

SD EForm - 1585LD V3

FORM 2: Application for uses other than irrigation

(type or print)

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	(office use only ) No. _____ Hydrologic Unit _____
	Basin _____
	Newspaper _____

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

Check use(s) of water:

- |  |  |   |  |
|--|--|---|--|
| <input type="checkbox"/> Municipal                         | <input type="checkbox"/> Suburban Housing      | <input type="checkbox"/> Recreational                                       | <input type="checkbox"/> Institutional   |
| <input checked="" type="checkbox"/> Rural Water System     | <input type="checkbox"/> Commercial            | <input type="checkbox"/> Fish & Wildlife                                    | <input type="checkbox"/> Geothermal Heat |
| <input checked="" type="checkbox"/> Domestic (over 18 gpm) | <input checked="" type="checkbox"/> Industrial | <input checked="" type="checkbox"/> Other Mining (uranium in-situ recovery) |  |

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 Powertech (USA) Inc. Phone (303) 790-7528

(check one)  Owner  Tenant/lessee

Mailing Address 5575 DTC Parkway, Suite #140 Greenwood Village CO 80111  
(Address) (City) (State) (Zip Code)

2. Amount of water claimed 1.228 \*CFS or 551 \*\*GPM 888.8 \*\*\*AF  
(\*Cubic Feet per Second) (\*\*Gallons per Minute) (\*\*Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Madison aquifer

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County \_\_\_\_\_  
Madison Water Well #1 in NW1/4 NW1/4 Section 32, T6S, R1E  
Madison Water Well #2 in NW1/4 NE1/4 Section 11, T7S, R1E

5. County or counties where water will be used Custer and Fall River

6. Annual period during which water is to be used January 1 - December 31

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)  
See attached report. The Dewey-Burdock Project is a proposed in-situ recovery (ISR) project that will include ISR well fields and processing facilities. The targeted uranium mineralization is in the Inyan Kara Group. Madison aquifer water is primarily proposed for aquifer restoration following ISR. Madison water also may be used as the general facility water supply and for domestic and livestock use by local ranchers.

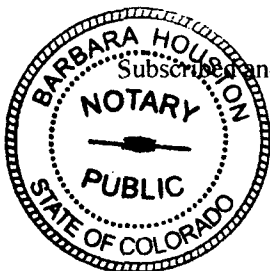
STATE OF SOUTH DAKOTA )  
County of Argo ) SS

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

I, Richard Blubaugh, 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 Richard E. Blubaugh

Subscribed and sworn to before me this 6<sup>th</sup> day of June 2012



expiration date  
3/9/2014

Barbara Houston  
Notary Public signature

### Supplemental Information

(type or print in ink)

#### 1. Well Information - Proposed Construction

- a) Drill Hole Diameter 6" - 13" Depth ~2700-3400'
- b) Casing Type Steel Diameter 7" - 10" Thickness TBD
- c) Screen Type Open hole Diameter N/A Thickness N/A
- d) Gravel Pack N/A Length of Gravel Pack N/A
- e) Depth to Top of Water Bearing Material ~2,700 to ~3,100' (top of Madison Limestone)
- f) Depth to Water (ground surface to water level) ~100' below to ~100' above ground surface
- g) Distance to nearest existing domestic well: Note: refer to report accompanying Inyan Kara water right application for well inventory within 2 km of project area.  
 On applicant's property See Inyan Kara rpt. On property owned by others See Inyan Kara rpt.

#### 2. Wastewater Disposal System Information

Septic system for domestic waste, deep disposal wells and/or land application for process waste water

- a) Type of System (i.e. septic tank, drain field) \_\_\_\_\_
- b) System Capacity (gallons) \_\_\_\_\_ Year Constructed \_\_\_\_\_
- c) Connected to the City of N/A Sanitary System \_\_\_\_\_

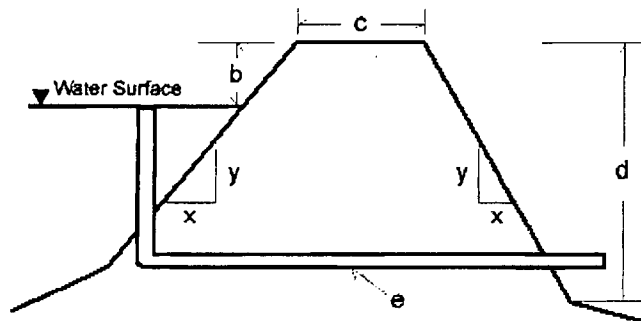
#### 3. Dugout Information

- a) Surface Dimensions N/A Depth \_\_\_\_\_
- b) Depth to water (ground surface to water level) \_\_\_\_\_

#### 4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:  
N/A



- b) Freeboard \_\_\_\_\_
- c) Crest Width \_\_\_\_\_  
Crest Length \_\_\_\_\_
- d) Height \_\_\_\_\_
- e) Primary Outlet Capacity \_\_\_\_\_  
If pipe, diameter \_\_\_\_\_
- f) Secondary Spillway Capacity \_\_\_\_\_  
Spillway Width \_\_\_\_\_
- g) X & Y Slope (e.g. 3 to 1 is a typical slope)  
Upstream \_\_\_\_\_  
Downstream \_\_\_\_\_
- h) Surface Area of Impoundment \_\_\_\_\_
- i) Storage \_\_\_\_\_ Acre Feet
- j) Drainage Area Above Dam \_\_\_\_\_ Acres

**APPLICATION INSTRUCTIONS FOR WATER PERMIT  
FOR NONIRRIGATION USES**

If you need assistance with your application, please contact Eric Gronlund at (605) 773-3352 or stop by our office in the lower level of the Foss Building, 523 E Capitol, Pierre SD. Please don't hesitate to ask for help! Additional information is available on the Water Rights Program website at <http://denr.sd.gov/wr>.

A completed application for a water permit must include the following information.

1. TWO COMPLETED COPIES OF FORM 2, Application for uses other than irrigation.
2. A map, no smaller than 8"x11", showing:
  - a) The location of the diversion point (place where water is to be taken from) in relation to a government section corner or quarter corner by direction and distance.
  - b) If diversion is from a reservoir, the location of the high water line and lands under water, with the names of the owner's (if other than the applicant) and the capacity of the reservoir at maximum pool elevation.
  - c) If diversion is from a stream, the location and name of the stream.
  - d) The map must be signed by one of the following: registered land surveyor, registered professional engineer or by any government employee (Natural Resources Conservation Service, Consolidated Farm Services Agency, etc.) who normally prepares maps as part of his assigned duties.
3. If diversion is from a well, dugout or storage dam, two completed copies of Form 2A must be submitted with Form 2. Also, provide any supplemental plans or drawing for any storage reservoir. If diversion is from a well, a well log or driller's test log signed by a South Dakota licensed well driller MUST accompany the application. If the well is to be completed into a formation below the Greenhorn, an estimate of the depth of the well, proposed construction of the well and formations encountered can be submitted in lieu of a test hole log. When the well is constructed, the driller's log of the completed well must be submitted to this office within 30 days of completion.
4. If diversion is for a suburban housing development, trailer park, campground or any commercial use, complete the applicable portions of Form 2A regarding the wastewater disposal system.
5. According to South Dakota Statutes, the following filing fees are to be submitted with each application:  
Amount of water claimed (cfs or gpm) should be the actual pump capacity -- NOT an average pump rate.

*First 120 acre feet per year (75 gallons per minute) or portion thereof:	\$500.00
Second 120 acre feet per year (75 gallons per minute) or portion thereof:	\$250.00
Each additional 120 acre feet per year (75 gallons per minute) or portion thereof:	\$100.00
(120 acre feet per year = 75 gpm continuous use)	

Fee for final inspection/licensing of an approved application: \$200.00

(If your application is approved, a licensing inspection will be completed following development of your water use project. Issuance of a water license is the final step in obtaining a water right in South Dakota.)

Example: Filing fee for 90 gpm would be \$750.00 plus the \$200.00 inspection/licensing fee for a total of \$950.00.

\*The fee to appropriate 0.10 cfs (45 gpm) or less is \$100.00 plus a \$200.00 inspection/licensing fee. If filing an application to change a diversion point location or to add a diversion point to an existing permit, please contact the Water Rights Program prior to submitting any application fee.

(over)

The filing fee for a future use permit application equals 10% of the comparable fee calculated by using the above fee structure excluding the \$200.00 inspection/licensing fee. If after the seven year review the permit is allowed to remain in effect, another 10% filing fee is required. When an application for part or all of the reserved water under a future use is received, the applicable fees must be paid.

The forms, signed map, fees and any other pertinent information for filing a permit application should be submitted to: PMB 2020 Department of Environment and Natural Resources, Water Rights Program, 523 East Capitol Ave, Pierre, SD 57501-3182 Phone (605) 773-3352.

6. Notice of an application must be published in one local county newspaper for two successive weeks. The publication notice will be sent to the newspaper by the Water Rights Program. THE COST OF PUBLICATION IS THE RESPONSIBILITY OF THE APPLICANT.