

WATER PERMIT NO. 1546A-1

Phone: 584-4611

Name of Applicant: Homestake Mining Co.

Post Office Address: PO Box 777, Lead SD 57754

Amount of Water Claimed: no add'l (0.026 cfs) Total Acres: NA

Source of Water Supply: groundwater (Spearfish Creek Alluvium)

Water to be used for: commercial County: Lawrence

About near miles of Cheyenne Crossing

PRIORITY Date Received: 11-29-93 Fee: \$50 Remarks: Change use

permit to year around

Corrected Application Received: 11-29-93 Period of Annual Use: Jan 1 - Dec 31

WATER QUALITY APPROVAL RECEIVED: NA APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES NO REMARKS:

Diversion Point: NW 1/4 NW 1/4 Sec 22-T4N-R2E

Land to be Irrigated:

		⊗			
			22		

Well Log: Driller: Licensed YES NO

Depth of Well: REMARKS: no log available

Type of Map: topo PREPARED BY: Robert J. Sliper Reviewed and the Number

Assigned on: 11-29-93 By: Karen Schlaak

**SOUTH DAKOTA
WATER PERMIT NO. 1546A-1**

Date of first receipt of application November 29, 1993.

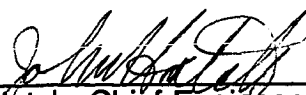
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1546A-1 to Homestake Mining Company, PO Box 777, Lead SD 57754 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 1546A-1 changes the annual use period of Water Permit No. 1546-1 which appropriates 12 gallons per minute (0.026 cubic feet of water per second) up to 5.2 acre feet per year from one well (Spearfish Creek Alluvium) 5 1/2 feet deep located in the NW 1/4 NW 1/4 Section 22-T4N-R2E. This permit proposes changes the annual period of use from May 30 thru September 7 to January 1 thru December 31. This permit does not authorize any increase in the diversion rate or increase in the annual diversion volume above 5.2 acre feet.
2. The water appropriated shall be used for the purpose of supplying water to the Wickiup Cabin Camp and may not exceed the amount of water needed for beneficial use for commercial purposes.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date of approval of Permit No. 1546A-1 is February 28, 1994.
5. The dates from which applicant may claim right are: August 24, 1992 (May 1 - September 7).
November 29, 1993 (September 8 - April 30)
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

The annual volume of water authorized by Permit No. 1546A-1 may not exceed 5.2 acre-feet of water annually.

WATER MANAGEMENT BOARD

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

SEP 1 1994

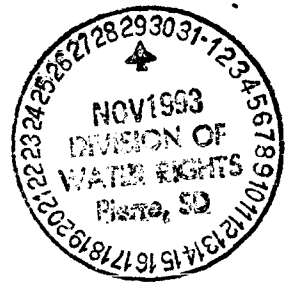
date

FORM 2: Application for uses other than irrigation

(type or print)

Mail to:
Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
605 773-3352

No. 1546A-1 Hydrologic Unit 10120203
Basin Belle Fourche
Newspaper Black Hills Pioneer
(office use only)



Application For Permit To Appropriate Water Within The State Of South Dakota

Check use of water:

☐ Municipal ☐ Suburban Housing ☐ Recreational ☐ Institutional
☐ Rural Water System ☒ Commercial ☐ Fish & Wildlife ☐ Geothermal Heat
☐ Domestic ☐ Industrial ☐ Other _____
(over 18 gpm)

Type of Application: ☐ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one) ☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☒ Amendment/Correction to Permit No. 1546-1

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)

change use period to year round, from May 30 to
Sept. 7.

- Name of Applicant HOMESTAKE Mining Co. Phone (605) 584-4611
(check one) ☐ Owner ☒ Tenant/lessee
- Mailing Address P.O. Box 777 LEAD State SD 57754
(Street, RR, or Box) (City) (Zip Code)
- Amount of water claimed 0.026 *CFS or 12 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Spearfish Creek Alluvium
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) one well in
NW 1/4 NW 1/4 section 22 - T4N - R2E
- County Lawrence
- County or counties where water will be used Lawrence
- Annual period during which water is to be used year round Jan 1-Dec 31
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

STATE OF SOUTH DAKOTA)

County of Lawrence ss

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

Signed

Subscribed and sworn to before me this 19th day of November 19 93

Marilyn Murphy
Notary Public

RECEIPT

413949

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, November 29, 19 93

RECEIVED OF Homestake Mining Co., PO Box 777, Lead SD 57754

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

Fee for Application for Permit No. <u>1546A-1</u> to Appropriate Water, to construct 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 _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer
JOHN HATCH ks

**Report on Water Permit Application No. 1546A-1
Homestake Mining Company
December 29, 1993**

Background

Homestake Mining Company has filed an application to change the annual use period of water authorized under Water Permit No. 1546-1. Water Permit No. 1546-1 authorizes 12 gallons per minute (0.026 cubic feet of water per second) from one well in the Spearfish Creek Alluvium, 5 1/2 feet deep, located in the NW1/4 NW1/4 Section 22, T4N-R2E, in Lawrence County. This application proposes to change the annual period of use from May 30 through September 3, to January 1 through December 31. This application does not authorize any increase in the diversion rate.

Discussion

According to Jim Wainwright, with Homestake Mining Company, the volume of water authorized by Water Permit No. 1546-1 will not increase. The applicant believes that the 5.2 acre feet of water, authorized by Water Permit No. 1546-1, will be sufficient to meet the water needs of the Wickiup Village Cabin Camp. A 1200 gallon storage tank is used to store water.

Due to the depth of the well and its proximity to Spearfish Creek, the well is directly recharged by Spearfish Creek. The applicant must limit diversions and annual water use from the well to the limits authorized by Water Permit No. 1546-1.

Conclusions

1. According to the applicant, there will be neither an increase in the diversion rate nor in the annual volume of the water authorized by Water Permit No. 1546-1.
2. It is recommended that Water Permit Application No. 1546A-1 be approved with following qualification:

The applicant must control the pumping rate so that the annual volume of water pumped does not exceed 5.2 acre feet.


M. Rassool Ahadi
Natural Resources Engineer III

Approved By:


Delvin D. Brosz, P.E.
Natural Resources engineer IV

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1546A-1, Homestake Mining Company

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 1546A-1, Homestake Mining Company, c/o Dennis McKay, PO Box 777, Lead, SD 57754.

The Chief Engineer is recommending APPROVAL of Application No. 1546A-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 qualification:

The annual volume of water authorized by Permit No. 1546A-1 may not exceed 5.2 acre-feet of water annually.

See report on application for additional information.

A handwritten signature in cursive script, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
January 14, 1994



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

February 1, 1994

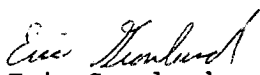
Dennis McKay
Homestake Mining Company
PO Box 777
Lead, SD 57754

Dear Mr. McKay:

Water Permit Application No. 1546A-1 for commercial 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 Publisher of the Black Hills Pioneer printed at Spearfish, SD (Ph # 642-2761). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has 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. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

c: Jim Wainwright, Homestake Mining Company, PO Box 777, Lead, SD 57754



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 1, 1994

Black Hills Pioneer
Box 7
Spearfish, SD 57783-0007

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1546A-1 to be published twice. Please publish the first notice on February 9, 1994, 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, PO Box 777, Lead, SD 57754 (Ph # 584-4611).

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. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
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 February 9, 1994, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1546A-1 to Appropriate Water
and Amend Water Permit No. 1546-1

Notice is given that Homestake Mining Company, PO Box 777, Lead, SD 57754 has filed an application for a water permit to change the annual use period of Water Permit No. 1546-1, which appropriates 12 gallons per minute (0.026 cubic feet of water per second) up to 5.2 acre-feet per year, from one well (Spearfish Creek Alluvium) 5 1/2 feet deep located in the NW 1/4 NW 1/4 Section 22-T4N-R2E. This application proposes to change the annual period of use from May 30 thru September 7 to January 1 thru December 31. This application does not authorize any increase in the diversion rate or increase the annual diversion volume above 5.2 acre-feet.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1546A-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. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 28, 1994.

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 the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Division address to request copies of information pertaining to this application. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources.

Affidavit of Publication

STATE OF SOUTH DAKOTA)
COUNTY OF LAWRENCE) SS.

Billy T. Masterson, Jr. of said County and State being first duly sworn, on his oath says: That the BLACK HILLS PIONEER is a legal daily newspaper of general circulation, printed and published in the City of Spearfish, in said County and State by Billy T. Masterson, and has been such a newspaper during the times hereinafter mentioned; and that said newspaper has a bonafide circulation of at least 200 copies weekly, and has been published within said County in the English language for at least one year prior to the first publication of the notice herein mentioned, and is printed in whole or in part in an office maintained at the place of publication; and That I, **Billy T. Masterson, Jr.**, the undersigned, am the Publisher of said newspaper and have personal knowledge of all the facts stated in this affidavit; and that the advertisement headed:

Notice of Application

a printed copy of which is hereto attached, was printed and published in said newspaper for 2 successive and consecutive weeks, the first publication being made on the 7 day of Feb 1994, and the last publication on the 16 day of Feb 1994, that the full amount of fees charged for publishing same, to-wit: The sum of \$39.67, insures solely to the benefit of the publisher of the BLACK HILLS PIONEER, that no agreement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any other person whomsoever.

Subscribed and sworn to before me this 16 day of Feb 1994.



Notary Public, Lawrence County, South Dakota
My commission expires: 10-24-96

NOTICE OF APPLICATION NO. 1546A-1 to Appropriate Water and Amend Water Permit No. 1546-1

NOTICE IS GIVEN that Homestake Mining Company, PO Box 777, Lead, SD 57754 has filed an application for a water permit to change the annual use period of Water Permit No. 1546-1, which appropriates 12 gallons per minute (0.026 cubic feet of water per second) up to 5.2 acre-feet per year, from one well (Spearfish Creek Alluvium) 5 1/2 feet deep located in the NW 1/4 NW 1/4 Section 22-T4N-R2E. This application proposes to change the annual period of use from May 30 thru September 7 to January 1 thru December 31. This application does not authorize any increase in the diversion rate or increase the annual diversion volume above 5.2 acre-feet.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1546A-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. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 28, 1994.

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 the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Division address to request copies of information pertaining to this application.

Russell L. Stone,
Acting Secretary,
Department of Environment
and Natural Resources.

#330
Feb. 9, 16



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 1 1994

Dennis McKay
Homestake Mining Company
PO Box 777
Lead, SD 57754

Dear Mr. McKay:

Enclosed is Water Permit No. 1546A-1 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 2, 1994

1546-1
1546A-1

Riley Barker
Niwot Capitol Group
PO Box 939
7969 Niwot Road
Niwot, CO 80544

Dear Mr. Barker:

Enclosed are two partially completed "Notice of Transfer of Ownership" forms for use in filing an ownership change with Water Permit Nos. 1546-1 and 1546A-1. These permits currently listed in the name of Homestake Mining Company, are for the Wickiup Cabin Camp. It is our understanding that you now own the camp.

Please complete the forms and sign them in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 each (total of \$5.00).

Water Permit Nos. 1546-1 and 1546A-1 will be transferred to you as soon as the forms and filing fee are returned to our office. I have enclosed a copy of each of the permits. You may keep them for your records.

If you have any questions, please contact me.

Sincerely,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 7, 1994

1546-1
1546A-1

Riley Barker
Niwot Capitol Group
PO Box 939
Niwot, CO 80544-0939

Dear Mr. Barker:

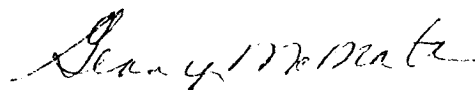
Enclosed are the "Notice of Transfer of Ownership" forms you submitted for filing an ownership change on Water Permit Nos. 1546-1 and 1546A-1.

Near the top of the forms, the line entitled "be transferred to: (name & address) (Telephone No)" needs to be completed. I could complete this section for you with the name and address on the letter, however, I am not sure if this is how you would like your permits to read.

A \$2.50 filing fee is required for filing a "Notice of Transfer of Ownership". Please remit a total of \$5.00 (\$2.50 each) along with the completed transfer forms. We can begin processing the ownership changes upon receipt of the forms and filing fees.

If you have any questions, please contact me.

Sincerely,


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

enclosures

RECEIPT

414302

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____, October 17, 19 94

RECEIVED OF Riley Barker, Niwot Capitol Group, PO Box 939, Niwot, CO 80544-0939

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 <u>Water Permit No. 1546A-1</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John Barker
Chief Engineer

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Division, DENR
523 E. Capitol
Pierre, SD 57501-3181



No. 1546A-1

Date: _____



I\We request that Water Permit No. 1546A-1

formerly owned by: Homestake Mining Company, PO Box 777, Lead, SD 57754

be transferred to: (name & address) Wickiup / Adelphia Partners, L.P.

(Telephone No) 605 584 3382

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

well location: NW 1/4 NW 1/4 Section 22, T4N, R2E (Wickiup Cabin Camp)

I\We understand that the validity of Water Permit No. 1546A-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 at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of _____)

I\We RILEY BARKER being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

[Signature]
(Signed)

Subscribed and sworn to before me this 30th day of September, 19 94.

[Signature]
(Notary Public)

my term expires 3/11/96

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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 8, 1994

No. 1546-1
1546A-1

Riley Barker
Niwot Capitol Group
P.O. Box 939
Niwot, CO 80544-0939

Dear Mr. Barker:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Permit Nos. 1546-1 and 1546A-1.

Our records now show Wickiup/Adelphia Partners, L.P. as the owner of Water Permit Nos. 1546-1 and 1546A-1.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 17 1996

1637-1

Pat Peters
Wickiup/Adelphia Partners, L.P.
P.O. Box 939
Niwt, CO 80544-0939

Dear Mr. Peters:

Enclosed is Water License No. 1637-1. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414922 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 1637-1, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

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

gm
enclosures

NOTE: The applicable portions of Nos. 1546-1 and 1546A-1 have been incorporated into this Water License No. 1637-1.