

WATER PERMIT NO. 1814-1

Name of Applicant: **Homestake Mining Co. of California**

Address: **630 E Summit, Lead SD 57754** Phone: **605 722-4680**

Amount of Water Claimed: **482AF** Total Acres:

Source of Water Supply: **Sawpit Gulch & Bobtail Gulch**

Water to be used for: County: **Lawrence**

Type of Waste Disposal System:

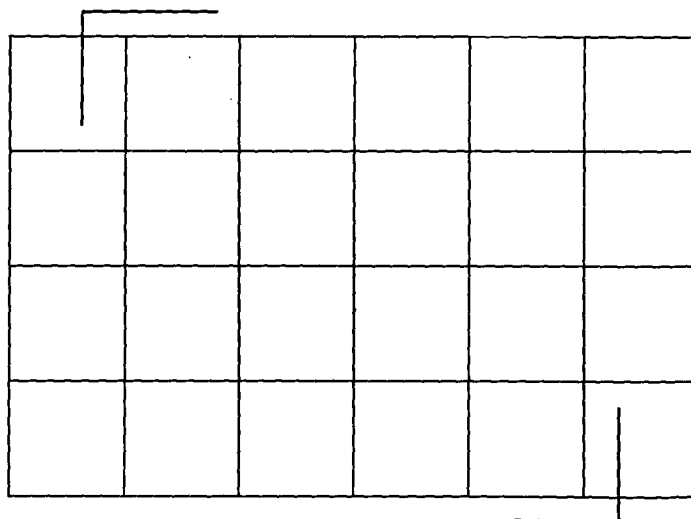
Location:

PRIORITY Date Received: **4-1-04** Application/License Fee: **\$350**

Corrected Application Received: Period of Annual Use: **January 1 – December 31**

Remarks: **Non-consumptive use in a reclamation project for Homestake Mine closure plan**

Diversion Points: **W ½ NW ¼ Sec 27; SE ¼ NE ¼ Sec 29; S ½ NE ¼ and SE ¼ NW ¼ Sec 28; all in T5N-R3E**



Land to be Irrigated: **NA**

Depth of Well: **NA**

Well Driller: : **NA**

Remarks:

Type of Map: **topo**

Prepared by: **Todd Hubbard, PE**

Reviewed and the Number Assigned on: **4-1-04**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

RECEIVED
APR 01 2004
WATER RIGHTS
PROGRAM

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>1814-1</u> (office use only)	Hydrologic Unit <u>10120202</u>
	Basin <u>Belle Fourche R</u>	
	Newspaper <u>Lawrence Co. Centennial Deadwood</u>	

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

Check use(s) of water:

- | | | | |
|---|---|--|--|
| ☐ Municipal | ☐ Suburban Housing | ☐ Recreational | ☐ Institutional |
| ☐ Rural Water System | ☐ Commercial | ☐ Fish & Wildlife | ☐ Geothermal Heat |
| ☐ Domestic (over 18 gpm) | ☐ Industrial | ☒ Other <u>Water Treatment</u> | |

Type of Application: (check one)

- ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☐ Amendment/Correction to Permit No. _____

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

1. Name of Applicant Homestake Mining Company of California Phone (605) 722-4680
(check one) ☒ Owner ☐ Tenant/lessee
- Mailing Address 630 East Summit Lead SD State SD 57754-1700
(Street, RR, or Box and City) Max 835 (Zip Code)
Min 98
Avg 299 **GPM 482 avg ***AF /year
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
2. Amount of water claimed
3. Source of water supply Sawpit Gulch & Bobtail Gulch; and other drainages as described in the Project Description.
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Lawrence
W1/2NW1/4 Sec. 27-T5N-R3E SE1/4NE1/4 Sec. 29-T5N-R3E
S1/2NE1/4; and SE1/4NW1/4 Sec. 28-T5N-R3E
5. County or counties where water will be used Lawrence
6. Annual period during which water is to be used All year.
7. 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)

This is a non-consumptive use of water.
Water will be treated and returned to
Deadwood Creek. See attached Project
Description.

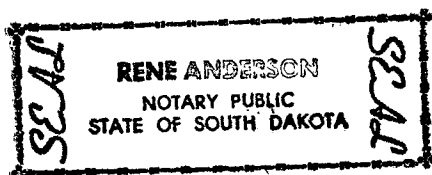
STATE OF SOUTH DAKOTA)
County of Butte SS

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)

I, Max Main for 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.

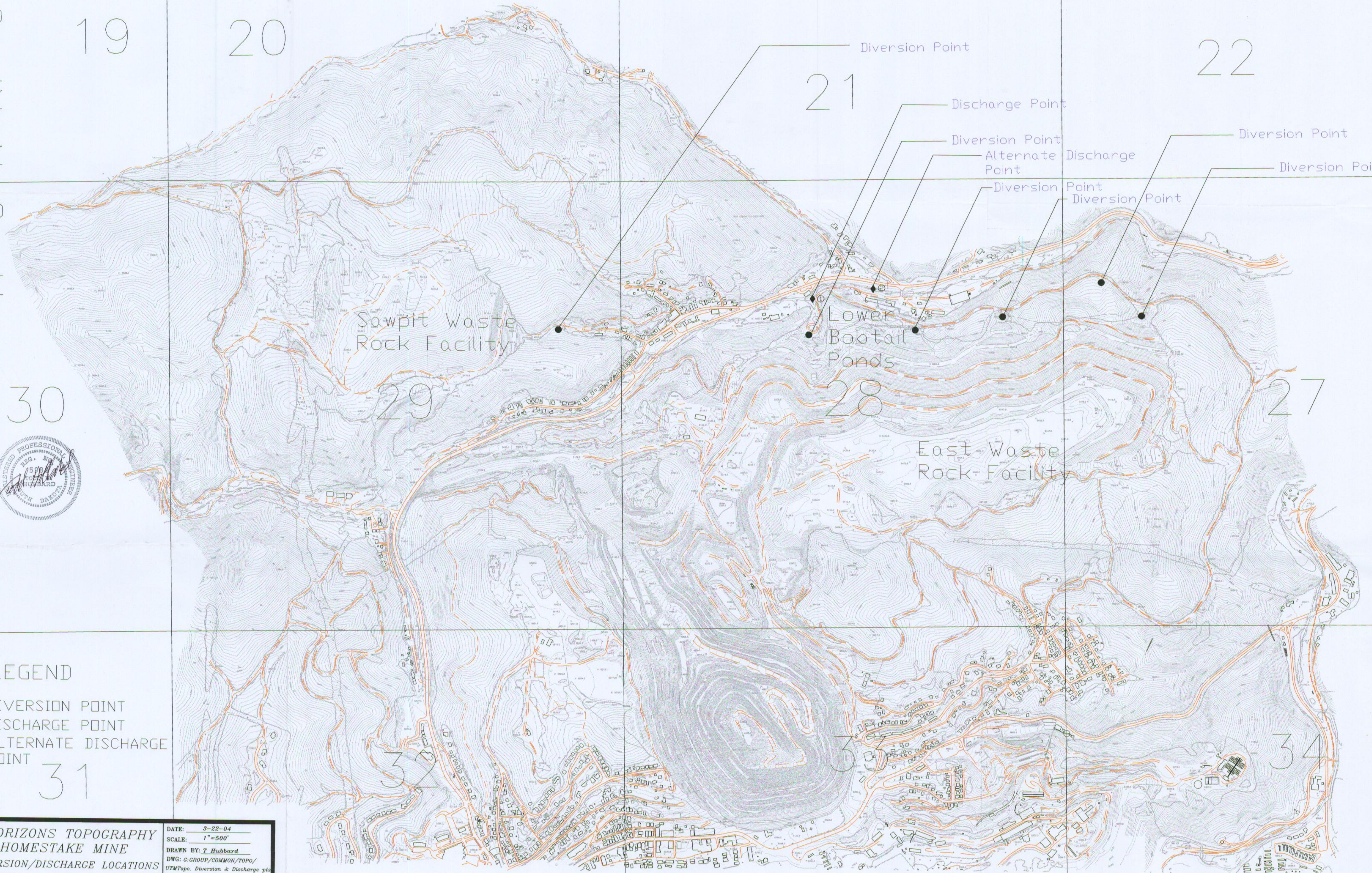
Applicant's signature By Max Main

Subscribed and sworn to before me this 30 day of March 20 04



Rene Anderson
Notary Public signature

Location Map for Diversion and Discharge Points



LEGEND

- DIVERSION POINT
- ◆ DISCHARGE POINT
- ◆ ALTERNATE DISCHARGE POINT

HORIZONS TOPOGRAPHY
HOMESTAKE MINE
DIVERSION/DISCHARGE LOCATIONS

DATE: 3-22-04
SCALE: 1"=500'
DRAWN BY: T. Hubbard
DWG: C-GROUP/COMMON/TOPO/
UTMTopo, Diversion & Discharge pts



1814-1

**SOUTH DAKOTA
WATER PERMIT NO. 1814-1**

Date of first receipt of application April 1, 2004.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1814-1 to Homestake Mining Company, 630 E Summit, Lead SD 57754-1700 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. 1814-1 appropriates 482 acre-feet of water annually as part of the reclamation and closure plan for the Sawpit and East Waste Rock Disposal Facilities. Homestake will collect these near-surface and runoff flows from diversion points located in the W ½ NW ¼ Section 27; SE ¼ NE ¼ Section 29 and S ½ NE ¼ and SE ¼ NW ¼ Section 28; all in T5N-R3E which are located in Sawpit, Bobtail, Blacktail, Gayville, East Gayville and East Ravine Gulches. The maximum combined peak diversion rate will be 1.86 cubic feet of water per second (cfs). The average diversion rate is anticipated to be 0.66 cfs. This includes the treatment of surface and near-surface water emanating from the toe (bottom) of the facilities. The water may be collected in ponds prior to treatment. This will be a non-consumptive use of water. Once the water is treated it will be discharged into Deadwood Creek at a location either in the SE ¼ NW ¼ or SW ¼ NE ¼ of Section 28-T5N-R3E.
2. The water appropriated shall be used for the purpose of treating the water as part of the reclamation and closure plan for Sawpit and East Waste Rock Disposal facilities and may not exceed the amount of water needed for beneficial use.
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. 1814-1 is June 7, 2004.
5. The date from which applicant may claim right is April 1, 2004.
6. One-fifth of the construction is to be completed on or before December 7, 2006.
7. All construction is to be completed on or before June 7, 2009.
8. Water is to be put to beneficial use on or before June 7, 2013.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: Garland Erbele
Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUN 29 2004

date



Project Description

Homestake Mining Company is currently developing closure and reclamation plans for the Sawpit and East Waste Rock Disposal Facilities at the Homestake Mine. The management and treatment of surface and near-surface water emanating from the toe of the waste rock disposal facilities is an integral part of the closure plan.

The South Dakota DENR has recently renewed Homestake's NPDES Surface Water Discharge Permit. Pursuant to the permit and compliance schedule, Homestake is planning to collect the near-surface and surface flows at a diversion point in Sawpit Gulch below the Sawpit Waste Rock Disposal Facility and Bobtail, Blacktail, Gayville, East Gayville, and East Ravine along the north side of the East Waste Rock Disposal Facility. The water may be collected in ponds in Sawpit and Bobtail Gulches prior to treatment and ultimate discharge into Deadwood Creek. Homestake is proposing a discharge point in Bobtail Gulch and an alternate discharge point near the area likely to be utilized for future water treatment systems.

Homestake is also working with the Lead, Deadwood Sanitary District (LDSD) to explore an option to treat some water from either or both waste rock facilities at the LDSD sanitary plant. The LDSD plant also discharges to Deadwood Creek.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date April 1, 20 04

RECEIVED OF Bennett Main & Gubbrud PC., 618 State St., Belle Fourche SD 57717

The following amount in fees for services rendered as provided for by law: Homestake Mining Co.

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	300	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. _____	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	350.00

No. 204284

By Harland Erbe
Chief Engineer gm

LAW OFFICES OF
BENNETT, MAIN & GUBBRUD
A PROFESSIONAL CORPORATION
618 STATE STREET
BELLE FOURCHE, SOUTH DAKOTA 57717-1489
TEL (605) 892-2011
FAX (605) 892-4084
EMAIL: bellelaw@bellelaw.com

MAX S. MAIN*
DWIGHT A. GUBBRUD
*ALSO LICENSED IN WYOMING

RECEIVED
APR 01 2004
WATER RIGHTS
PROGRAM

RETIRED
DONN BENNETT

March 31, 2004

Eric Gronlund
Water Rights Program
DENR
Joe Foss Bldg., 523 East Capitol
Pierre, SD 57501-3181

RE: Homestake Water Right Application; Our File No. 2365. 074002.

Dear Eric:

Enclosed is an original and one copy of Form 2, Application for Uses other than Irrigation, with attached Project Description. Also enclosed are two copies of a map showing the location of the diversion points. Finally, also enclosed is a check in the amount of \$350 as payment of the fee for the amount of water claimed and the final inspection/licensing fee.

Homestake is anxious to move this application along as rapidly as possible, therefore, please let me know if you require additional information, or if you have questions.

Sincerely,

BENNETT, MAIN & GUBBRUD, P.C.



Max Main

MM/ra

Encs.

cc: Client (w/App.)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1814-1, Homestake Mining Company**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 1814-1, Homestake Mining Company, 630 E. Summit, Lead SD 57754-1700. The application was filed by Max Main, Attorney, 618 State Street, Belle Fourche SD 57717.

The Chief Engineer is recommending APPROVAL of Application No. 1814-1 because 1) unappropriated water is available based on the use being a non consumptive use of water, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest because failure to treat water at these points of diversion may impair the waters of the state.

See report on application for additional information.

Garland Erbele, Chief Engineer
May 7, 2004

WATER PERMIT APPLICATION No. 1814-1
Homestake Mining Company
630 E. Summit
Lead, SD 57754-1700
(605)722-4680

Water Permit Application No. 1815-1, Homestake Mining Company, proposes to appropriate 482-acre feet of water from various sites near Lead, SD as part of the reclamation and closure of the Sawpit and East Waste Rock Disposal Facilities. This will be a non-consumptive annual use of water originating from various waste rock dump sites. After treatment the water will be discharged into Deadwood Creek. (Attachment 1)

Review of Proposed Project

Homestake Mining Company is proposing to appropriate 482-acre feet of surface and near surface water annually at sites located in the NW¼ Section 27, the NE¼ Section 29, and the N½ Section 28, all T5N R3E (Attachment 1), at a maximum rate of 1.86 cubic feet per second (cfs). The average collection rate is anticipated to be 0.66-cfs. This water will originate from or near mining waste rock dumps at Sawpit, Bobtail, Gayville, East Gayville, and East Ravine Gulches. The collected water may be stored in ponds before treatment. Once treated, the water will be discharged into Deadwood Creek at either of two locations in the N ½ of Section 28, T5N R3E (Attachment 1).

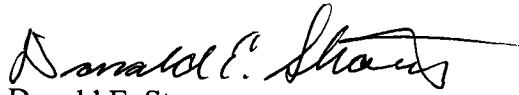
The South Dakota Department of Environment and Natural Resources (DENR) has recently renewed Homestake Mining Company's Surface Water Discharge Permit. Homestake Mining Company is also working with the Lead-Deadwood Sanitary District on an option to treat water from the waste rock facilities at their plant. This water would also be discharged into Deadwood Creek.

Water Source and Existing Water Rights

The water will be collected and treated before discharge into Deadwood Creek. This procedure should have minimal affect on the flow in the creek. There are no water rights on Deadwood Creek.

Conclusions

1. Water Permit Application No. 1814-1, Homestake Mining Company, proposes to appropriate 482-acre feet of water from various sites near Lead, SD as part of their reclamation program and closure of the Lead, SD gold mine.
2. The appropriated water will be treated and discharged into Deadwood Creek.
3. There are no water rights on Deadwood Creek and the proposed collection and treatment of surface and near surface water near the various waste rock dump sites should have little or no affect on the creek's flow.



Donald E. Stroup

Natural Resources Project Engineer

DENR Water Rights Program

Reviewed by:



Mark D. Rath

Natural Resources Engineering Specialist

DENR Water Rights Program

Homestake Mining Co.
630 E. Summit
Lead, SD 57754-1700
(605)722-4680



- Diversion Point
- ▲ Discharge Point





Donald E. Stroup
Natural Resources Project Engineer
DENR Water Rights Program

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA
COUNTY OF LAWRENCE

Dawn Blakeman, Being duly sworn, says, That the Lawrence County Centennial is and, during all times hereinafter mentioned, is a legal newspaper as defined in SDDCL 17-2-2, as amended, published in Deadwood, Lawrence County, South Dakota, by Country Media, Inc.; that affiant is and, during all of said times, was employed as an accounting clerk by the publisher of such newspaper and has personal knowledge of the facts stated in the affidavit; that the notice, order or advertisement, a copy of which is attached, was published in said newspaper for the issue (s) bearing the following dates:

May 20	200	4	200
May 27	200	4	200
RECEIVED	200		200
JUN 07 2004	200		200
WATER RIGHTS PROGRAM	200		200

That the full amount of the fee charged for publishing the same, to-wit the sum of

\$ 52.60, I insure solely to the benefit of the publisher of said newspaper; that no agreement or understanding for the division of the fees has been made with any person, and that no part of the fee has been agreed to be paid to any other person.

Dawn Blakeman

Accounting Clerk

Subscribed and sworn before me this

4 Day of June 2004

Amelia Rubler

Notary Public, South Dakota

My Commission expires

Feb 8, 2007

Water application

NOTICE OF APPLICATION

NO. 1814-1 to

Appropriate Water

Notice is given that Homestake Mining Company of California, 630 E Sum-

mit, Lead SD 57754- 1700 has filed an application for a water permit to appropriate 482 acre-feet of water annually as part of the reclamation and closure plan for the Sawpit and East Waste Rock Disposal Facilities. The maximum combined peak diversion rate will be 1.86 cubic feet of water per second (cfs). The average diversion rate is anticipated to be 0.66 cfs. This includes the treatment of surface and near-surface water emanating from the toe (bottom) of the facilities. Homestake will collect these near-surface and runoff flows from diversion points located in the W1/2 NW1/4 Section 27; SE1/4 NE1/4 Section 29 and S1/2 NE 1/4 and SE 1/4 NW1/4 Section 28; all in T5N-R3E which are located in Sawpit, Bobtail, Blacktail, Gayville, East Gayville and East Ravine Gulches. The water may be collected in ponds prior to treatment. This will be a non-consumptive use of water. Once the water is treated it will be discharged into Deadwood Creek at a location either in the SE1/4 NW1/4 or SW1/4 NE 1/4 of Section 28, T5N, R3E.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1814-1 because 1) unappropriated water is available based on the use being a non consumptive use of water, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest because failure to treat water at these points of diversion may impair the waters of the state. 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 Program, 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 June 7, 2004.

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 Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Instruction to Newspaper - Publish first Notice on May 20, 2004 with the second publication 7 days later. The applicant is responsible for payment.

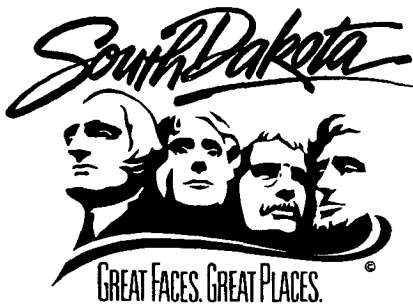
NOTICE OF APPLICATION NO. 1814-1 to Appropriate Water

Notice is given that Homestake Mining Company of California, 630 E Summit, Lead SD 57754-1700 has filed an application for a water permit to appropriate 482 acre-feet of water annually as part of the reclamation and closure plan for the Sawpit and East Waster Rock Disposal Facilities. The maximum combined peak diversion rate will be 1.86 cubic feet of water per second (cfs). The average diversion rate is anticipated to be 0.66 cfs. This includes the treatment of surface and near-surface water emanating from the toe (bottom) of the facilities. Homestake will collect these near-surface and runoff flows from diversion points located in the W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 27; SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29 and S $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28; all in T5N-R3E which are located in Sawpit, Bobtail, Blacktail, Gayville, East Gayville and East Ravine Gulches. The water may be collected in ponds prior to treatment. This will be a non-consumptive use of water. Once the water is treated it will be discharged into Deadwood Creek at a location either in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ or SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, T5N, R3E.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1814-1 because 1) unappropriated water is available based on the use being a non consumptive use of water, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest because failure to treat water at these points of diversion may impair the waters of the state. 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.

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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 Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

May 10, 2004

Lawrence Co Centennial
376 Main, Suite A
Deadwood SD 57732

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 1814-1 to Appropriate Water to be published twice. Please publish the first notice on May 20, 2004 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 of California, Todd A Duex, 630 E Summit, Lead SD 57754-4875 (Ph # 605-722-4680).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, please send us an affidavit or use the enclosed Proof of Publication form. The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 1814-1

TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of May 10, 2004 enclosing Notice of Hearing to Appropriate Water by Application No. 1814-1 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

www.state.sd.us/denr

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

May 10, 2004

Homestake Mining Company of California
Todd A Duex
630 E Summit
Lead SD 57754-4875

Dear Mr. Duex:

Water Permit Application Nos. 1814-1 & 1815-1 for non-consumptive use has been examined and found to comply with the South Dakota Water Laws and applicable rules. The notice of hearings have been sent to the Publisher of the Lawrence Co. Centennial printed at Deadwood, SD (Ph # 605-578-3305). You will need to contact the newspaper and authorize publication of these notices. For your information, a copy of the notices, the recommendations of the Chief Engineer and the reports on the applications are enclosed. Please review the notices 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 Notices of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notices once each week for two consecutive weeks. The newspaper has also 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

c: Max Main, Bennett Main & Gubbrud

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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

JUN 29 2004

Todd A Duex
Homestake Mining Company
630 E Summit
Lead SD 57754-1700

Dear Mr. Duex:

Enclosed are Water Permit Nos. 1814-1 and 1815-1 for Homestake Mining Company. Permit No. 1814-1 authorizes construction of your water diversion system as part of the reclamation and closure plan for Sawpit and East Waste Rock Disposal Facilities. Permit No. 1815-1 authorizes the relocating of a segment of Whitewood Creek to facilitate reclamation of the Yates Waste Rock Facility.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, are enclosed. Please return the completed forms after finishing the projects. An investigation can then be scheduled so the water licenses may be issued, thus completing the acquisition of a water right.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

c: Max Main, Bennett, Main & Gubbrud

1814-1

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 Kallemeyn
Mr. Bill Markley
Mr. Tim Tollefsrud
Mr. Bob Townsend, P.G.



HOMESTAKE MINING COMPANY
11457 Bobtail Gulch Street
Central City, SD 57754

RECEIVED

JAN - 8 2010

WATER RIGHTS
PROGRAM

January 6, 2010

Mr. Eric Gronlund
Natural Resources Engineer
SD Dept. of Environment and Natural Resources
Water Rights Program
523 East Capitol / Joe Foss Building
Pierre, SD 57501-3181

Re: **Homestake Mine**
Water Permit No. 1814-1, Notice of Completion of Works and Application of
Water to Beneficial Use

Dear Mr. Gronlund:

Homestake Mining Company is hereby submitting the *Notice of Completion of Works and Application of Water to Beneficial Use* for Water Permit No. 1814-1. Please contact me at (605) 722-4680 if you have any questions.

Sincerely,

Mark Tieszen
Environmental Manager

1814-1
RECEIVED

JAN - 8 2010

WATER RIGHTS
PROGRAM**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**Date 1/6/2010

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM: Homestake Mining Company
(name)
11457 Bobtail Gulch Street
(address)
Central City SD 57754-3727 (605) 722-4680
(city, state, zip) (phone)

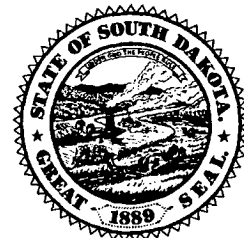
I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 1814-1 states that the water use system is to be constructed by
6/7/2009 (date), and water is to be put to beneficial use by 6/7/2013 (date).

The water use system was completed on 11/1/2006 (date).

Applying the water to beneficial use was completed on 11/1/2006 (date).

You may schedule an investigation so that the water license may be issued.



Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 1814-1

I have this day, Aug 4, 2017 made a thorough examination of the water use system constructed by Homestake Mining Company, 11457 Bobtail Gulch St., Central City, SD 57754 of Permit No. 1814-1, bearing the priority of 4/1/2004 authorizing 1.86 cu. ft. per second water from Sawpit Gulch, and the East Waste Rock Disposal Facilities of Bobtail, Blacktail, Gayville, East Gayville and East Ravine for industrial purposes, in Lawrence County.

Inspection contact & relationship to permit holder, if applicable: **Mark Tieszen, Environmental Manager**
605-641-4789

correspondence: **% Jeff Burich, Closure Manager**
775-397-6819

A. Works used to divert and transport water to place of use:

Homestake collects surface and near surface seepage emanating from the toe of Sawpit and East Waste Rock Facilities as part of Homestake's reclamation and closure plan. Seepage is collected from diversion points in subsurface drainage systems in Sawpit Gulch and the East Waste Rock Facilities of Bobtail, Blacktail, Gayville, East Gayville and East Ravine. The collection and delivery system is mostly gravity flow with pumps utilized at some locations to transport seepage water to a collection pond (Blacktail Feed Pond).

B. Works used to apply water to beneficial use:

The Blacktail Feed pond allows for flow equalization and storage, to ensure a constant flow into the Blacktail Water Treatment Facility. A portion of the treated flows are discharged to the Lead-Deadwood Sanitary District with the balance discharged to surface waters in Deadwood Creek. The Blacktail Treatment Facility began operation in 2006. Monthly discharges to Deadwood creek vary depending on time of year and snow/rainfall amounts. The maximum discharge to date occurred during June 2015 with a combined total to surface waters and Lead Deadwood Sanitary Sewer averaging 1.44 cfs (646 gpm). The Blacktail Treatment Facility has a maximum capacity of 1.86 cfs.

C. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes
list any extended period of nonuse: **none**
- 2) Exceptions to compliance are: **none**

D. Condition and Location:

1. The system is in **good** condition. Diversion points are located as follows:

Sawpit gulch:

SE ¼ NE ¼ Section 29 T5N R3E (44.368189, -103.773977).

Bobtail:

SE ¼ NW ¼ Section 28 T5N R3E (44.369096, -103.761481).

Blacktail:

SW ¼ NE ¼ Section 28 T5N R3E (44.368195, -103.757151).

Gayville:

SE ¼ NE ¼ Section 28 T5N R3E (44.368656, -103.753095).

East Gayville:

NW ¼ NW ¼ Section 27 T5N R3E (44.369908, -103.748667).

East Ravine:

SW ¼ NW ¼ Section 27 T5N R3E (44.368791, -103.746948).

2. The works are capable of diverting and conveying to the place of use **1.86** cu. ft. per second (**835 gpm**) of water which is used for **industrial** (reclamation) use and the license should be issued for **1.86 cfs**.

3. All structures, wells and lands on map **Yes**

F. Comments or other permit(s) associated with the project: none



Steven Quissell
Water Rights Inspector
DENR Water Rights Program

Date Report Completed: Aug 8, 2017



Bobtail drainage and surface water collection pond



Blacktail Water Treatment Plant discharge to
Deadwood Creek



Blacktail drainage area



Blacktail Feed Pond



Gayville drainage and pump site



East Gayville subsurface collection outlet location



East Ravine drainage and pump site



East Ravine collection wells (3)



Sawpit Gulch drainage and pump site

Water Right Nos. 1814-1, 1886-1 and 1886A-1
Homestake Mining Company
Aug 4, 2017

Sec 20
T005N
R03E

Sec 21
T005N
R03E

Sec 22
T005N
R03E

Piping to Blacktail Feed Pond

Sawpit Gulch diversion
Lat: 44.368189
Lon: -103.773977

Bobtail diversion
Lat: 44.369096
Lat: -103.761481

Discharge to Deadwood Creek
Lat: 44.369574 Lon: -103.758621

East Gayville diversion
Lat: 44.369908
Lon: -103.748667

Central City

Blacktail Waste Water
Treatment Plant

Sec 28
T005N
R03E

Gayville diversion
Lat: 44.368656
Lon: -103.753095

East Ravine diversion
Lat: 44.368791
Lon: -103.746948

Sec 27
T005N
R03E

Blacktail diversion
Lon: 44.368195
Lat: -103.757151

Channel diversion start
Lat: 44.363017 Lon: -103.781424

Sec 29
T005N
R03E

Permit #1886-1 and 1886A-1
930' channel reconstruction

2,416'

1,600'

Steven Quissell
Water Rights Inspector
DENR Water Rights Program

Steven Quissell

Sec 32
T005N
R03E

Lead

Sec 33
T005N
R03E

Sec 34
T005N
R03E

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Geomapping, AerGRID, IGN, IGP, swisstopo, and the GIS User Community



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

OCT 10 2017

1814-1
1908-1

Jeff Burich
Homestake Mining Company
11457 Bobtail Gulch St
Central City SD 57754

Dear Mr. Burich:

Enclosed are Water License Nos. 1814-1 and 1908-1. They are the final water right documents completing the process of obtaining Water Rights. Included with the licenses are maps prepared by the staff engineer who conducted the field investigation.

As long as you use the water beneficially, as stated in the Water Licenses, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1814-1

(1) Homestake Mining Company, 11457 Bobtail Gulch St., Central City SD 57754 made Application No. 1814-1, April 1, 2004 for a water permit to appropriate 482 acre-feet of water annually as part of the reclamation and closure plan for the Sawpit and East Waste Rock Disposal Facilities. The permit authorizes diversion of 1.86 cubic feet of water per second from near surface and runoff flows of Sawpit, Bobtail, Blacktail, Gayville, East Gayville and East Ravine Gulches, in Lawrence County, South Dakota for industrial purposes. Permit No. 1814-1, with a priority date of April 1, 2004 was approved June 7, 2004 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 7, 2009 and for the application to beneficial use of said water on or before June 7, 2013.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the water supply system and is entitled to divert 1.86 cubic feet of water per second for beneficial use with a volume of 482 acre feet of water annually as part of the reclamation and closure plan. The location of the diversion points are as follows:

- Sawpit Gulch: SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29 T5N R3E (44.368189, -103.773977);
- Bobtail Gulch: SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28 T5N R3E (44.369096, -103.761481);
- Blacktail Gulch: SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28 T5N R3E (44.368195, -103.757151);
- Gayville Gulch: SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28 T5N R3E (44.368656, -103.753095);
- East Gayville Gulch: NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27 T5N R3E (44.369908, -103.748667);
- East Ravine Gulch: SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27 T5N R3E (44.368791, -103.746948);

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use. Homestake collects surface and near surface seepage emanating from the toe of Sawpit and East Waste Rock Facilities as part of Homestake's reclamation and closure plan. The collection and delivery system is mostly gravity flow with pumps utilized at some locations to transport seepage water to a collection pond.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Homestake Mining Company, 11457 Bobtail Gulch St., Central City SD 57754 the holder and/or owner of Water Right No. 1814-1 is issued a license to appropriate water, the right to use 1.86 cubic feet of water per second from near surface and runoff flows of Sawpit, Bobtail, Blacktail, Gayville, East Gayville and East Ravine Gulches with a priority date of April 1, 2004 from the locations specified in (2) of this license for industrial purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 1814-1.



Jeanne Goodman, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

OCT 10 2017
date

