

Considered: _____

WATER PERMIT NO. 1455-1

MAP No. same 584-1020

Name of Applicant Homestake Mining Company

Post Office Address PO Box 875, Lead SD 57754

Amount of Water Claimed no add'l Total Acres 359.8

Source of Water Supply Belle Fourche River

Water to be used for irrigation County Meade

About 25 miles W of Union Center

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received November 27, 1988 Fee \$50⁰⁰ Remarks Appl is to correct location of acreage irrigated.

Corrected Application Received _____ Period of Annual Use _____

WATER QUALITY APPROVAL RECEIVED Feb 10, 1989 APPROVED ~~CONDITIONAL~~ (Circle one)

WI-1 Description same as Application YES ☒ NO _____ REMARKS acreage in the NW 1/4 section 1-T7N-R7E was deleted from S/W Compatibility Permit

Diversion Point between the SW 1/4 NW 1/4 sec. 1-T7N-7E and the SW 1/4 SW 1/4 sec 8-T7N-R8E

Land to be Irrigated Correct locations: E 1/2 NE 1/4 sec 11; NW 1/4 sec 12; all in T7N-R7E: SW 1/4 SW 1/4 sec 6; E 1/2 SW 1/4 sec 8; SE 1/4 sec 7; N 1/2 SW 1/4, NW 1/4 NE 1/4 sec 17; all in T7N-R8E

see maps

Well Log: Driller NA Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

Type of Map aerial photos PREPARED BY Rassool Ahadi Reviewed and the Number assigned on Feb. 21, 1989 By Ron Duval

No. 1455-1 Hydrologic Unit 10120202
Basin Belle Fourche River
Newspaper Meade Co. Times-Tribune, Box 69, Sturgis (Wed)
Butte Co. Valley Irrigator, Box 67, Wellfleet (Wed)

(See instructions)



Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

- Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
- ☒ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
- ☐ Add Acreage ☐ Increase diversion rate ☐ Other _____
- Name of Applicant Homestake Mining Company Phone No. (605) 584-1020
Post Office Address PO Box 875 Lead South Dakota State 57754
(Street, RR or Box) (City) Zip Code
 - Amount of water claimed (c.f.s) No additional Total acres irrigated 438.4 359.8
 - Source of Water supply Belle Fourche River
 - Location of point of diversion points between SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1, T7N, R7E and SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, T7N, R8E
County Meade
 - Counties where water will be used Meade
 - Annual period during which water is to be used April 1 thru October 31
 - 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.
SEE ATTACHED SHEET	

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: X Towline: _____ Center Pivot: _____ Gun: _____ Other: _____ (Specify) _____
9. Crops to be Irrigated: Corn, Alfalfa
10. Give a description of proposed project. (Attach sheet if more-space is needed)
This application is to transfer 116.8 acres of land from N $\frac{1}{2}$ Section 20 (144.5 acres) and W $\frac{1}{2}$ Section 16, T7N-R8E (30 acres) to the NE $\frac{1}{4}$ Section 11, NW $\frac{1}{4}$ Section 12, T7N, R7E; and SW $\frac{1}{4}$ Section 6, T7N-R8E and the NW $\frac{1}{4}$ Section 1, T7N-R7E. See WR#1148-1

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of LAWRENCE)^{ss}

I, Richard W. Harr, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

(SEAL)

Signed Richard W. Harr
Subscribed and sworn to before me this 16 day of November 1988
Karen L. Everett
Notary Public

**SOUTH DAKOTA
WATER PERMIT NO. 1455-1 FOR IRRIGATION**

Date of first receipt of application November 27, 1988.

Date Soil/Water Compatibility Permit received February 10, 1989.

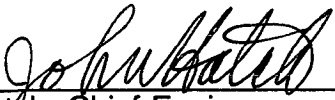
The Water Management Board approved Water Permit Application No. 1455-1 on May 10, 1989 for Homestake Mining Company, PO Box 875, Lead SD 57754 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 1455-1 specifies the correct location of 116.8 irrigated acres. Water Permit No. 1148-1 was to appropriate 13.5 cubic feet of water per second (cfs) from the Belle Fourche River to irrigate 948 acre located in portions of Sections 1, 12-T7N-R7E and Sections 7, 8, 16, 17, 20 and 21-T7N-R8E. An inspection of Water Permit No. 1148-1 found 439.8 acres being irrigated from the Belle Fourche River and that 116.8 acres of the 439.8 irrigated acres are not located within the area described on Permit No. 1148-1. The correct location of the 116.8 acres is in the E 1/2 NE 1/4 Section 11; NW 1/4 Section 12; all in T7N-R7E; SW 1/4 SW 1/4 Section 6; E 1/2 SW 1/4 Section 8; SE 1/4 Section 7; N 1/2 SW 1/4, NW 1/4 NE 1/4 Section 17; all in T7N-R8E. This permit does not authorize any increase in diversion rate from the Belle Fourche River.
2. The amount of the appropriation may not exceed 3 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - October 31.
3. The date from which applicant may claim right is September 6, 1977.
4. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed. This permit does not authorize diversion of water from the Belle Fourche River after August 15th of each calendar year, nor at any time when the river flow is low, unless written orders have been issued by the Chief Engineer. Diversions under this permit shall be in accordance with any written orders issued by the Chief Engineer.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: 
John Hatch, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources

SEP 17 1993
date

ATTACHMENT

T7N-R7E

Section 11

NE $\frac{1}{4}$ NE $\frac{1}{4}$	7.9 Acres	
SE $\frac{1}{4}$ NE $\frac{1}{4}$	5.0 Acres	12.9 Acres

Section 12

NW $\frac{1}{4}$ NW $\frac{1}{4}$	30.0 Acres	
NE $\frac{1}{4}$ NW $\frac{1}{4}$	8.6 Acres	
SW $\frac{1}{4}$ NW $\frac{1}{4}$	26.4 Acres	
SE $\frac{1}{4}$ NW $\frac{1}{4}$	12.5 Acres	19.5 of the 77.5 Acres are not specified on No. 1148-1

T7N-R8E

Section 6

SW $\frac{1}{4}$ SW $\frac{1}{4}$	3.8 Acres	3.8 Acres
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~~T7N-R7E~~

~~Section 1~~

NW$\frac{1}{4}$NW$\frac{1}{4}$	36.8 Acres	
SW$\frac{1}{4}$NW$\frac{1}{4}$	28.0 Acres	
NE$\frac{1}{4}$NW$\frac{1}{4}$	7.3 Acres	
SE$\frac{1}{4}$NW$\frac{1}{4}$	7.9 Acres	80.0 Acres

~~TOTAL 174.2 ACRES~~

T7N-R8E

Section 8

NE $\frac{1}{4}$ SW $\frac{1}{4}$	3.2 Acres	11.9 Acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$	8.7 Acres	

Section 7

NW $\frac{1}{4}$ SE $\frac{1}{4}$	15.2 Acres	
NE $\frac{1}{4}$ SE $\frac{1}{4}$	9.5 "	
SW $\frac{1}{4}$ SE $\frac{1}{4}$	2.0 "	57.0 Acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$	30.3 "	

Section 17

NW $\frac{1}{4}$ SW $\frac{1}{4}$	7.8 Acres	
NE $\frac{1}{4}$ SW $\frac{1}{4}$	1.2 "	11.7 Acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.7 "	

Total 116.8 Acres

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, November 29, 1988, 19

RECEIVED OF Homestake Mining Co., PO Box 875, Lead, SD 57754

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

Fee for Application for Permit No. <u>1455-1</u> to Appropriate Water, to construct works and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
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	50 00

By

Chief Engineer

JOHN HATCH

ms



Department of Agriculture
WI#1
5/87



SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4333

WR#

OWNERS NAME: Homestake Mining Company

OWNERS ADDRESS: P.O. Box 875
Lead, SD 57754

COUNTY LAND LOCATED IN: Meade PHONE: 584-1020

LEGAL DESCRIPTION:

☐ Well

☒ Surface

1. LOCATION points between SW $\frac{1}{4}$ Sec. 1-T7N-R7E & SW $\frac{1}{4}$ Sec. 8-T7N-R8E

Depth _____

Legal Description	Acres	Legal Description	Acres
<u>E$\frac{1}{2}$ NE$\frac{1}{4}$ Sec. 11-T7N-R7E</u>	<u>12.9</u>	<u>SE$\frac{1}{4}$ Sec. 7-T7N-R8E</u>	<u>57</u>
<u>NW$\frac{1}{4}$ Sec. 12-T7N-R7E</u>	<u>19.5</u>	<u>N$\frac{1}{2}$ SW$\frac{1}{4}$ Sec. 17-T7N-R8E</u>	<u>9</u>
<u>SW$\frac{1}{4}$ SW$\frac{1}{4}$ Sec. 6-T7N-R8E</u>	<u>3.8</u>	<u>NW$\frac{1}{4}$ NE$\frac{1}{4}$ Sec. 17-T7N-R8E</u>	<u>2.7</u>
<u>E$\frac{1}{2}$ SW$\frac{1}{4}$ Sec. 8-T7N-R8E</u>	<u>11.9</u>	TOTAL ACRES = <u>116.8</u>	

2. TYPE OF IRRIGATION: GRAVITY: ☒ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: (Specify) _____

3. CROPS TO BE IRRIGATED: corn, alfalfa

WATER QUALITY:

4. WATER SAMPLE NUMBER: 88-0518

7. ADJUSTED (SAR): 4.96

5. SALINITY (EC X 10⁶): 2800

8. PERCENT SODIUM: 20.40

6. SODIUM (SAR): 1.84

Requirements: The area adjacent to the riverbanks remain in permanent vegetation to control erosion.

[Signature]
Director, Division of Conservation

2/9/89
Date

☒ APPROVED ☒ REQUIREMENTS
☐ DISAPPROVED
☐ WAIVER

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

SOUTH Dakota Department of
Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

October 5, 1988

Rich Harr
Homestake Mining Company
PO Box 875
Leade, South Dakota 57754

RE: Water Right No. 1148-1

Dear Mr. Harr:

On September 15, 1988, I inspected Homestake Mining Company's Water Permit No. 1148-1. The inspection showed that 174.2 acres of land being irrigated were not covered under Water Permit No. 1148-1. Enclosed you will find two completed copies of form 2 to cover this acreage. Please review them for accuracy, sign and notarize them and return to our office with a \$50.00 application fee.

Enclosed you will also find an instruction sheet for Soil/Water Compatibility Permit. Please follow the instructions to take the water sample, starting with Part 4. A map of the irrigated area has already been prepared.

If you have any questions, please contact me.

Sincerely,

Rassool Ahadi
Natural Resources Engineer

RA:ms
Enc.



Conversation or File Documentation

NAME OF PERSON OR FILE: Homestake Mining CompanyADDRESS: Lead SD COUNTY MeadeDATE: Feb. 1, 1989 TELEPHONE _____RE: Soil/Water Compatibility permit

COMMENTS:

Jim Stukel, Division of Conservation, called regarding the acreage located in section 1-T7N-R7E. Jim S. contacted Homestake Mining Company and informed the Company that the soils in section 1 were not suitable for irrigation from the Belle Fourche River. Jim Stukel was told to delete those acres from the Soil/Water Compatibility application.

The acreage deleted (80 acres) is located in the NW 1/4 section 1-T7N-R7E.

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

NAME: Ron Duval

Report on Application No. 1455-1
Homestake Mining Company
March 6, 1989

Background:

Water Right Application No. 1455-1 proposes to correct the location of 116.8 acres of land not authorized under Water Permit No. 1148-1. Water Permit No. 1148-1 was originally authorized to divert 13.5 cubic feet of water per second (cfs) from Belle Fourche River and two dry draws to irrigate 948.0 acres in Meade County. Application No. 1455-1 requests no additional water.

Discussion:

On September 15, 1988, Water Permit No. 1148-1 was inspected. The inspection showed that 439.8 acres were developed and irrigated. It also showed that 196.8 acres were either not covered by the original permit or had not been advertised. Required application forms were sent to Homestake Mining Company to cover 196.8 acres. The Conservation Commission, however, did not approve 80 acres of the land for irrigation due to incompatibility of the soil with the water from Belle Fourche River.

Water availability for the water users in the area is dependant largely on the return flows from the Belle Fourche Irrigation District.

The applicant owns four pumps with a combined capacity of 7,500 gallons per minute.

Conclusions and Recommendations:

1. Surface runoff and return flows from the Belle Fourche Irrigation District have provided enough flow to meet the needs of the irrigators in the area.
2. The diversion rate for Water Permit No. 1148-1 and Water Right Application No. 1455-1 should not exceed 1 cubic foot per second for 70 acres.
3. Flow should be bypassed for downstream domestic users and irrigators with senior priority.

4. It is recommended that Water Right Application No. 1455-1 be approved with the Belle Fourche River qualification as stated on the original Water Permit No. 1148-1 and the Irrigation Questionnaire requirement.



M. RASSOOL AHADI
Natural Resources Engineer
(605)773-3352

Approved by:



James Winterton, P.E.
Natural Resources Engineer

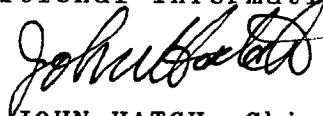
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1455-1, Homestake Mining Company

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 1455-1, Homestake Mining Company, c/o Richard Harr, PO Box 875, Lead SD.

The Chief Engineer is recommending APPROVAL of Application No. 1455-1 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

1. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed. This permit does not authorize diversion of water from the Belle Fourche River after August 15th of each calendar year, nor at any time when the river flow is low, unless written orders have been issued by the Chief Engineer. Diversions under this permit shall be in accordance with any written orders issued by the Chief Engineer.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.



JOHN HATCH, Chief Engineer
April 4, 1989

NOTE: Approval of Permit No. 1455-1 authorizes irrigation of 116.8 acres not authorized by Permit No. 1148-1. Total acres and cubic feet per second (cfs) to be licensed under Permits No. 1148-1 and 1455-1 are 359.8 acres and 5.14 cfs. Irrigation of 80 acres not authorized by Permit No. 1148-1 which was not approved by the Conservation Commission was deleted from Application No. 1455-1 prior to advertising.



Department of Water & Natural Resources

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

April 6, 1989

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

Richard Harr
Homestake Mining Co.
P.O. Box 875
Lead, SD 57754

Dear Mr. Harr:

Water Permit Application No. 1455-1 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publishers of the Meade Co. Times-Tribune and Butte Co. Valley Irrigator printed at Sturgis and Newell SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation will be sent to you at a later date. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspapers to authorize publication of your Notice of Intent to Appropriate Water and to arrange for payment. Early contact with the papers can eliminate delays. The publishers have been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures





Department of Water & Natural Resources

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

April 6, 1989

Butte Co. Valley Irrigator
P.O. Box 67
Newell, SD 57760

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 1455-1 to be published twice. Please publish the first notice on or before April 12, 1989 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Homestake Mining Company, c/o Richard Harr, P.O. Box 875, Lead, SD 57754.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

FIRST TRANSMITTAL NOTICE

TO: Ron Duvall
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

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

Name _____

Newspaper _____





Department of Water & Natural Resources

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

April 6, 1989

Meade Co. Times-Tribune
P.O. Box 69
Sturgis, SD 57785

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 1455-1 to be published twice. Please publish the first notice on or before April 12, 1989 with the second publication 7 days later.

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Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Ron Duvall
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

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

Name

Newspaper



Instruction to Newspaper - Publish first Notice on or before April 12, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1455-1 to Specify the Correct
Location of Irrigated Acreage

Notice is given that Homestake Mining Company, c/o Richard Harr, P.O. Box 875, Lead, SD 57754 has filed an application for a water permit to specify the correct location of 116.8 irrigated acres. Water Permit No. 1148-1 was to appropriate 13.5 cubic feet of water per second (cfs) from the Belle Fourche River to irrigate 948 acres located in portions of sections 1, 12-T7N-R7E and Sections 7, 8, 16, 17, 20 and 21-T7N-R8E. An inspection of Water Permit No. 1148-1 found 439.8 acres being irrigated from the Belle Fourche River and that 116.8 acres of the 439.8 irrigated acres are not located within the area described on Permit No. 1148-1. The correct location of the 116.8 acres is in the E1/2 NE1/4 section 11; NW1/4 Section 12; all in T7N-R7E; SW1/4 SW1/4 Section 6; E1/2 SW1/4 Section 8; SE1/4 Section 7; N1/2 SW1/4, NW1/4 NE1/4 Section 17; all in T7N-R8E. This application does not authorize any increase in diversion rate from the Belle Fourche River.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1455-1 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water and 3) it is in the public interest. This application will be considered by the Water Management Board at 523 E. Capitol, Joe Foss Building, Room 216, Pierre, SD on May 10, 1989 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by April 28, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by April 28, 1989.

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

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Meade) ss.

I, Joan Lewis hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Meade County Times-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 _____

State South Dakota of South Dakota

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

April 12, 1989

April 19, 1989

Joan Lewis
(Signature)

Billing Clerk
(Title)

April 12, 1989
(Date Signed)

Cost of Printing: \$47.50



NOTICE OF HEARING
ON APPLICATION NO. 1455-1
TO SPECIFY THE CORRECT
LOCATION OF IRRIGATED
ACREAGE

Notice is given that Homestake Mining Company, c/o Richard Harr, PO Box 875, Lead, SD 57754 has filed an application for a water permit to specify the correct location of 116.8 irrigated acres. Water Permit No. 1148-1 was to appropriate 13.5 cubic feet of water per second (cfs) from the Belle Fourche River to irrigate 948 acres located in portions of sections 1, 12-T7N-R7E and Sections 7, 8, 16, 17, 20 and 21-T7N-R8E. An inspection of Water Permit No. 1148-1 found 439.8 acres being irrigated from the Belle Fourche River and that 116.8 acres of the 439.8 irrigated acres are not located within the area described on Permit No. 1148-1. The correct location of the 116.8 acres is in the E 1/2 NE 1/4 section 11, NW 1/4 Section 12;

Section 17; all in T7N-R8E. This application does not authorize any increase in diversion rate from the Belle Fourche River.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1455-1 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water and 3) it is in the public interest. This application will be considered by the Water Management Board at 523 E. Capitol, Joe Foss Building, Room 216, Pierre, SD, on May 10, 1989 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by April 28, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605 773-3352)". The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by April 28, 1989.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.3, 46-5-31, and Board Rules ARSD 74-02-01:01 thru 74-02-01:15.



No. 1455-1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Meade) ss.

I, Joan Lewis hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Butte County Valley Irrigator

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

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

April 12, 1989

April 19, 1989

Joan Lewis
(Signature)

Billing Clerk
(Title)

April 12, 1989
(Date Signed)

Cost of Printing: \$46.17

NOTICE OF HEARING
on Application No. 1455-1
to Specify the Correct Location
of Irrigated Acreage

Notice is given that Homestake Mining Company, c/o Richard Harr, P.O. Box 875, Lead, SD 57754 has filed an application for a water permit to specify the correct location of 116.8 irrigated acres. Water Permit No. 1148-1 was to appropriate 13.5 cubic feet of water per second (cfs) from the Belle Fourche River to irrigate 948 acres located in portions of sections 1, 12-T7N-R7E and Sections 7, 8, 16, 17, 20 and 21-T7N-R8E. An inspection of Water Permit No. 1148-1 found 439.8 acres being irrigated from the Belle Fourche River and that 116.8 acres of the 439.8 irrigated acres are not located within the area described on Permit No. 1148-1. The correct location of the 116.8 acres is in the E $\frac{1}{2}$ NE $\frac{1}{4}$ section 11; NW $\frac{1}{4}$ Section 12; all in T7N-R7E; SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 6; E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 8; SE $\frac{1}{4}$ Section 7; N $\frac{1}{2}$ SW $\frac{1}{4}$,

NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17; all in T7N-R8E. This application does not authorize any increase in diversion rate from the Belle Fourche River.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1455-1 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water and 3) it is in the public interest. This application will be considered by the Water Management Board at 523 E. Capitol, Joe Foss Building, Room 216, Pierre, SD on May 10, 1989 at 10:00 a.m. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by April 28, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre, SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by April 28, 1989.

This applicant is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; and the Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

Published Wed., April 12, 1989
and Wed., April 19, 1989
Butte Co. Valley Irrigator
Newell, South Dakota 57760

 **Department of
Water & Natural Resources**

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

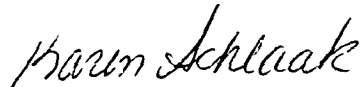
May 2, 1989

Homestake Mining Co.
Richard Harr
PO Box 875
Lead SD 57754

Dear Mr. Harr:

Enclosed is the Report and the Recommendation of the Chief Engineer for Water Permit Application No. 1455-1 which will be considered at the May 10, 1989 Water Management Board Meeting.

Sincerely,



KAREN SCHLAACK
Senior Secretary
605 773-3352

enclosures



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, February 16, 1988

RECEIVED OF Homestake Mining Co., Box 375, 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 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. <u>1148-1</u>	50	00
Fee for Filing Transfer Form _____		
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	50 00

By John Hatch
Chief Engineer JOHN HATCH *ms*

9/15/88

LICENSE FOR PERMIT NUMBER 1148-1 HMC

1. Legal location of wells: NA

dams & structures: Div. Pl: Points between SW 1/4 NW 1/4 Sec. 1 and SW 1/4 SW 1/4 Sec. 8.

2. Well Information: Well Drilling Firm NA

No. of wells _____ Depth _____

Casing a) diameter _____ Screen a) type _____

b) length NA b) length NA

c) type NA Static Water Level NA

#1 Pump a) make Rainmaster Motor a) make John Deere tractor

b) model BDP b) model no. _____

c) size _____ c) horsepower rating 70

d) capacity 2000 GPM d) motor efficiency rating _____

e) turbine pump _____

no. of stages _____

3. Distribution lines:

a) size of lines 10"

b) type Al

c) length 12 feet.

4. Dam information:

a) height to crest _____

b) height to spillway _____

c) crest width _____

d) crest length _____

e) spillway length _____

f) spillway width _____

g) approx. storage _____

h) Distribution lines or canals:

1) size _____

2) type _____

3) length _____

i) Outlet tubes:

1) diameter _____

2) type _____

3) valued (Y/N) _____

4) valve type _____

5) location on structure _____

5. System Type: a) sideroll:

1) length _____ feet

2) diameter of pipe _____

3) make, model & number of sprinklers _____

4) spacing of sprinklers _____

5) nozzle size _____

b) towline:

1) length _____ feet

2) make, model & number of sprinklers _____

3) spacing of sprinklers _____

4) nozzle size _____

5. System Type: c) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) End gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running _____
- 9) GPM _____

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length 19000 ft *
- 2) diameter 100
- 3) spacing of gates 38"

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES

NO

Check Items

- | | | |
|-------|-------|---|
| _____ | _____ | 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit. |
| _____ | _____ | 2. Special Qualifications to permit being abided by. |
| _____ | _____ | 3. All Structures, wells and lands on map. |

REMARKS:

* Total length of gated pipe being used for the whole project.

LICENSE FOR PERMIT NUMBER 1148-1

1. Legal location of wells: _____

dams & structures: _____

2. Well Information: Well Drilling Firm _____

No. of wells _____ Depth _____

Casing a) diameter _____ Screen a) type _____

b) length _____ b) length _____

c) type _____ Static Water Level _____

2 Pump a) make Berkeley Motor a) make John Deere Diesel tractor

b) model _____ b) model no. _____

c) size no tag c) horsepower rating 50 HP

d) capacity 1000 GPM d) motor efficiency rating _____

e) turbine pump _____

no. of stages 6" pump

3. Distribution lines:

a) size of lines 6"

b) type AI

c) length 22 feet

4. Dam information:

a) height to crest _____

b) height to spillway _____

c) crest width _____

d) crest length _____

e) spillway length _____

f) spillway width _____

g) approx. storage _____

h) Distribution lines or canals:

1) size _____

2) type _____

3) length _____

i) Outlet tubes:

1) diameter _____

2) type _____

3) valued (Y/N) _____

4) valve type _____

5) location on structure _____

5. System Type: a) sideroll:

1) length _____ feet

2) diameter of pipe _____

3) make, model & number of sprinklers _____

4) spacing of sprinklers _____

5) nozzle size _____

b) towline:

1) length _____ feet

2) make, model & number of sprinklers _____

3) spacing of sprinklers _____

4) nozzle size _____

5. System Type: c) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) End gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running _____
- 9) GPM _____

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES

NO

Check Items

- | | | |
|-------|-------|---|
| _____ | _____ | 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit. |
| _____ | _____ | 2. Special Qualifications to permit being abided by. |
| _____ | _____ | 3. All Structures, wells and lands on map. |

REMARKS:

LICENSE FOR PERMIT NUMBER 1148-1

1. Legal location of wells: _____

dams & structures: _____

2. Well Information: Well Drilling Firm _____

No. of wells _____ Depth _____

Casing a) diameter _____ Screen a) type _____

b) length _____ b) length _____

c) type _____ Static Water Level _____

3 Pump a) make Dual Prime/Pain Motor a) make John Deere Tractor

b) model 8DP b) model no. _____

c) size _____ c) horsepower rating 70

d) capacity 2000 GPM d) motor efficiency rating _____

e) turbine pump _____

no. of stages _____

3. Distribution lines:

a) size of lines 8"

b) type A1

c) length 20 feet

4. Dam information:

a) height to crest _____

b) height to spillway _____

c) crest width _____

d) crest length _____

e) spillway length _____

f) spillway width _____

g) approx. storage _____

h) Distribution lines or canals:

1) size _____

2) type _____

3) length _____

i) Outlet tubes:

1) diameter _____

2) type _____

3) valued (Y/N) _____

4) valve type _____

5) location on structure _____

5. System Type: a) sideroll:

1) length _____ feet

2) diameter of pipe _____

3) make, model & number of sprinklers _____

4) spacing of sprinklers _____

5) nozzle size _____

b) towline:

1) length _____ feet

2) make, model & number of sprinklers _____

3) spacing of sprinklers _____

4) nozzle size _____

5. System Type: c) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) End gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running _____
- 9) GPM _____

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES	NO	Check Items
-----	----	-------------

- | | | |
|-------|-------|---|
| _____ | _____ | 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit. |
| _____ | _____ | 2. Special Qualifications to permit being abided by. |
| _____ | _____ | 3. All Structures, wells and lands on map. |

REMARKS:

LICENSE FOR PERMIT NUMBER 1148-1

1. Legal location of wells: _____

dams & structures: _____

2. Well Information: Well Drilling Firm _____

No. of wells NA Depth NA

Casing a) diameter _____ Screen a) type _____

b) length NA b) length NA

c) type NA Static Water Level NA

#4 Pump a) make Berkeley Motor a) make 1950 Oliver Diesel

b) model T2-B6JRB M b) model no. _____

c) size _____ c) horsepower rating 100 HP

d) capacity 2500 GPM d) motor efficiency rating _____

e) turbine pump _____

no. of stages _____

3. Distribution lines:

a) size of lines 8"

b) type AI

c) length 20 feet

4. Dam information:

a) height to crest _____

b) height to spillway _____

c) crest width _____

d) crest length _____

e) spillway length _____

f) spillway width _____

g) approx. storage _____

h) Distribution lines or canals:

1) size _____

2) type _____

3) length _____

i) Outlet tubes:

1) diameter _____

2) type _____

3) valued (Y/N) _____

4) valve type _____

5) location on structure _____

5. System Type: a) sideroll:

1) length _____ feet

2) diameter of pipe _____

3) make, model & number of sprinklers _____

4) spacing of sprinklers _____

5) nozzle size _____

b) towline:

1) length _____ feet

2) make, model & number of sprinklers _____

3) spacing of sprinklers _____

4) nozzle size _____

5. System Type: c) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) End gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running _____
- 9) GPM _____

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES

NO

Check Items

- | | | |
|-------|-------|---|
| _____ | _____ | 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit. |
| _____ | _____ | 2. Special Qualifications to permit being abided by. |
| _____ | _____ | 3. All Structures, wells and lands on map. |

REMARKS:

Permit No. 1148-1/1455-1

Water District: Belle Fourche River

Report Of Examination Of Works And/Or Application of Water To Beneficial Use:

I have this day made a thorough examination of the water use system constructed by Homestake Mining Company of Box 875, Lead, SD 57754 holder of Permit No. 1148-1/1455-1, bearing the priority of September 6, 1977, authorizing the diversion of 13.5 cu.ft. per second of Belle Fourche River for irrigation purposes, in Meade County.

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

A. Works used to divert the water:

Pumps: Four pumps for a total capacity of 7,500 gallons per minute.

Motors: John Deere Tractors, 70 and 50 horse power; Oliver Diesel Tractor 100 horse power.

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

19,000 feet of 10 inch gated pipes.

C. Works used to apply water to beneficial use:

Gravity system of irrigation is used.

The system is in the following conditions: Good. The point of diversion is located: #1: 238 feet north, 2422 feet east from the southwest corner of Section 1; #2: 50 feet north 516 feet east from the northwest of Section 12, T7N-R7E; #3: 1151 feet east on the section line between Sections 8 and 17; #4: 556 feet south, 1111 feet east from the northwest corner of Section 17; #5: 640 feet east, 1067 feet south from the center of Section 7, all in T7N-R8E.

The works are capable of diverting and conveying to the place of use 16.7 cu.ft. per second of surface water which is used for irrigation. Water has been put to beneficial use to the maximum extent as follows: See attached sheet comprising a total of 358.4 acres of land and the license should be issued for 5.12 cfs.

Application permit qualifications have been complied with X Yes No

M. Rassool Ahadi

Date: 9/15/88

M. RASSOOL AHADI

Natural Resources Engineer III

DENR, Water Rights Division

NOT TO SCALE



MP Had
Nat. Res. Eng.
12/12/88

Appl No. 1455-1

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1455-1

(1) Homestake Mining Company, of PO Box 875, Lead, SD 57754 made Application No. 1455-1, November 27, 1988 for a water permit to appropriate no additional cubic feet of water per second from the Belle Fourche River, Meade County, South Dakota for irrigation purposes. Permit No. 1455-1, with a priority date of September 6, 1977 was approved May 10, 1989 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Water Permit No. 1455-1 specified the correct location of 116.8 irrigated acres that were not located within the area described in Water Permit No. 1148-1. Approval of Water Permit No. 1455-1 did not authorize an increase in the diversion rate from the Belle Fourche River. The applicable portions of Water Permit No. 1148-1 are incorporated into this Water License No. 1455-1.

(2) It is certified that the applicant 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 5.12 cubic feet of water per second for beneficial use. The location of the diversion points are #1 - 238'N and 2422'E of the SW corner Section 1; #2 - 50'N and 516'E of the NW corner Section 12, T7N, R7E; #3 - 1151'E on the section line between Sections 8 and 17; #4 - 556'S and 1111'E of the NW corner of Section 17; #5 - 640'E and 1067'S of the center of Section 7, T7N, R8E.

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T7N, R7E

Section 1

SE 1/4 SE 1/4	12.9 acres
NE 1/4 SE 1/4	1.4 acres
SW 1/4 SE 1/4	28.4 acres
SE 1/4 SW 1/4	8.5 acres

Section 11

NE 1/4 NE 1/4	7.9 acres
SE 1/4 NE 1/4	5.0 acres

Section 12

NW 1/4 NW 1/4	30.0 acres
NE 1/4 NW 1/4	8.6 acres
SW 1/4 NW 1/4	26.4 acres
SE 1/4 NW 1/4	12.5 acres

T7N, R8E

Section 6

SW 1/4 SW 1/4	3.8 acres
---------------	-----------

T7N, R8E

Section 7

NW 1/4 SE 1/4	15.2 acres
NE 1/4 SE 1/4	9.5 acres
SE 1/4 SE 1/4	30.3 acres
SW 1/4 SE 1/4	2.0 acres

Section 8

SW 1/4 SW 1/4	37.0 acres
NW 1/4 SW 1/4	11.2 acres
NE 1/4 SW 1/4	3.2 acres
SE 1/4 SW 1/4	8.7 acres
SW 1/4 SE 1/4	5.6 acres

Section 17

NW 1/4 NE 1/4	2.7 acres
NE 1/4 NW 1/4	29.2 acres
NW 1/4 NW 1/4	2.7 acres
SE 1/4 NW 1/4	21.3 acres
SW 1/4 NW 1/4	25.4 acres
NE 1/4 SW 1/4	1.2 acres
NW 1/4 SW 1/4	7.8 acres

Total

358.4 acres

WATER LICENSE NO. 1455-1
HOMESTAKE MINING COMPANY
PAGE 2

(4) Pursuant to South Dakota Water Law 46-5-30.1 Homestake Mining Company of Box 875, Lead, SD 57754 the holders and/or owners of Incorporated Water Permit No. 1455-1 is issued a license to appropriate water, the right to use 5.12 cubic feet of water per second from the Belle Fourche River with a priority date of September 6, 1977 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 1455-1 and subject to South Dakota State Law.



SEP 17 1993

JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources



**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.

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

August 22, 2007

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

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

Dear Mr. Pirner:

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

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

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

Sincerely,



Todd A. Duex
Closure Manager

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 21, 2016

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

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

Thanks!
Julie

NOTICE TO SUBMIT THE 2016 IRRIGATION QUESTIONNAIRE

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

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

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

For the Water Management Board

Jeanne Goodman, Chief Engineer
Water Rights Program

enclosures

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

1455-1

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

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

Est. 1908

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

RECEIVED

AUG 12 2019

**WATER RIGHTS
PROGRAM**

August 8, 2019

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

RE: HMC Water License 1455-1; Our File No. 2365.262019.

Dear Eric:

I represent Homestake Mining Company ("HMC") regarding the above-referenced water license. There are five distinct points of diversion from the Belle Fourche River under the license.

By this letter, HMC requests that the points of diversion under the license be changed to a starting point on the Belle Fourche River at approximately the west quarter corner of Section 1, T7N, R7E, and ending at a point on the Belle Fourche River 2,600 feet south and 700 feet west of the southwest corner of Section 16, T7N, R8E. The enclosed map shows these starting and ending points, as well as other information relating to Water License 1455-1.

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

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

Sincerely,

BENNETT MAIN GUBBRUD & WILLERT, P.C.

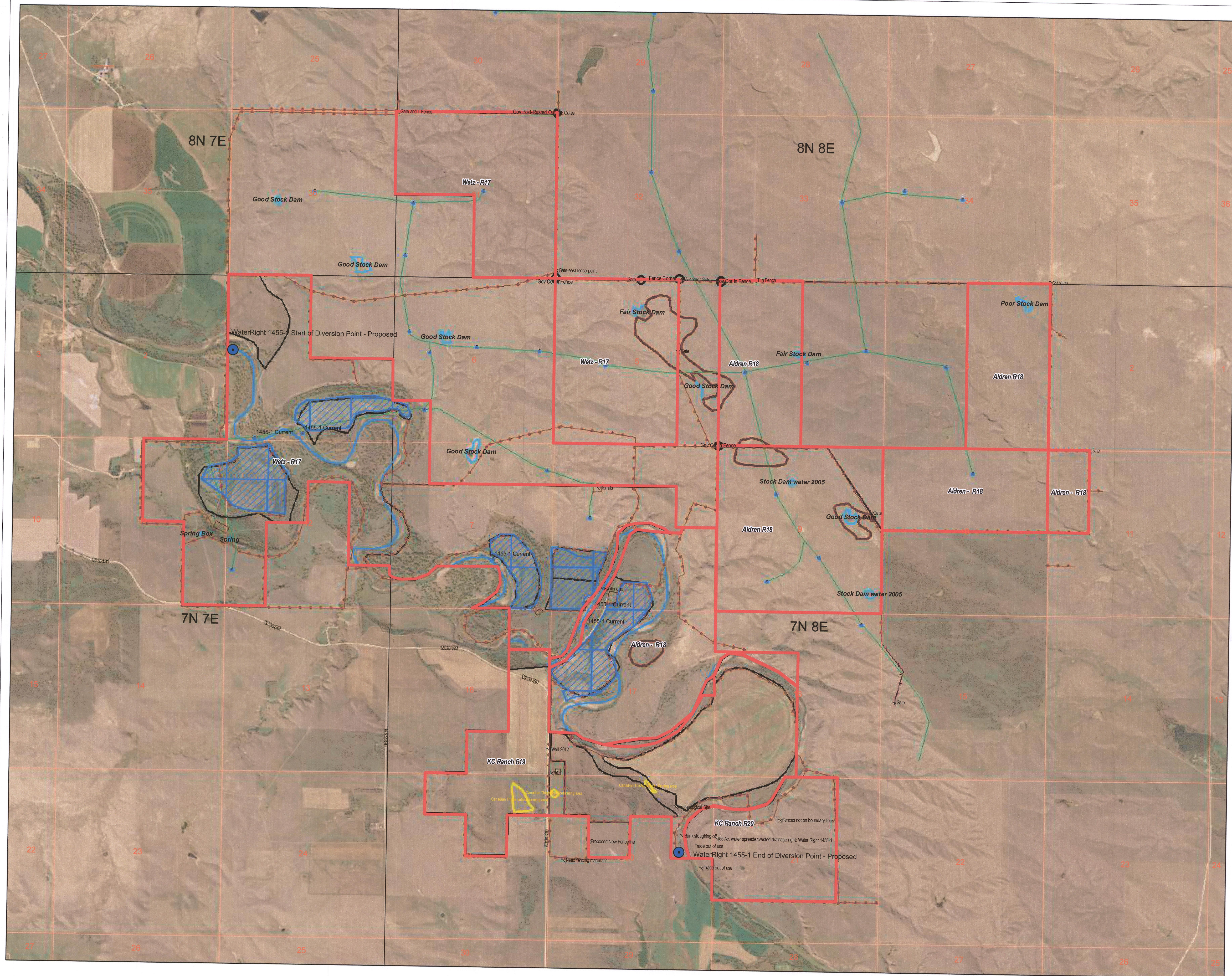
Max Main

Max Main

MM/ak

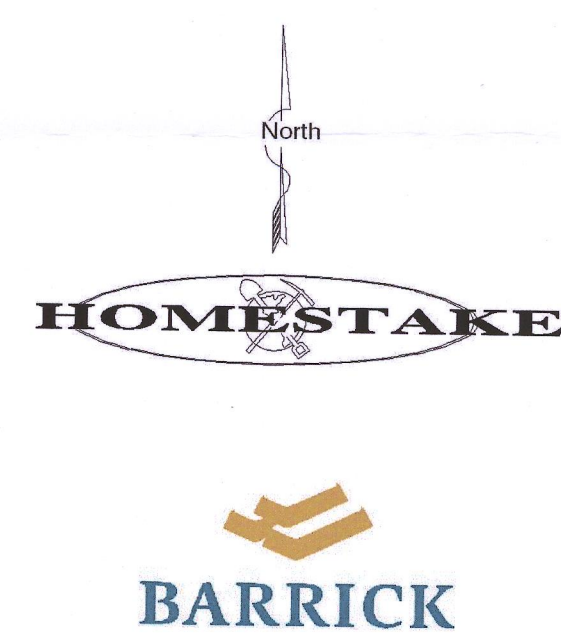
Enc.

cc: Jeff Burich (via email w/o enc.)
Julie Stone (via email w/o enc.)



Legend

- Ag Lease 2017
- WaterRightData
- WaterRightUseArea
- WaterlineEasement
- - - Digitized_Fencelines
- - - GPSfencelines
- Powerlines
- Roads_Easements
- Fields_Pastures
- Weeds
- PrairieDogs_2012
- PrairieDogs
- Water
- x MiscData
- Buildings
- Corner



NAIP/South Dakota 2011 1m Imagery

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

**BFRR COMPOSITE
RANCHES 17-20 WATER
RIGHTS MAP 2019**

Date: JULY 2019
Drawn: kauchampach
Path: BFRR\GIS MAPS
AND DATA\
BFRR-CompositeR17-
AgLeaseMap.mxd



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

August 19, 2019

Max Main
Bennett Main Gubbrud & Willert
618 State Street
Belle Fourche SD 57717

Dear Mr. Main

Homestake Mining Company has filed a request to change the location of the diversion points authorized by Water Right No. 1455-1 from five specific locations to a starting point on the Belle Fourche River at approximately the west quarter corner of Section 1-T7N-R1E and ending at a point on the Belle Fourche River 2,600 feet south and 700 feet west of the southwest corner of Section 16-T7N-R8E. This request for a change is to increase the flexibility in diverting water authorized by the water right.

Water Right No. 1455-1 appropriates 5.12 cubic feet of water per second from the Belle Fourche River to irrigate 358.4 acres.

Upon review of the request and pursuant to SDCL 46-5-13.1, the change in the diversion point locations is authorized as set forth above without application or publication of a notice of hearing pursuant to SDCL 46-2A-4. No increase in the authorized diversion rate from the Belle Fourche River or the irrigated acres is authorized.

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

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program

R7E ^{est}

Approval of Location Change and/or Additional Diversion Point(s)

NAME: Homestake Mining Company

ADDRESS: 11457 Bobtail Gulch Street, Central City SD 57754

DATE: August 13, 2019 **COUNTY:** Meade

GENERAL DESCRIPTION OF AUTHORIZED PROJECT:

The permit holder is authorized to irrigate 358.4 acres from five diversion points from the Belle Fourche River at a total combined diversion rate of 5.12 cfs.

AUTHORITY:

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

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

The permitted water source is the Belle Fourche River. The water right holder will continue to use the Belle Fourche River as the water source for the project.

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

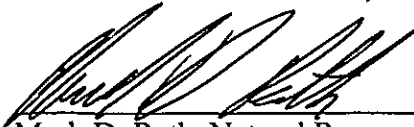
Based upon a review of the map submitted, the lands to be irrigated are the same as is authorized by Water Right No. 1455-1.

- **Review of Existing Diversions**

The existing water right authorizes five separate diversion points along a 5-mile-long stretch of river between Section 1 T7N-R7E and Section 8 T7N-R8E. This proposed change is requesting allowing diversion within an 11-mile-long stretch of river between Section 1 T7N-R7E and Section 20 T7N-R8E. There is only one existing right that was located within the original 8 mile stretch of river and within the 11 mile stretch of river. This existing right would not be expected to be adversely impacted by this change. There would not be expected adverse impacts to any downstream exiting rights either by this change.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the diversion point(s) be licensed as developed.



Mark D. Rath, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.



Jeanne Goodman, Chief Engineer
Water Rights Program

Gronlund, Eric

From: Gronlund, Eric
Sent: Tuesday, August 20, 2019 2:56 PM
To: 'Max Main'
Subject: RE: [EXT] Water Right No. 1455-1, Homestake Mining Company - request for change in diversion point locations

Max

There was an error in the letter. The reference to Section 1 should be Section 1-T7N-R7E. The letter mistakenly referenced the Range as being R1E. Sorry for the error. Eric

From: Max Main <max@bellelaw.com>
Sent: Monday, August 19, 2019 5:18 PM
To: Gronlund, Eric <Eric.Gronlund@state.sd.us>
Subject: FW: [EXT] Water Right No. 1455-1, Homestake Mining Company - request for change in diversion point locations

Eric—

Thanks for the speedy action. I will let HMC know.

Max

Max Main
BENNETT MAIN GUBBRUD & WILLERT, P.C.
Telephone: 605.892.2011

From: bellelaw
Sent: Monday, August 19, 2019 3:53 PM
To: Max Main <max@bellelaw.com>
Subject: FW: Water Right No. 1455-1, Homestake Mining Company - request for change in diversion point locations

JOY NORLIN
Legal Assistant
Bennett Main Gubbrud & Willert, P.C.
Attorneys at Law
618 State Street
Belle Fourche, SD 57717
Telephone: 605.892.2011
Fax: 605.892.4084
Email: joy@bellelaw.com

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From: Gronlund, Eric [<mailto:Eric.Gronlund@state.sd.us>]

Sent: Monday, August 19, 2019 3:17 PM

To: bellelaw <bellelaw@bellelaw.com>

Subject: Water Right No. 1455-1, Homestake Mining Company - request for change in diversion point locations

Attached is a letter authorizing the request to change the diversion point locations to Water Right No. 1455-1.

Eric Gronlund

Water Rights Program, DENR

605 773-3352

Eric.gronlund@state.sd.us

Total Control Panel

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Message Score: 1

High (60): Pass

From: eric.gronlund@state.sd.us

My Spam Blocking Level: Medium

Medium (75): Pass

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This message was delivered because the content filter score did not exceed your filter level.