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:

- [ ] Municipal
- [ ] Rural Water System
- [ ] Domestic (over 18 gpm)
- [ ] Suburban Housing
- [ ] Commercial
- [✓] Industrial
- [ ] Recreational
- [ ] Fish & Wildlife
- [✓] Other Mining (uranium in-situ recovery)
- [ ] Institutional
- [ ] Geothermal Heat

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 (Address) Greenwood Village (City) CO (State) 80111 (Zip Code)
2. Amount of water claimed _____ *CFS or _____ **GPM _____ ***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 Inyan Kara aquifer
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County _____
   See Sec. 2.5 and Fig. 1-2 in attached report; includes all or portions of Sec. 20-21 and 27-35, T6S, R1E, Custer County; and all or portions of Sec. 1-5, 10-12 and 14-15, T7S, R1E, Fall River County.
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 uranium in-situ recovery (ISR) project that will include ISR well fields and processing facilities. Production and injection wells will target uranium mineralization in the Inyan Kara Group. The vast majority of Inyan Kara water withdrawn will be reinjected, such that the net withdrawal will not exceed 274.2 AF per year total.

STATE OF SOUTH DAKOTA)
County of Arapahoe) 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 6th day of June 20 12

BARBARA HOUSTON NOTARY PUBLIC STATE OF COLORADO

Barbara Houston
Notary Public signature

Expiration date 3/9/2016

2010-01

Form 2A
(Complete applicable portions only)

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

a) Drill Hole Diameter 8" - 10" Depth ~200' to ~800'

b) Casing Type PVC Diameter 4-1/2" - 6" Thickness SDR 17 min

c) Screen Type Factory slot Diameter Variable Thickness Variable

d) Gravel Pack Silica sand Length of Gravel Pack Variable

e) Depth to Top of Water Bearing Material ~80' to ~760'

f) Depth to Water (ground surface to water level) See pot. surface maps in enclosed report

g) Distance to nearest existing domestic well:

On applicant's property See report On property owned by others See report

2. Wastewater Disposal System Information Not yet constructed

a) Type of System (i.e. septic tank, drain field) Septic system for domestic waste, deep disposal wells and/or land application for process waste water

b) System Capacity (gallons) _____ Year Constructed _____

c) Connected to the City of N/A Sanitary System

3. Dugout Information

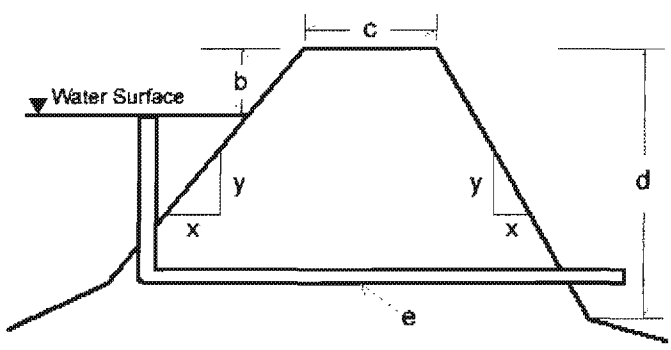
a) Surface Dimensions N/A Depth _____

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:
Powertech (USA) Inc. will work with the Water Rights Program to determine which ponds require permitting. The pond locations are depicted on Figures 2-4 and 2-5 of the attached report.



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

2010-01

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: (120 acre feet per year = 75 gpm continuous use)	$100.00
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.