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**WATER RIGHTS
PROGRAM**

X

Susan R. Henderson
11507 Hwy 471
Edgemont, SD 57735
November 19, 2012

Mr. Eric Gronlund
Waters Program, DENR
State of South Dakota
Foss Building, 523 E. Capitol
Pierre, SD 57501

Dear Mr. Gronlund:

Re: Petition in Opposition to Powertech (USA), Inc.
Applications 2685-2 and 2686-2 to Appropriate Water
For In Situ Leach Uranium Mining in Custer and Fall River
Counties SD called the Dewey-Burdock Project

By this letter, I wish to request the automatic delay of at least 20 days to allow me to better prepare and opposition response to Permit Applications 2685-2 and 2686-2.

Drought and Water Volumes:

I am a cattle rancher in Fall River County. My ranch has been in the Henderson Family since 1902. The general area is prone to periods of extreme drought, balanced only partially by better rainfall years. Over the years our family has spent thousands of dollars building dams and dugouts, drilling two deep water wells (1710 feet deep) and developing a natural spring to water the south end of our property. We also spent thousands building pipelines to the Igloo area where we can buy water from the Provo Township Water System which uses a Madison well drilled by the US Army when the Black Hills Army Depot was in operation.

The year 2012 was marked by extreme drought and not one of the many dams and dugouts on the ranch had water for livestock use. Without the spring and the deep water well and the pipeline system we could not have run any cattle at all on this 16 square mile ranch.

Powertech plans to appropriate billions of gallons from the Inyan Kara and the Madison aquifers where the ranch gets its water. I am greatly concerned that this will draw down the water in the wells and the spring thereby irrevocably damaging our water system. Without sufficient volumes of water I could not run cattle operations on this ranch.

Water Quality Issues:

Powertech plans to use caustic chemicals to dissolve the ground around the wells, dissolve the ore containing uranium in water then force it to the surface under considerable pressure. In my opinion, this will also cause normally inert contaminants to dissolve in the water. These include, Arsenic, Selenium, heavy metals, sulfates, phosphates, and potentially other contaminants plus the radioactive ore itself. When they put this back into the wells under pressure, they will surely contaminate the water with these items. Given the huge volumes of these water wells and the

scope and duration of this project, I believe that over time this will cause these contaminants to appear in the water tables and contaminate our water sources. This would be catastrophic for my ranch.

Potential Contamination from the Black Hills Army Depot:

The Black Hills Army Depot (BHAD) was a US Army 21,000 acre site which operated as a munitions dumping ground from 1941 to 1968. The Army blew up millions of tons of munitions in open pits and dumped thousands of tons of nerve agents, blood agents, mustard gas, Lewisite, white phosphorous, phosgene, and other contaminants in some 200 miles of trenches. These terribly toxic chemical warfare agents have percolated down into the ground. They are soluble in water and oil, never decompose, and when burned at temperatures greater than those to melt steel merely produce a toxic gas also just as lethal.

I served as the Restoration Advisory Board Chairman for 10 years beginning in 1991 and reviewed thousands of pages of documents about the military's activities at the BHAD. The site has been designated as a Super Fund Site but no clean-up has begun due to funding issues and the severe problem of how to dig up the buried agents for remediation. To date no viable or feasible means of destroying these kinds of contaminants has been designed.

I believe that if we begin to damage the underground structures in a way such as large scale in situ leach mining will do, we will ultimately cause these buried chemical warfare agents to infiltrate the water tables causing incalculable damage. We must not take this risk.

Other Issues:

I have other concerns about this project and reserve the right to bring these forward once I have had more time to review the water permit filings and the mineral permit filings.

Very truly yours,



Susan R. Henderson
Owner, Henderson Ranch

Cc: Richard Blubaugh
Powertech (USA), Inc.
5575 DTC Parkway Suite 140
Greenwood Village, Colorado, 80111

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Susan R. Henderson
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Mr. Eric Gronlund
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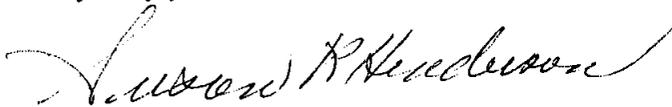
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I believe that if we begin to damage the underground structures in a way such as large scale in situ leach mining will do, we will ultimately cause these buried chemical warfare agents to infiltrate the water tables causing incalculable damage. We must not take this risk.

Other Issues:

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Very truly yours,



Susan R. Henderson
Owner, Henderson Ranch

Cc: Richard Blubaugh
Powertech (USA), Inc.
5575 DTC Parkway Suite 140
Greenwood Village, Colorado, 80111

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WATER RIGHTS PROGRAM

STATE OF SOUTH DAKOTA

BEFORE THE WATER MANAGEMENT BOARD

IN THE MATTER OF POWERTECH,)
)
APPLICATION NOS. 2786-2)
2686-2)

OBJECTION

The Clean Water Alliance, an organization of South Dakota and Lakota citizens, by and through its undersigned counsel, hereby objects to the above-described application to appropriate water filed on behalf of Powertech. This objection is based upon the grounds and for the reason that the granting of such permits will adversely effect the future surface and subsurface water rights of South Dakota and Lakota citizens and their ability to use our water resources for domestic, commercial, and other uses.

Some of the issues of concern raised by these permits include:

1. The proposal for a uranium mine northwest of Edgemont would use huge amounts of water.
2. Powertech Uranium has asked the state for a permit to extract 551 gallons per minute from the Madison aquifer.
3. They have also applied for a permit to extract 8,500 gallons per minute from the Inyan Kara formation. 9,000 gallons per minute equals 12,960,000 gallons per day. Multiply that by 365 days and then by a ten years, and this equals 47 billion gallons of our water.
4. According to the company, the project may last as long as 20 years. The company plans to drill two or more wells into the Madison aquifer and a total of 1500 wells into the Inyan

Kara.

5. "Only" 1000 wells would operate at any one time. According to the company, the project would consume (use up) 2.76 billion gallons of the water. This water would no longer be available to communities, ranches, and families.
6. After it is used for mining, the water that is not consumed or left in the aquifer would be treated in one of two ways: The company prefers to pump it underground -- below drinking water sources - where it would no longer be available to communities, ranches, and families. It could be sprayed on the ground, which has created a build-up of toxic materials, including selenium, at other sites.
7. Much of the water would be used repeatedly, but it would be contaminated and would not be available for other uses. Our aquifer will never be the same.
8. The federal government wants South Dakotans to pay for water from the Missouri River. We live in a semi-arid area, and droughts are a regular occurrence. If this project goes through, we will lose access to critical groundwater resources.

The CWA further objects to these applications for our water on the grounds that any well allowed by this application will interfere with and adversely affect existing water rights and is not in the public interest.

Dated this 22 day of November, 2012.


BRUCE ELLISON
P.O. Box 2508
Rapid City, SD 57709
Attorney for Clean Water Alliance

CERTIFICATE OF SERVICE

It is hereby certified that a true and correct copy of the Clean Water Alliance's Objections were mailed this date to:

CHIEF ENGINEER
Water Rights Program
Foss Building
523 E. Capitol
Pierre, SD 57501

POWERTECH
C/o Richard Blubaugh
5575 DTC Parkway, Suite 140
Greenwood Village, CO 80111

Dated this 23rd day of November, 2012.

A handwritten signature in black ink, appearing to read "Bruce", is written over a horizontal line. The signature is cursive and includes a large initial "B" and a flourish at the end.

STATE OF SOUTH DAKOTA

BEFORE THE WATER MANAGEMENT BOARD

IN THE MATTER OF POWERTECH,)
) MOTION FOR CONTINUANCE
APPLICATION NOS. 2786-2)
2686-2)

The Clean Water Alliance, an interested party in the above-entitled proceeding, by and through the below-signed attorney, hereby moves the Chief Engineer to continue the hearing set for December 5, 2012, before the Water Management Board. This request is made on the grounds and for the reasons that the Clean Water Alliance needs additional time to review the application and reports prepared in this matter so that it can present evidence and testimony in opposition to the applications filed by Powertech.

Dated this 23 day of November, 2012.

Respectfully submitted,

[Handwritten signature of Bruce Ellison]

BRUCE ELLISON
P.O. Box 2508
Rapid City, SD 57709
Attorney for Clean Water Alliance

CERTIFICATE OF SERVICE

It is hereby certified that a true and correct copy of the Clean Water Alliance's Motion for Continuance was mailed this date to:

CHIEF ENGINEER
Water Rights Program
Foss Building
523 E. Capitol
Pierre, SD 57501

POWERTECH
C/o Richard Blubaugh
5575 DTC Parkway, Suite 140
Greenwood Village, CO 80111

Dated this 23 day of November, 2012.

[Handwritten signature of Bruce Ellison]

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Jennifer Belitz
28233 Cascade Rd
Hot Springs, SD 57747

11/24/2012

Attn: Eric Gronlund
DENR

As a proud citizen, landowner, and mother in SD. I fervently oppose permitting Powertech Inc. any aquifer water for it's in-situ leach mining operations.

This company operated in TX where they relaxed water protection regulations.

In CO, when the state introduced legislation that would require the company to return water back to it's original condition, Powertech Inc. attempted to sue the state, then gave up and is focusing on mining operations here. (Where citizens and legislators care less about their water?)

I am originally from a small town in ND recently overrun by another dirty energy industry (OIL). I am in shock at how fast a peaceful, beautiful, healthy place can be turned upside down with seemingly little resistance by the state and no rights given landowners. Basically, if you value the beauty of your surroundings, the clean air, and water you've been accustomed to, you will LEAVE to find it again elsewhere.....please look into how many ND residents have recently move to SD (many are the "core" citizens that built the churches and schools there).

These types of mining operations should not have any priority in this state which thrives on agriculture, tourism, and a population of residents that are here because of the beauty, culture, and healthy environment SD offers.

CLEAN WATER IN AN AQUIFERconsider our semi-arid climate, recent droughts, population growth, the amount of the earths water already polluted.....CLEAN WATER IN AQUIFERS is the last thing we should be permitting for a Candadian energy company already denied by our neighbors in CO.

How will the state of SD protect those of us who have wells in these aquifers for domestic and livestock use? How will SD ensure us our children (who absorb chemicals at a higher rate than adults) are not being poisoned and will not have a dry or polluted well in the future??

Powertech Inc. prefers to pump it's polluted water into the ground below current wells used for water. I'd like to make the point that our shallower wells have recently been found to be contaminated with farm and other chemicals. In the future we may have to go deeper for clean uncontaminated water. This out of site/ out of mind approach is nearly passing on the pollution to our children.

This water is too precious to all of us....

Thankyou for protecting your fellow South Dakota families from radioactive pollution, destruction of cultural sites, and most of all polluted water.

Jennifer Belitz

Weld County land owner Robin Davis, a co-founder of C.A.R.D. whose ranch is adjacent to Powertech's proposed mine site, praised the ruling. "Powertech had told us from day one that they could and would restore our water. Instead of making good on that promise, the company instead sought through the courts to eliminate ground water protections and exclude the public from the process. If it can't fulfill its promises of protecting our precious water supplies, Powertech should formally abandon this risky project."

"In-situ mining remediation not as reliable as you think" by Howard Williams, Greeley Tribune - May 21, 2009 Note: Mr. Williams gives an overview of the 2008 report by hydrogeologist Bruce Darling on 27 Texas in-situ leach uranium mines where groundwater restoration standards were relaxed by Texas environmental officials after mine operators were unable to return elevated levels of uranium and other heavy metals back to baseline pre-mining levels. As Williams points out, five of these mines are cited on Powertech's website as examples of ISL operations that successfully cleaned up the aquifers. For a posting on Dr. Darling's report and Powertech's claims, go [here](#).

POWERTECH FOLDS

Canadian company doesn't appeal the dismissal of its lawsuit against new Colorado uranium mining rules; is the Centennial project dead?

Posted August 29, 2012

Powertech Uranium Corp. has apparently decided to not appeal the July 13 dismissal of its lawsuit challenging new Colorado rules regulating in-situ leach uranium mining. Soon after announcing the proposed Centennial ISL uranium project in 2007, Powertech assured local Weld County, Colorado landowners that it could conduct ISL uranium mining and restore groundwater aquifers to pre-mining water quality.

But when northern Colorado residents and legislators sought to incorporate this concept into state law, Powertech sang another tune. The Canadian company vigorously opposed the 2008 legislation that eventually passed by overwhelming bipartisan majorities, and fought subsequent regulations drafted by the Colorado Mined Land Reclamation Board. After the MLRB unanimously adopted the rules on August 12, 2010, Powertech filed a lawsuit seeking to overturn them. After delays by Powertech, the case was finally dismissed on July 13 of this year.

The deadline for filing a notice of appeal with the district court was Monday, August 27. A second deadline for filing a notice of appeal with the appellate court is Friday, August 31. Since both filings are required in this case, one can assume that Powertech has missed the Monday deadline and therefore is not appealing the judge's dismissal order.

The decision to not appeal is one more indication that Powertech has given up on the controversial Centennial project. In the last year, Powertech has directed federal and state regulators to cease all permitting activities, closed its Wellington, Colorado project office, transferred or laid off the project manager and support staff, allowed key land options to expire, listed project real estate for sale, and announced that it is shifting its attention and resources to the proposed Dewey-Burdock project in South Dakota.

However, Powertech is unlikely to publicly admit that it has terminated the project since it wants investors, Canadian broker-dealers and hedge fund managers, and potential acquirers and "strategic partners" to think the Centennial project is still an economically-viable uranium project. JW

X

11-23-12

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Dear Chief Engineer

I'm filing a petition to oppose issuing water permits to Powertech out of the Madison and Inyan Aquifers. Our ranch is supplied by both of these aquifers. The vast amounts taken from Inyan Karo could the levels to a point our well could be useless. We have multiple dams on our ranch but are empty due to the reoccurring drought. Experts project more drought in 2013. If the water recedes due to water use by Powertech who would be responsible for all the ranchland that would be useless without water. If contamination would occur the research shows you have to obtain another water source. In this area there are no other sources. The Madison aquifer supplies all our rural water systems and towns.

Agriculture is our leading industry and the strongest economy, why would anyone leave to chance our water supply to a foreign company. This company wants to use South Dakota water to mine uranium due to the fact it is the cheapest way to mine. The risk could result to South Dakota water shortages and contamination that might not be realized until it is irreversible.

Sincerely
Cindy Brunson
11172 Fort Sisco Rd
Edgemont,
SD 57735

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11-23-12

Dear DENR

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Sincerely
Cindy Brunson
11122 Fort Dodge Rd
Edgemont,
SD 57735

Could you please provide me with information on this application.

Chief Engineer
Water Rights Program
Foss Building
523 E. Capitol
Pierre, SD 57501

Mr. Richard Blubaugh
Powertech (USA) Inc.
5575 DTC Parkway, Suite 140
Greenwood Village, CO. 80111

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WATER RIGHTS
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RE: Water Permit Applications No. 2685-2 and 2686-2

Dear Mr. Erbele and Mr. Blubaugh:

I am requesting to be an intervenor in the above water permit applications. This is also my request for a reasonable extension of time on the upcoming hearing.

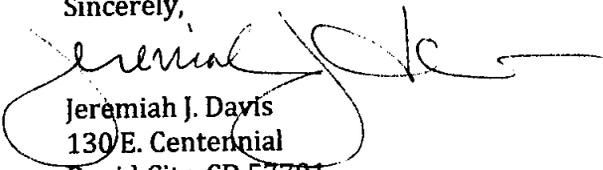
The decision to resume uranium exploration and mining in the southern Black Hills is not one that should be taken lightly. Our water resources, including the Madison Formation, are crucial to the survival of our region, including the timber, ranching, and tourism industries. The southern Black Hills have cultural resources, including the prehistoric rock art at Craven Canyon, which should be preserved for future generations. The increasing grip of drought and the on-going pine beetle epidemic are a reminder that the natural environment of the Black Hills is fragile.

Decades after the earlier uranium mining in the Black Hills, there are still unsightly pits and other disturbances, particularly in Fall River County. The negative health consequences of long-term exposure to even low level radiation is well-documented. It is not clear that the applicant has the financial wherewithal to cover the costs of the destruction of forest and water resources which may be a direct consequence of uranium mining in our region.

Please keep me informed of all proceedings and documents related to these applications.

Thank you.

Sincerely,



Jeremiah J. Davis
130 E. Centennial
Rapid City, SD 57701
(605) 348.5867

Defenders of the Black Hills X
He Sapa O'nakijin

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P. O. Box 2003, Rapid City, SD 57709

Phone: (605) 399-1868

Nov. 23, 2012

Chief Engineer Erbele
Water Rights Program
Foss Building
523 E. Capitol
Pierre, SD 57501

Powertech (USA) Inc.
c/o Richard Blubaugh
5575 DTC Parkway, Suite 140
Greenwood Village, CO 80111

Re: Water Permit Applications No. 2685-2 and 2686-2

Dear Mr. Erbele and Mr. Blubaugh:

Regarding Water Permit Applications No. 2685-2 and 2686-2, on behalf of the Defenders of the Black Hills, we will be presenting testimony at the Hearing scheduled for Dec. 5, 2012. However, we are always requesting a delay of the Hearing so that more input may be made available to the South Dakota Water Board on this very serious application.

Our interest in this application is our concerns for the amount of water that will be taken out of the aquifer system; the pollution of the water, both at the surface and underground; and the far-reaching effects this project will have on the entire state of South Dakota.

Please keep us informed of all actions and documents regarding this Application.

Thank you.

Sincerely,



Charmaine White Face, Coordinator

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Water Rights Program
Chief Engineer
Foss Building
523 E Capital
Pierre, SD 57501

Dear Sir,

I am opposed, at this time, to Application no. 2685-2.

I ranch south of the proposed uranium project. Some of the land is within one mile of the project. I operate a 600 head cow/calf ranch operation on 16000 ac.

I have 10 domestic wells producing water in the Inya Kara formation. My cattle rely almost entirely on well water to supply their needs. The wells are from 240ft. to 800ft. deep. I have 2 wells that have submersibles which supply water to 22 miles of pipeline with tanks. I have pumpjacks and windmills on some wells that flow and some that don't flow.

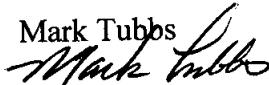
Five wells flow water from 8gpm to 1/2 gpm. The well that flows 8gpm has produced water since it was drilled in 1923 for an oil well test. This well is sufficient to water a large # of cattle in the winter at 30 below zero while staying open. Wildlife use this small pond, especially when it is so dry.

I have not been assured by this application that the availability of the water I am using will be the same as it has been in the past. It will take a large expenditure of money and labor on my part to sufficiently water my livestock and keep the water open.

Quality and quantity of water needs to be addressed, so that after mining the water is as good or better than the baseline monitoring.

The future of ranching for this generation and the next ones needs to be protected, by making sure the water resource is protected by monitoring, management, and bonding.

I request to speak at your application hearing for no. 2685-2. Thank You,

Mark Tubbs

10891 River Road

Edgemont, South Dakota

57735

6056627302

X

Jerri Baker
705 North River Street
Hot Springs, SD 57747

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Statement of Interest

I am writing to be put on the agenda concerning Power Tech, and the Large Scale Mining Permit, including water permits, before the State of South Dakota and the boards to that over see these. I am interested in speaking on these topics, on December 5th 2012.

Please note my email to send me information or if you have any questions concerning this statement.

Jerri Baker

11-21-12

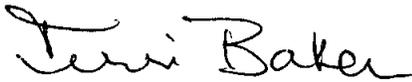
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Jerri Baker
705 North River Street
Hot Springs, SD 57747

Reason for Opposition

To Whom This May Concern,

I worked at an UMTRA clean-up site in Colorado. I strongly oppose Power Tech mining uranium outside Edgemont, South Dakota. I am concerned about the quality of air and water that will be present if you decide to allow them to mine. I would like the opportunity to voice my opinion.



Jerri Baker

11-21-2012

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**City of
Hot Springs**

303 North River Street

Hot Springs, South Dakota 57747

Don De Vries
Mayor

Phone (605) 745-3135

November 20, 2012

DENR
Water Rights Program
Foss Building
523 East Capital
Pierre, SD 57501

Re: Water application for permits: 2685-2, and 2686-2

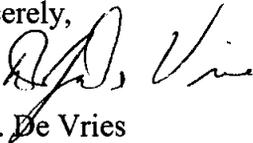
Dear Sirs:

The Hot Springs City Council has asked me to write this letter because of our concern of the groundwater in our region. The water consumption of PowerTech could cause irreparable damage to our quality or perhaps availability of water for our region. We would like to see economic growth in the area, but we are asking your consideration to be cautious in water permits, keeping our present and future needs in mind.

To proceed this project must be done with assurance that our groundwater will remain available, and the quality of our water would not be diminished. We would like to be informed of the future activities so we can inform our community if problems maybe forth coming. We feel we need to be prepared to make educated decisions.

We are planning for a representative from the City of Hot Springs to be at the meeting December 5, in Pierre. A special meeting is being held at the Fall River Court house on Monday the 26th of November and we plan to learn more about this project at that meeting. We will be better informed after this meeting, and will also be aware of our county's decisions. Thank you for lettings us express our concerns.

Sincerely,



D. J. De Vries
Mayor

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November 19, 2012

Eric Gronlund
Water Rights Program, DENR
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

Mr. Richard Blubaugh
Powertech Inc.
5575 DTC Parkway
Suite 140
Greenwood Village, CO 80111

Dear Mr. Gronlund and Mr. Blubaugh,

I received the DENR notice of November 9, 2012 and am writing to request to be a citizen intervenor in Water Right Permit Application Nos. 2685-2 and 2686-2 filed by Powertech. As a health professional specializing in disease prevention and wellness spanning a career of forty years, I strongly object to the extraordinary usage of water proposed and the public health, wildlife and agricultural risks it presents for an arid climate like western South Dakota. Additionally, the EPA has not accepted ISL as an acceptable and safe technology and data on mines in many other states show failure at aquifer restoration with none having fully restored an aquifer to pre-mining water quality. Fall River County and Custer County have suffered from extreme drought and the irresponsible usage of water proposed and potential ruination of water resources for the area is a risk viewed as extremely unwise.

Lastly, due to the incredible amount of data in the scientific literature and the exponential water losses occurring nationwide due to the extraction industry, it would seem prudent to delay this hearing. I thus request that DENR postpone the December 5th hearing and that EPA experts be invited for input, that the public be given more information from scientific independent evaluators and that more intensive study be given to this very potentially toxic operation.

In Health,



Rebecca R. Leas, Ph.D.
Professor Emeritus
6509 Seminole Lane, Rapid City, SD 57702

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Powertech (USA) Inc.
c/o Richard Blubaugh
5575 DTC Parkway, Suite 140
Greenwood Village, CO. 80111

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Dear Mr. Erbele and Mr. Blubaugh:

I am requesting to be an intervenor in the above water permit applications.

Please regard this letter as my request for an extension of time on the hearing.

I am a member of the Black Hills Chapter of Dakota Rural Action. I am very concerned about the negative impact that uranium mining in the Black Hills will have on our water supply. Water is a critical resource that we must protect. An ample supply of clean water is critical to the economy of the Black Hills and should not be risked for short-term gain. For these reasons, I urge you to delay this hearing.

Please keep me informed of all proceedings and documents related to these applications.

Thank you.

Sincerely,

Barbara Cromwell

Barbara Cromwell
2313 Cruz Drive
Rapid City, SD 57702

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Chief Engineer
Water Rights Program

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523 E. Capitol
Pierre, SD 57501

Nov. 21, 2012

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Dear Mr. Ebele,

I am requesting to be an intervenor in the above water permit applications.

As a concerned physician and as a member of Dakota Rural Action, I believe the use to which these applications would be put constitutes a threat to both our local populace and our environment, endangering the health of both.

I urge you to delay this hearing in order that more complete exposition and assembly of relevant data can be achieved.

Please regard this letter as my request for an extension of the hearing, and please keep me informed of all proceedings. Thank you.

Sincerely,

Donald A. Kelley MD
12637 Merritt Hill Estes Rd.
Deadwood, SD 57732

Chief Engineer
Water Rights Program
Foss Building
523 E. Capitol
Pierre, S.D. 57501

X
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Dear Mr Erbele:

I Am requesting to be an intervenor
in the ~~below~~^{below} water Permit Applications.

RE: Water Permit Applications

NO. 2685-2 and 2686-2

AS A lifelong resident + Rancher
of western so. DAK. I Am opped to such
questionable water uses-

Please Keep me informed of
all Proceedings and documents
related to these Applications.

Thank you sincerely,

Marvin Kammerer

Marvin Kammerer

22198 Elk Vale Rd.

Rapid City, So. DAK.

57701

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X.

12747 Oak Road
Hot Springs, SD 57747
November 21, 2012

Dear Sus:

I contest the permit of
Powertech for it would
contaminate this area's water.
Our water is supplied by
the source they will deplete.

Yours truly,
Doris Belytz

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To Eric Gronlund,

We have a ranch about a mile of the proposed
leach uranium mining. We oppose it due to
health hazards and loss of water.

Respectfully,

Terry Belity
12747 Oak Road
Hot Springs, SD 57747

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November 21, 2012

✓ Chief Engineer (Mr. Erbele)
Water Rights Program
Foss Building
523 E. Capitol
Pierre, SD 57501

Powertech (USA) Inc.
c/o Richard Blubaugh
5575 DTC Parkway, Suite 140
Greenwood Village, CO. 80111

RE: Water Permit Applications No. 2685-2 and 2686-2

Dear Mr. Erbele and Mr. Blubaugh:

I am requesting to be an intervenor in the above water permit applications.

Please regard this letter as my request for an extension of time on the hearing.

I am a member of Dakota Rural Action, Black Hills. As a citizen concerned about the harmful effects of uranium mining in the Black Hills who recognizes our water as a precious resource that needs to be preserved and protected from this dangerous contamination, I urge you to **delay** this hearing.

Please keep me informed of all proceedings and documents related to these applications.

Thank you.

Sincerely,



Gena M. Parkhurst
PO Box 1914
Rapid City SD 57709

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↑

418 N. 44th Street
Rapid City, SD 57702
November 20, 2012

Chief Engineer
Water Rights Program
Foss Building
523 E. Capitol
Pierre, SD 57501

Powertech (USA) Inc.
c/o Richard Blubaugh
5575 DTC Parkway, Suite 140
Greenwood Village, CO. 80111

RE: Water Permit Applications No. 2685-2 and 2686-2

Dear Mr. Erbele and Mr. Blubaugh:

I am requesting to be an intervenor in the above water permit applications. I am interested in this application because I am interested in water allocation in western South Dakota. I oppose this application, because it is not in the public interest, the requested water use would negatively impact other water users, and the proposed use is not a beneficial use.

I request that the hearing on this matter, currently scheduled for December 5, 2012, be delayed.

Please keep me informed of all proceedings and documents related to these applications.

Thank you.

Sincerely,



Liliya Jarding, Ph.D.

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Chief Engineer
Water Rights Program
Foss Building
523 E. Capitol
Pierre, SD 57501

Powertech (USA) Inc.
c/o Richard Blubaugh
5575 DTC Parkway, Suite 140
Greenwood Village, CO. 80111

RE: Water Permit Applications No. 2685-2 and 2686-2

Dear Mr. Erbele and Mr. Blubaugh:

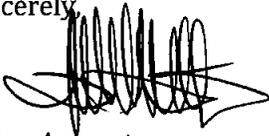
I am requesting to be an intervenor in the above water permit applications. Please regard this letter as my request for an extension of time on the hearing.

I am a member of Dakota Rural Action, Black Hills. As a citizen concerned about the harmful effects of uranium mining in the Black Hills who recognizes our water as a precious resource that needs to be preserved and protected from this dangerous contamination, I urge you to delay this hearing.

Please keep me informed of all proceedings and documents related to these applications.

Thank you.

Sincerely,



Jillian Anawaty
2804 Willow Ave
Rapid City, SD 57701

, November 19, 2012

X

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19 November 2012

Dear Mr. Erbele and Mr. Blubaugh:

RE: Water Permit Applications No. 2685-2 and 2686-2

I am requesting to be an intervenor in the above water permit applications.

I am requesting to be an intervenor as a resident of the Black Hills, as I will be directly impacted by the water usage the mine permits request.

I am also requesting that the permit hearing be pushed back from the Dec. 5, 2012.

Please keep me informed of all proceedings and documents related to these applications.

Thank you.

Sincerely,

Sabrina King
14705 Halter Ct.
Piedmont, SD 57767

X

SAMPLE INTERVENOR LETTER - MUST BE RECEIVED IN PIERRE BY NOVEMBER 26, 2012

This letter must be completed if you want to testify at the hearing on the water permits in Pierre.

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ADDRESS TO (must send to both):

Chief Engineer
Water Rights Program
Foss Building
523 E. Capitol
Pierre, SD 57501

Powertech (USA) Inc.
c/o Richard Blubaugh
5575 DTC Parkway, Suite 140
Greenwood Village, CO. 80111

RE: Water Permit Applications No. 2685-2 and 2686-2

Dear Mr. Erbele and Mr. Blubaugh:

I am requesting to be an intervenor in the above water permit applications.

Here -- insert your interest in the applications and your reason(s) for opposing the applications.

Contamination of water, and the volume of water used

Please keep me informed of all proceedings and documents related to these applications.

Thank you.

Sincerely,

Gary Heckenlible

*GARY HECKENLIBLE
P.O. Box 422
Rapid City, S.D. 57709*

Here -- insert your signature, name and mailing address. Insert the name and mailing address of your attorney, if you have one.

*For more information on the Clean Water Alliance's position, see www.bhcleanwateralliance.org
For more information on the state's position, see http://denr.sd.gov/wrimage/pub/2685-2_app.pdf,
which is Powertech's version of the applications.*



DEPARTMENT OF GAME, FISH, AND PARKS

Foss Building
523 East Capitol
Pierre, South Dakota 57501-3182

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November 26, 2012

Mr. Eric Gronlund
Water Rights Program
Foss Building
523 East Capitol Ave
Pierre, SD 57501

**Re: Water Right Application No. 2685-2 and No. 2686-2
Powertech USA, Inc.
Custer and Fall River Counties**

Dear Mr. Gronlund:

This letter is to inform you of the South Dakota Department of Game, Fish, and Parks intent to request party status in the above referenced water right applications. At this time, we are neither in support nor opposition to these applications, but are requesting party status due to the Department's interest in large-scale mining operations and their potential impacts on fish and wildlife resources.

If you have any questions, please contact me at (605) 773-6208.

Sincerely,

Leslie Murphy
Senior Biologist



IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE
Water Resources Division
1201 Oakridge Drive, Suite 250
Fort Collins, Colorado 80525-5596



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WATER RIGHTS
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November 20, 2012

L54(2380)
WICA/Water Rights

Mr. Garland Eberle
Chief Engineer
Water Rights Program, Foss Building
523 E. Capitol
Pierre, SD 57501

Mr. Richard Blubaugh
Powertech (USA) Inc.
5575 DTC Parkway, Suite 140
Greenwood Village, CO 80111

Re: Letter of Intervention concerning Power Tech (USA) Inc. South Dakota Water Permit Application No. 2685-2 for 888.8 acre-feet annually of groundwater from the Madison aquifer for uranium mining purposes

Dear Mr. Eberle and Mr. Blubaugh,

The National Park Service (NPS) received notice of South Dakota Water Permit Application No. 2685-2 by Powertech (USA) Inc. to withdraw up to 888.8 acre-feet of groundwater per year from the Madison aquifer for uranium mining purposes. The proposed points of diversion are located in the Dewey – Burdock area of South Dakota and are situated approximately 25 – 30 miles west southwest of Wind Cave National Park (Wind Cave NP) and 20 miles south southwest of Jewel Cave National Monument.

Since the water level in the Madison aquifer is below the cave formations in Jewel Cave, the NPS is primarily concerned about the impacts of the proposed withdrawals and the associated mining operation on groundwater within Wind Cave. As you are aware, groundwater within the Madison aquifer is found within the cave system and naturally fluctuates depending on aquifer recharge and discharge. Groundwater fills depressions and passages within the cave resulting in water bodies of various sizes commonly referred to as the park's underground lakes. Current scientific studies indicate that Madison aquifer groundwater is integral to ongoing cave evolution and the NPS is required by law to protect the existing groundwater quantity and quality for the continuation of cave forming processes within Wind Cave NP.

The South Dakota Department of Environment and Natural Resources (DENR) issued a report to the Chief Engineer, dated November 2, 2012, evaluating the potential impacts of the proposed withdrawals as required by state law. The DENR report concluded that drawdown from the

proposed withdrawals are unlikely to be measured at Wind Cave NP due to the distance between the proposed points of diversion and the park's underground lakes. The NPS appreciates the DENR's inclusion of an analysis of potential impacts to water levels within Wind Cave NP from the proposed withdrawals.

The maintenance of naturally occurring water levels is of critical importance to the NPS. Due to a lack of sufficient hydrologic and geologic information for the area of concern, which precluded a robust scientific analysis, DENR necessarily used its professional judgment to conclude that the proposed withdrawals are unlikely to make a measureable impact to water levels within Wind Cave NP.

Therefore, the NPS supports the proposed Qualification 5 in the recommendation of the Chief Engineer for Water Permit Application No. 2685-2: "The permit holder under this permit shall control withdrawals from the wells so there is not a significant adverse effect on the water flow from area springs or a significant adverse effect on the water quality and character in area springs." Assuming this qualification is included in the Permit, monitoring of spring flow and groundwater levels will be necessary to determine if these protections are achieved. Data derived from monitoring will increase our knowledge on how the Madison aquifer responds to existing and future withdrawals.

Additionally, the NPS recommends that the applicant contribute funding to the groundwater model currently being constructed by the U.S. Geological Survey for the Madison and Minnelusa aquifers for the entire Black Hills region. When completed this groundwater model will become a valuable tool in estimating aquifer and spring flow response to existing and proposed groundwater withdrawals. For more information about this groundwater model, please contact Dr. Andrew Long of the U.S. Geological Survey, South Dakota Water Science Center in Rapid City at (605) 394-3237.

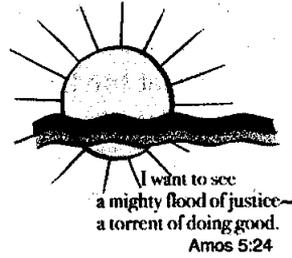
If you have any questions concerning this letter, please contact Jeff Hughes of my staff at (970) 225-3527.

Sincerely



For William R. Hansen
Chief, Water Rights Branch

cc: WICA - Superintendent



SOUTH DAKOTA PEACE & JUSTICE CENTER

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19 N Pine St. Vermillion, SD 57069
605-920-8945

www.sodakpic.org

19 November 2012

Chief Engineer
Water Rights Program
Foss Building
523 E. Capitol
Pierre, SD 57501

Powertech (USA) Inc.
c/o Richard Blubaugh
5575 DTC Parkway, Suite 140
Greenwood Village, CO. 80111

RE: Water Permit Applications No. 2685-2 and 2686-2

Dear Mr. Erbele and Mr. Blubaugh:

On behalf of the South Dakota Peace & Justice Center (SDPJC), I am requesting to be an intervenor in the above water permit applications.

The SDPJC is committed to environmental stewardship and the economic security of South Dakota's most vulnerable citizens. We have worked in past with Owe Aku (Bring Back the Way), the South Dakota Sierra Club, and Dakota Rural Action on environmental issues such as the proposed Hyperion oil refinery in Union County. Likewise, we joined in coalition in opposition against Black Hills Power rate hikes in 2010. A dual commitment to responsible stewardship of our common resources and natural heritage is absolutely integral to the Center's mission of advancing peace and justice for all South Dakotans.

It is on account of our concern for economic and environmental justice that the SDPJC opposes Powertech's water use applications for the proposed Dewey Burdock Project in Fall River and Custer Counties.

Our opposition stems chiefly from two circumstances. Firstly, in situ leaching (ISL) is an extremely water-intensive process, such that Powertech is asking to draw 551 gallons per minute from the Madison aquifer and 8,500 gallons per minute from the Inyan Kara aquifer. To put this in perspective, the entirety of Rapid City only draws 4,800 gallons per minute. After it is used for mining, the water that is not directly consumed (by Powertech's own estimates up to 2.76 billion gallons) or left in the aquifer would essentially be removed from use for communities, ranches, and families.

South Dakota farmers are struggling through of the worst draughts in recent memory, and the aquifers on which they and the rest of the Black Hills depend for water are depleted as it is. To give away such massive amounts of water would place an inordinate resource strain on the inhabitants of West River, raising utility costs drastically and threatening lower income South Dakotans especially.

Secondly, despite claims that ISL is environmentally friendly (in comparison to other forms of uranium mining at any rate), it is all too common to see water used in the mining process, water bearing radioactive materials and heavy minerals, contaminate surrounding groundwater sources. This was certainly the case at the ISL mines at Stráz pod Ralskem mine in the Czech Republic as well as Königstein in Germany. Moreover, groundwater has *never* been returned to its original condition at any ISL uranium mine in the United States. Especially after the passage of SB 158 last year, which stripped the South Dakota DENR (Department of Environment and Natural Resources) of its regulatory capacities pertaining to ISL uranium mining, the threat posed by contaminated water to families and ranchers throughout western SD is simply too great to allow Powertech—a company that has *never mined uranium or any other natural resource*, a company with *no experience* with ISL or any other kind of uranium mining—to go forward with its water use applications.

On behalf of SDPJC, then, please keep me informed of all proceedings and documents related to these applications.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Emanuel", with a large, stylized flourish at the end.

Tom Emanuel
Executive Director, South Dakota Peace & Justice Center
19 N Pine St.
Vermillion, SD 57069
sodakpjc@gmail.com

Eric Gronlund, Chief Engineer
Water Rights Program
PMB 2020
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3182

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WATER RIGHTS
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November 19, 2012

Re: Water permits Application #s 2685-2 and 2686-2
To appropriate Water for Powertech Inc.

Dear Board Members,

Our ranch land is located 6-10 miles south and southeast of Edgemont. Our privately owned wells at 1300 feet supply water from the Inyan Kara and Lakota aquifers. We feel that because this project gives Powertech the right to pump a tremendous amount of water from these formations there is a real possibility that even though much of the water is returned, things could go wrong and our ground water supply could be adversely impacted.

If this in-situ uranium project does move forward, we would like to have written assurances in the agreement that our ground water supply would not be compromised and written assurances of what recourses are available to us, should this happen.

Respectfully submitted
Dewane Stearns
11500 Indian Canyon Road
Edgemont, SD 57735

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November 26, 2012

From: Edward H. Binns
408 N 17th Street
Hot Springs, South Dakota 57747

To: Mr. Eric Gronlund
Waters Program, DENR
State of South Dakota
Foss Building
523 East Capitol
Pierre, South Dakota 57501

Re: This serves as a petition in opposition to Powertech (USA) Applications 2685-2 and 2686-2, which serve to appropriate water for in situ uranium leach mining for the "Dewey-Burdock" project in Fall River and Custer Counties, South Dakota

Through this correspondence, I seek a delay in the proceedings of the water hearing on these two applications and an opportunity to speak against them.

Risk Management

I am a retired certified public accountant who served on the staff of the State Auditor of the Commonwealth of Virginia. At the end of my working career I was a senior internal auditor working directly for the Internal Auditor of Virginia, or in simpler terms, a state fraud examiner.

In addition to being a CPA, I have a master's degree in business administration. I am familiar with the concepts and standards of risk management, particularly since I worked literally right next to the risk management section of Red Cross headquarters for nearly twelve years from early 1990 to late 2001. There are serious financial risks and cautions involved in the Dewey-Burdock Project. These have a distinct possibility of impacting the safety of the project itself as well as the financial health of Fall River County, the town of Edgemont and the city of Hot Springs.

Financial Stability

Powertech is a Canadian corporation with a marginal cash position and an uneven history. In the event of an error or technical difficulty, its capacity to make everyone whole and to self-insure for the risks of uranium mining appears questionable. This is true because of the nature of in situ mining, the nature of uranium and the trailings, and the existence of very dangerous buried toxins, which may be disturbed by the extensive use of water from the aquifers in the area.

Sincerely,

Edward H Binns

Edward H. Binns
Retired MBA/CPA

cc: Richard Blubaugh
Powertech (USA), Inc.
5575 DTC Parkway, Suite 140
Greenwood Village, Colorado 80111

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28233 Cascade Road
Hot Springs, SD 57747
November 25, 2012

To whom it may concern,

I am opposed to "in situ" uranium mining in the Black Hills for several good reasons, these reasons I hope you will thoughtfully consider before moving ahead with any decisions of Powertech working in our area.

First, the amount of water projected to be consumed by the company could be as high as 12,960,000 gallons per day. This water would be coming from our treasured Madison aquifer and Inyan Kara aquifer. If they pump their radioactive wastes back into the ground (as they prefer to do) this water is forever polluted and can no longer be used by our local families and ranches for their purposes. Consider the extreme drought that we have been experiencing. Knowing that we have lost this potential reserve forever should give anyone a moment to pause and reflect the potential dire consequences for us or future generations. This is the fact: no groundwater has ever been returned to its original condition at any "in situ" leach uranium mine in the United States.

Secondly, Powertech is a Canadian company which has never mined uranium. This foreign company has no ties to our land and community and when they are done getting their profit, what incentive will they have to fix what is damaged? What recourse do we have on a foreign company?

Thirdly, I am not convinced with the argument that uranium mining in the Black Hills would boost the economy. The Canadian company would no doubt need some services from the local communities, but think about the impact the Balkan oil boom has done to our neighbors north of us. Some people get rich, while most people have to put up with the crowded towns, pothole roads, and additional crime in their once peaceful community. Isn't the Black Hills a tourist attraction? Do people really want to come to the Black Hills if the viewscape is littered with mining and radioactive materials?

Please do whatever is in your power and influence to stop the destruction of our land and water by Powertech.

Sincerely,



Mark Behitz

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Jennifer Belitz
28233 Cascade Rd
Hot Springs, SD 57747

11/24/2012

Attn: Eric Gronlund
DENR

As a proud citizen, landowner, and mother in SD. I fervently oppose permitting Powertech Inc. any aquifer water for it's in-situ leach mining operations.

This company operated in TX where they relaxed water protection regulations.

In CO, when the state introduced legislation that would require the company to return water back to it's original condition, Powertech Inc. attempted to sue the state, then gave up and is focusing on mining operations here. (Where citizens and legislators care less about their water?)

I am originally from a small town in ND recently overrun by another dirty energy industry (OIL). I am in shock at how fast a peaceful, beautiful, healthy place can be turned upside down with seemingly little resistance by the state and no rights given landowners. Basically, if you value the beauty of your surroundings, the clean air, and water you've been accustomed to, you will LEAVE to find it again elsewhere.....please look into how many ND residents have recently move to SD (many are the "core" citizens that built the churches and schools there).

These types of mining operations should not have any priority in this state which thrives on agriculture, tourism, and a population of residents that are here because of the beauty, culture, and healthy environment SD offers.

CLEAN WATER IN AN AQUIFERconsider our semi-arid climate, recent droughts, population growth, the amount of the earths water already polluted.....CLEAN WATER IN AQUIFERS is the last thing we should be permitting for a Candadian energy company already denied by our neighbors in CO.

How will the state of SD protect those of us who have wells in these aquifers for domestic and livestock use? How will SD ensure us our children (who absorb chemicals at a higher rate than adults) are not being poisoned and will not have a dry or polluted well in the future??

Powertech Inc. prefers to pump it's polluted water into the ground below current wells used for water. I'd like to make the point that our shallower wells have recently been found to be contaminated with farm and other chemicals. In the future we may have to go deeper for clean uncontaminated water. This out of site/ out of mind approach is nearly passing on the pollution to our children.

This water is too precious to all of us....

Thankyou for protecting your fellow South Dakota families from radioactive pollution, destruction of cultural sites, and most of all polluted water.

Jennifer Belitz

**SOUTH DAKOTA WATER MANAGEMENT BOARD
STATE OF SOUTH DAKOTA
IN RE APPLICATION #2685-2 and #2682-2**

**PETITION OF FALL RIVER COUNTY TO INTERVENE
IN OPPOSITION TO THE APPLICATION**

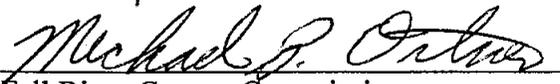
COMES NOW Fall River County Commission, 906 North River Street, Hot Springs, South Dakota and makes the following Petition to oppose the two applications for water permits designated as application #2685-2 and #2682-2.

1. The Petitioner's interest in the applications are that it is a political subdivision of the State of South Dakota and it's interest in the application is to assure that any water used for mining operations in Fall River County is put to a beneficial use, does not impair existing rights and does not constitute a waste of water.

2. That the Petitioner opposes water permit applications #2685-2 and #2686-2 to appropriate water in that such applications cannot be developed without unlawful impairment of existing rights, the proposed use is not a beneficial use and the proposed use is not in the public interest and will constitute a waste of water under SDCL 46-5-46.

3. That the Petitioner does hereby request an automatic delay of the hearing scheduled for December 5, 2012.

Dated this 26 day of November, 2012.


Fall River County Commission
Michael P. Ortner
Chairman of the Fall River County Commission
906 North River Street
Hot Springs, SD 57747

CERTIFICATE OF SERVICE

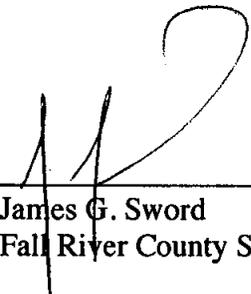
The undersigned hereby certifies that he mailed a true and correct copy of the *Petition of Fall River County to Intervene in Opposition to the application* to the individuals hereinafter next designated all on the date below shown by depositing the same in the United States mail with first class postage prepaid in envelopes addressed to:

Steven N. Pirner
Secretary of the Department of
Environment and Natural Resources
Foss Building
523 E. Capital Ave.
Pierre, SD 57501

Chief Engineer
Water Rights Program
Foss Building
523 E. Capital Ave
Pierre, SD 57501

PowerTech (USA) Inc.
C/O Richard Blubaugh
5575 DTC Parkway, Suite 140
Greenwood Village, CO 80111

On the 26 day of November, 2012.



James G. Sword
Fall River County State's Attorney

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11/15/2012

**NOTICE TO DENR ON WATER PERMIT APPLICATION
NUMBERS 2685-2 AND 2686-2 TO APPROPRIATE WATER FOR
POWER TECH (USA) INC.**

C/O

RICHARD BLUBURG

5575 CTC PKWY STE# 140

GREENWOOD VILLAGE, CO

80111

**THE PEOPLE OF FALL RIVER COUNTY SIGNING THIS PETITION OPPOSE WATER
PERMITS TO BE GIVEN TO POWER TECH (USA) INC. DENR NEEDS TO HOLD A
HEARING FOR THE PEOPLE OF FALL RIVER COUNTY ON WHY POWER TECH SHOULD
BE PERMITTED THESE WATER PERMITS.**

Carl W. Parker	338 So. 17th Hot Springs, 890-9647
Guido Alvarez	606 S River Hot Springs SD.
Dan Miller	486 Almond ST HOT SPRINGS
Jewel Krown	410 S 4TH ST Hot Springs 891-9861
Bonnie Sharp	445 S 3rd Hot Springs SD 57717
Mary Grates	338 S. 5TH ST. 745-5078
Bonnie Richards	340 N. 23rd St Hot Springs 605-929-4354
Raymond Fisher	27221 Windy Rd 890-2864
Lang Bloomer	3146 Minnekahita HotSp, 745-7816
William Ing	1446 Evanston Ave H.S. 891-9621
Elise Kaneshiro	1446 Evanston Ave. H.S. 891-9717

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WATER RIGHTS PROGRAM

11/15/2012

**NOTICE TO DENR ON WATER PERMIT APPLICATION
NUMBERS 2685-2 AND 2686-2 TO APPROPRIATE WATER FOR
POWER TECH (USA) INC.**

C/O

RICHARD BLUBURG

5575 CTC PKWY STE# 140

GREENWOOD VILLAGE, CO

80111

THE PEOPLE OF FALL RIVER COUNTY SIGNING THIS PETITION OPPOSE WATER PERMITS TO BE GIVEN TO POWER TECH (USA) INC. DENR NEEDS TO HOLD A HEARING FOR THE PEOPLE OF FALL RIVER COUNTY ON WHY POWER TECH SHOULD BE PERMITTED THESE WATER PERMITS.

NAME Address phone #

Eggertsmiller PO Box 274 HS 745 3325

Casey Neugebauer 27552S Buffalo Gap 424-2985

Neil Lerce 745 7727

Louise Kursave Buffalo Gap ~~745~~ 833-2122

Betty Welch Edgemont 662-7300

Rusty Watter 301 So CHICAGO HOT SPRINGS SD 745-6297
57747

Dennis Watter 446 50th 165T Hot Springs Spak 745-3308

Don Jensen 806 Edgemont Ave Hot Springs SD 745 3373

Dary Schweigert 2791 S Cascade Rd. 745-3153

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WATER RIGHTS PROGRAM

11/15/2012

**NOTICE TO DENR ON WATER PERMIT APPLICATION
NUMBERS 2685-2 AND 2686-2 TO APPROPRIATE WATER FOR
POWER TECH (USA) INC.**

C/O

RICHARD BLUBURG

5575 CTC PKWY STE# 140

GREENWOOD VILLAGE, CO

80111

**THE PEOPLE OF FALL RIVER COUNTY SIGNING THIS PETITION OPPOSE WATER
PERMITS TO BE GIVEN TO POWER TECH (USA) INC. DENR NEEDS TO HOLD A
HEARING FOR THE PEOPLE OF FALL RIVER COUNTY ON WHY POWER TECH SHOULD
BE PERMITTED THESE WATER PERMITS.**

NAME	ADDRESS	Phone #
Maura Smith	306 Joplin #8 Hot Springs, JD	804-1604
Keller Walker	1005 S. River St Hot Springs	891-9747
Laura Summers	Hot Springs	
B. Kluck	Hot Springs	
Michelle Snuggs	P.O. Box 139 Hot Springs SD 57447	605-440-2310
Muii Vong	333 N River Hot Springs	745-3933
Linda J. Smith	947 So. Chicago St Hot Springs	745-3402
Terri Baker	705 North River St.	745-4420

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11/15/2012

**NOTICE TO DENR ON WATER PERMIT APPLICATION
NUMBERS 2685-2 AND 2686-2 TO APPROPRIATE WATER FOR
POWER TECH (USA) INC.**

C/O

RICHARD BLUBURG

5575 CTC PKWY STE# 140

GREENWOOD VILLAGE, CO

80111

**THE PEOPLE OF FALL RIVER COUNTY SIGNING THIS PETITION OPPOSE WATER
PERMITS TO BE GIVEN TO POWER TECH (USA) INC. DENR NEEDS TO HOLD A
HEARING FOR THE PEOPLE OF FALL RIVER COUNTY ON WHY POWER TECH SHOULD
BE PERMITTED THESE WATER PERMITS.**

Name	Address	PHONE #
Ronald Baker	205 N. River St.	745-4420
Jeanie Liff	2342 Wilson Ave. HS SD.	745-3036
Lyle Jones	13167 Fall River Rd	745-7291
Jenni Satterlund	2022 University	890-2362
Lynda Raves	P.O. Box 1204 HS SD	605-381-3510
Brenda Gamaeche	2332 Wilson Ave. HS.	605-745-4726

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NOV 28 2012

WATER RIGHTS
PROGRAM

11/15/2012

**NOTICE TO DENR ON WATER PERMIT APPLICATION
NUMBERS 2685-2 AND 2686-2 TO APPROPRIATE WATER FOR
POWER TECH (USA) INC.**

C/O

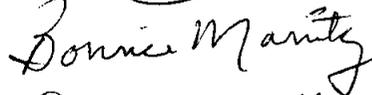
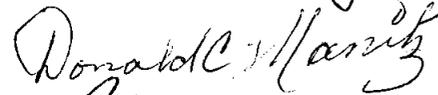
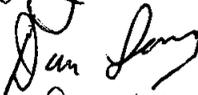
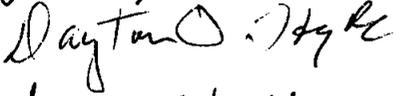
RICHARD BLUBURG

5575 CTC PKWY STE# 140

GREENWOOD VILLAGE, CO

80111

**THE PEOPLE OF FALL RIVER COUNTY SIGNING THIS PETITION OPPOSE WATER
PERMITS TO BE GIVEN TO POWER TECH (USA) INC. DENR NEEDS TO HOLD A
HEARING FOR THE PEOPLE OF FALL RIVER COUNTY ON WHY POWER TECH SHOULD
BE PERMITTED THESE WATER PERMITS.**

	ALISON SWAN	302 S. 16 th St. Hot Springs	745-7771
	Bonnie Maritz	545 N. River #313 Hot Springs	745-4574
	Donald C. Maritz	545 N. River #313 Hot Springs	745 4574
	Peter Bane	713 N. River St Hot Springs	745 7936
	Stan Facker	1913 Jennings Ave Hot Spring	745-3054
	Robert Lee	338 S. 5 th St., Hot Springs	745 3688
	Gary Putman	204 4th Ave. Hot Edgemont	662-7229
	Gary W. Friedrich	27098 ELK RD Buffalo Gap	833-2000
	Dan Long	27569 Garden L Hatboro	745-5266
	Dayton O. Hyle	Box 932 Hot Springs	7456339
	Susan Watt	Box 790 Hot Springs	745-7494

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APPLICATION NUMBERS 2685-2 AND 2686-2 TO
APPROPRIATE WATER FOR POWER TECH (USA) INC.**

C/O

RICHARD BLUBURG

5575 CTC PKWY STE# 140

GREENWOOD VILLAGE, CO

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OPPOSE WATER PERMITS TO BE GIVEN TO POWER TECH (USA) INC.
DENR NEEDS TO HOLD A HEARING FOR THE PEOPLE OF FALL RIVER
COUNTY ON WHY POWER TECH SHOULD BE PERMITTED THESE WATER
PERMITS.**

NAME	Address	phone #
Leora Dappen	13174 Fall River Rd Hot Springs	605-890-0641
Joe Dappen	Hot Springs	605 890 3063
Susan Stotarch	Hot Springs	605-745-4363
Kelvin Henderson	11507 Hwy 491 Edgemont SD 57135	605-662-5150
Tris Williams	27662 Scenic Rd Hot Springs, S.D.	6058911967
Judith Klein	238 N 6th St Hot Springs	605 145 3353
Bill Borden	Hot Springs	890 1268
Paul Hottel	Hot Springs	891-9176
Craig Roney	342 N 4th Hot Springs SD	745-4465

November 15, 2012

NOTICE TO DENR ON WATER PERMIT APPLICATION

NUMBERS 2685-2 AND 2686-2 TO APPROPRIATE WATER FOR POWER TECH (USA) INC.

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WATER RIGHTS PROGRAM

C/O

RICHARD BLUBURG
5575 CTC PRWY SUITE 140
GREENWOOD VILLAGE, CO 80111

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NAME	ADDRESS	PHONE
Michelle Brock	26846 HWY 385 H.S.	605-515-3364
NANCY BLATCHEKRO	441 S 4TH ST	605 891-1712
Rich Gericke	305 514th ST Hot Springs SD	891-1142
JACKIE GERICKE	" " " "	" "
ELAINE EVERHART	545 N. River St. Hot Springs SD	890-1921
Allen Chesson	545 N. River St H.O. Springs	857-8345
Jay W. Friedrich	27098 Elk Rd Buffalo	833-2000
MARCE HERNANDEZ	910 1/2 South Street	605-891-1866
Sarah Phillips	705 N. River St. Apt 1	605-891-1374
AJ Phillips	" " " "	" "
Ricardo C. Jacquez	629 Albany Ave	605-890-0038
Julie Christensen	603 N. River St.	719-482-4092
Emily Christensen	603 N. River St	605-745-4440
Paula Jankman	306 Thompson	605-745-4523
Cesar Hernandez	410 1/2 South 4th	608 891 1260
LORAINA TRECKER	P.O. Box 1129 H.S.	605-593-2373
Eddie Bertone	241 Galveston Ave	605-890-6356
Steve Park	2317 Washington	605-745-7085
Vivian Hauer	Yic 1/2 S	605-891-1866
Melissa Martin	2329 Ely Ave H.S. SD	605-745-3974
DeAnn McComb	P.O. BOX 254 H.S. SD	605-745-3096
Georgiana Cross	2045 Canton Ave #530 H.S. SD	745-6471
KAREN YEREL	2245 Minnekahta	745-5213
Marion Muhm	1614 Coldbrook Ave	745-3659
Patricia Hernandez	246 S. 6th St Apt 4 H.S.	605-540-7592
Miriam Martin	801 N. River St H.S. SD	745-7321
Kris MARTIN	801 N. River St	745-7321
Sake Haacke	6026 Evanston Ave.	605-890-2773
Brianna Badure	Valley View Drive	605-220-6559
REX PIPER	12616 ARCYLE RD H.S. 51747	605-745-5765
MILDRED PIPER	12616 ARCYLE RD H.S. 51747	605-745-5765
Jim BEW (Loud)	13024 Greenwood H.S.	605 890-5400
J. Smith	2728 Hot Brook	605 890 3860

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**NOTICE TO DENR ON WATER PERMIT APPLICATION
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C/O

RICHARD BLUBURG

5575 CTC PKWY STE# 140

GREENWOOD VILLAGE, CO

80111

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BE PERMITTED THESE WATER PERMITS.**

Name

105 S. 23rd St #605-745-5982

Temp Holcomb
Graig Lockhart
Rose Petter
@

PO Box 1520elrichs (605)535-2004
12544 West Cadade Rd. (605)890-4056
Hot Springs S.D.

27056 BARRA Vista Rd 605.745.3528

X

James B. Woodward
P.O. Box 599
Wellington, Colorado 80549
970-402-7679
jbw@frii.com

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WATER RIGHTS
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November 25, 2012

Mr. Garland Erbele, Chief Engineer
Water Rights Program
Foss Building, 523 E. Capitol
Pierre, South Dakota 57501
605-773-3352

Subject: Petition to Oppose Water Permit Applications Nos. 2685-2 and 2686-2, Oppose the Chief Engineer's recommendations, and Request Automatic Delay of Hearing Date

Dear Mr. Erbele:

Thank you for the opportunity to file this petition in opposition to Water Permit Application Nos. 2685-2 and 2686-2 filed by Powertech (USA) Inc., and to your recommendations for approval.

Although I do not reside in South Dakota, I have an interest in the applications due to my efforts to provide South Dakota residents with detailed information, news, analysis, and documents relating to the proposed Dewey-Burdock uranium project through my website, www.powertechexposed.com. This information allows South Dakota residents to be better informed on this matter of heightened public concern.

My opposition to the two permit applications is based on the following:

1. The proposed annual consumptive use volume per application No. 2686-2 of 274.2 acre feet is not supported by detailed calculations and is likely understated. More specifically, there is an inadequate analysis of the consumptive use that would occur during the well field restoration phase.
2. Permit application No. 2686-2 appears to be inconsistent with the U.S. Nuclear Regulatory Commission's Generic Environmental Impact Statement for In-Situ Leach Uranium Milling Facilities (NUREG-1910) with respect to the volume of water consumed by the reverse osmosis process.
3. If water quality restoration targets cannot be achieved during the term of the permit, other current and potential water users could be impaired by being unable to put Inyan Kara water to beneficial use due to elevated levels of heavy metals.
4. The applicant has failed to adequately demonstrate the public benefits of issuing the permits as required by Administrative Procedure 46-2A-9, and that any benefits outweigh the risks from the proposed project.

Pursuant to Administrative Procedure 46-2A-4, I request an automatic extension of the time of the hearing before the Water Management Board.

Sincerely,

A handwritten signature in cursive script that reads "James B. Woodward". The signature is written in black ink and has a long, sweeping horizontal tail.

James B. Woodward

cc: Powertech (USA) Inc.

X

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NOV 30 2012
WATER RIGHTS
PROGRAM

STATE OF SOUTH DAKOTA
BEFORE THE WATER MANAGEMENT BOARD

IN THE MATTER OF POWERTECH,)
)
APPLICATION NOS. 2786-2)
 2686-2)

MOTION OUT OF TIME TO PETITION TO INTERVENE AND OPPOSITION TO APPLICATION

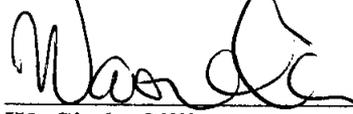
The Oglala Sioux Tribe, a federally recognized Indian tribe, by and through its undersigned counsel, hereby files its motion out of time by two business days as it was unable to fully review the application to prepare for hearing and objects to the above-described application to appropriate water filed on behalf of Powertech. This objection is based upon the grounds and for the reasons as follows:

- 1) That the granting of such permits will adversely affect the future surface and subsurface water rights of Oglala Sioux Tribe and its members in their ability to use our water resources for domestic, commercial, and other uses.
- 2) The proposal for a uranium mine northwest of Edgemont would use large amounts of water. Powertech Uranium has asked the state for a permit to extract 551 gallons per minute from the Madison aquifer. They have also applied for a permit to extract 8,500 gallons per minute from the Inyan Kara formation. 9,000 gallons per minute equals 12,960,000 gallons per day.
- 3) According to the company, the project may last as long as 20 years. The company plans to drill two or more wells into the Madison aquifer and a total of 1500 wells into the Inyan Kara.
- 4) Approximately 1000 wells would operate at any one time. According to the company, the project would consume (use up) 2.76 billion gallons of the water which would no longer be available to communities, ranches, and members of the Oglala Sioux Tribe.
- 5) After it is used for mining, the water that is not consumed or left in the aquifer would be treated in one of two ways: The company prefers to pump it underground -- below drinking water sources - where it would no longer be available to communities, ranches, and families. It could be sprayed on the ground, which has created a build-up of toxic materials, including selenium, at other sites.
- 6) The permit area is in a semi-arid area, and droughts are a regular occurrence. If this project goes through, we will lose access to critical groundwater resources.

- 7) The Oglala Sioux Tribe further objects to these applications for our water rights as they will interfere with and adversely affect existing water rights which is not in the best interests of the tribe and its members.

Dated this 28th day of November, 2012.

Respectfully submitted,



W. Cindy Gillis
Attorney for the Oglala Sioux Tribe
522 Seventh Street, Suite 202
Rapid City, South Dakota 57701
Tel: (605) 716-6355
Fax: (605) 716-6357

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she served the foregoing **PETITION TO INTERVENE AND OPPOSITION TO APPLICATION** on the 28th day of November, 2012, by email, fax and/or mailing a copy by First Class Mail, postage fully prepaid, from the United States Post Office at Rapid City, South Dakota to the following persons:

CHIEF ENGINEER
Water Rights Program
523 E. Capitol
Pierre, S.D. 57501

POWERTECH
c/o Richard Blubaugh
5575 DTC Parkway, Suite 140
Greenwood Village, CO 80111



W. Cindy Gillis
Attorney for the Oglala Sioux Tribe