, ms



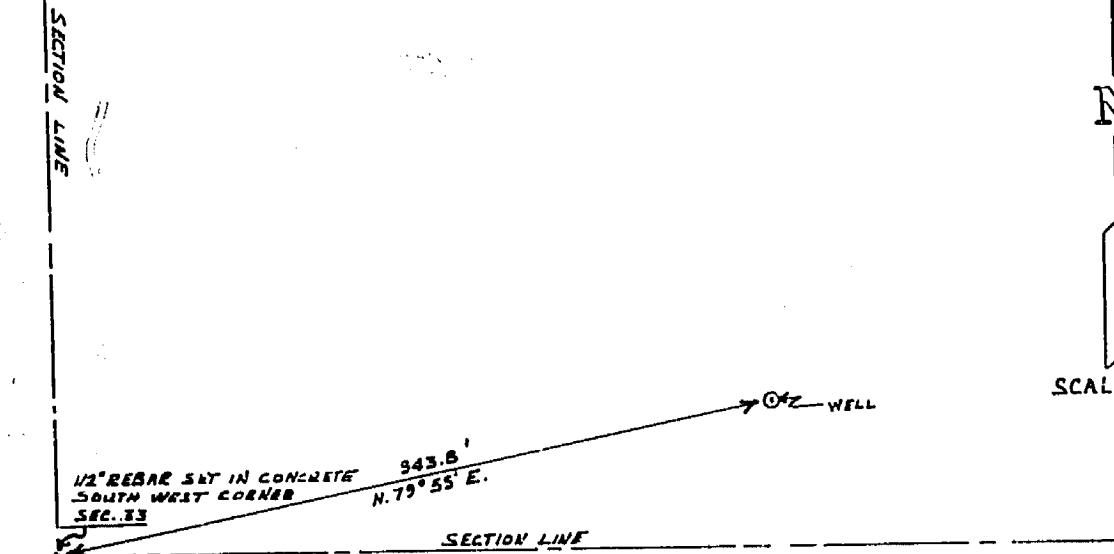


PLAT OF WELL

LOCATED IN SECTION 33, T.9N., R.2E.
BUTTE COUNTY, S.D.



SCALE 1"=200'



SURVEYOR'S CERTIFICATE

I, BOYD KLINGLER, a Registered Land Surveyor in the State of South Dakota, do hereby certify that, at the request of the property owner, I have surveyed the tracts of land shown in the above plat.

In witness whereof I have set my hand and seal this 27th day of February, 1980.

Boyd Klingler
Boyd Klingler, Registered Land
Surveyor #1134

ACKNOWLEDGMENT OF SURVEYOR

STATE OF SOUTH DAKOTA)
) SS.
COUNTY OF BUTTE)

On this day, before me, the undersigned, a Notary Public within the State and County aforesaid, personally appeared BOYD KLINGLER, known to me to be the person who executed the foregoing Surveyor's Certificate and acknowledged that he executed the same. Witness my hand and seal this 27th day of February, 1980.

WANDA SCHUFT
Notary Public, Butte County, S.D.
My Comm. Exp. 12/31/81

Wanda Schuft
Wanda Schuft, Notary Public
MAP No. 10014
APPL. No. 1175-1

1195-1
File No. 1195-1 and 1431-1

Water Rights Program -- File Documentation

NAME: American Colloid Company

ADDRESS: PO Box 2010, Belle Fourche SD 57717

DATE: September 23, 1997 **COUNTY:** Butte **TELEPHONE:** (605) 892-3178

RE: Reissuance of water license for Water Right No. 1195-1

COMMENTS:

On August 11, 1997 I completed an onsite investigation of Permit No. 1431-1 and Water Right No. 1195-1. The investigation found that the well authorized by No. 1431-1 serves as the primary water supply with the well authorized by No. 1195-1 serving as a backup well. According to Doug Brooker, water is used to supply the lab and for processing bentonite products. Mr. Brooker indicated that the well (No. 1431-1) produces about 4,000 gallons per eight hour period. This is approximately 10 gallons per minute. It is believed that the standby well is capable of producing the same amount of water.

RECOMMENDED ACTION:

Water Right No. 1195-1 was licensed for 0.10 cfs but should be reissued for the 0.022 cfs (10 gpm). The present location of the well authorized by No. 1195-1 is the same as specified on the application map and water license. This was confirmed by visual inspection and on a new plat map supplied by Darryl Jozwik, permitting technician.



Ron Duvall, Natural Resources Engineer
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 12 1997

1195-1

Darryl Jozwick, Permitting Technician
American Colloid Company
PO Box 2010
Belle Fourche, SD 57717

Dear Mr. Jozwick:

Enclosed is your Reissued Water License No. 1195-1. The water license was reissued, based on an August 11, 1997, investigation of the water use system. The license reflects that the well described in Water Right No. 1195-1 is used as a standby well capable of diverting 0.022 cubic feet of water per second. The remaining portions of the original license were not altered by reissuance of the license.

As long as you use the water beneficially, as described in the water license, South Dakota Water Laws provide that you have a continuing right to the use of the water.

If you have any questions, please contact us.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Program
(605) 773-3352

gm

enclosure

STATE OF SOUTH DAKOTA

REISSUED WATER LICENSE NO. 1195-1

(1) American Colloid Company, PO Box 2010, Belle Fourche, SD 57717 was issued Water License No. 1195-1, March 4, 1982, for a water right to divert 0.10 cubic feet of water per second (cfs) from ground water (one well), Butte County, South Dakota for industrial purposes. Water License No. 1195-1, with a priority date of March 3, 1980 was issued to the permit holder for diversion of water with construction of the water supply system and the application of water to beneficial use completed.

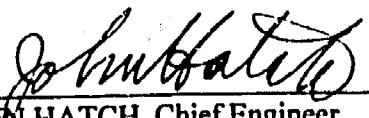
On August 11, 1997, an investigation was conducted of the water use system described under Water Permit No. 1431-1 and Water Right No. 1195-1. The investigation found that the well authorized under No. 1195-1 now serves as a backup well, diverting 0.022 cfs with the well described in No. 1431-1 serving as the primary supply well.

Based on the August, 1997 investigation, Water License No. 1195-1 is being reissued to reflect the actual capacity of the well. The remaining portions of the original license have not been altered by reissuance of the license.

(2) It is certified that the water right holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.022 cubic feet of water per second for beneficial use. The location of the diversion point is a point 943.8 feet N 79°55' E of the SW corner of Section 33, T9N, R2E.

(3) The water right holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use.

(4) Pursuant to South Dakota Water Law 46-5-30.1 American Colloid Company, PO Box 2010, Belle Fourche, SD 57717 the holder and/or owner of Water Right No. 1195-1 is issued a license to appropriate water, the right to use 0.022 cubic feet of water per second from ground water (one well) with a priority date of March 3, 1980 from the location specified in (2) of this license, for industrial purposes. This license is subject to any limitations or qualifications listed in Water Right No. 1195-1 and subject to South Dakota State Law.


JOHN HATCH, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

NOV 12 1997

date

