

# **Guide to the Homestake Vested Water Rights Collection 5000**

**Finding aid prepared by Jessica Michak**

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Describing Archives: A Content Standard

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11-1-2013  
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## Summary Information

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<b>Repository</b>	HARCC_Archivist
<b>Creator</b>	Homestake Mining Company
<b>Title</b>	Homestake Vested Water Rights
<b>Date</b>	1876-1998
<b>Extent</b>	128.0 Linear feet 89 boxes (67 regular, 22 oversize)
<b>Language</b>	English
<b>Language Note</b>	These materials are in English.
<b>Abstract</b>	<p>The Homestake Mining Company was founded in 1876 and operated for 126 years, ultimately growing into the oldest, largest, and deepest gold mine in the Western Hemisphere. A critical contributor to this large-scale success lies in the company's early acquisition of water rights in the Black Hills. The water rights collection housed at the Homestake Adams Research and Cultural Center details the mine's systematic attainment of these water rights, as well as the legal struggles that occurred in attempts to keep them.</p>

## Biographical/Historical

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The Homestake Mining Claim was founded on April 9, 1876 by Fred and Moses Manuel and Hank Harney. They soon sold their interests to a group of men, led by George Hearst. Under Hearst's direction, the Homestake Mining Company was incorporated in November 1877 and grew into the major economic driving force of the Black Hills area. Though numerous factors contributed to the success and permanence of the Homestake Mine, the acquisition of water rights was integral to acquiring enough water power to operate the mine and its miscellaneous holdings. Almost immediately after Hearst's purchase of the mining claim, he and his associates began systematically acquiring rights to the streams, creeks, and ditches in the area. By controlling the water rights, the mine was able to significantly influence the local economy and politics of the Lead/Deadwood area. The acquisition of major influencing water bodies in the area did not go unnoticed; many legal issues arose as a result of the claims and titles Homestake held. In the later years of the company, major litigation occurred before the Water Management Board for the State of South Dakota in regards to HMC's attempts to make changes to the Spearfish Creek Watershed under their legal claims to it. This was opposed by local government, amongst others, and led to several significant court cases. The matters were complicated by the fact most of Homestake's vested water rights claims were acquired between the late 1870s to the 1890s, well before South Dakota created its Water Rights Law.

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## Scope and Contents

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The Homestake Vested Water Rights Collection consists of 89 boxes of water rights material from the Homestake Mining Company and associated parties. The materials include information on the acquisition of water rights in the Black Hills by HMC for use in its milling operations. The materials span from the late 1870s to the late 1990s and include correspondence, operating reports, litigation materials, evidentiary materials, data compilations, etc.

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## Arrangement Note

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The collection is housed in acid-free folders in a mixture of acid-free archival boxes and oversize banker's boxes. The contents were kept in original order where possible, although the majority was rearranged by relevant subject and order.

## **Administrative Information**

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### **Publication Information**

HARCC\_Archivist 11-1-2013

### **Conditions Governing Access**

This collection is housed at the Homestake Adams Research and Cultural Center with no restrictions to access. The collection may be utilized during normal operating hours, 10-4 M-F, or by appointment.

### **Acquisition**

These materials were transferred as one donation from the Homestake Mining Company on May 26, 2005.

### **Processing Information**

These materials were processed June-October 2013 by Jessica Michak under the supervision of Carolyn Weber. Additional assistance provided by Steve Mitchell, Mikaela Fundaun, and Paula Tyler.

## Legal Documentation

## Collection Inventory

### Series 1: Legal Documentation

#### General Information

This series consists of the legal documentation of water rights as acquired by the Homestake Mining Company, including original claim and abstract of title documents, litigation and court proceedings, research, maps, notes, correspondence and memorandums, and associated documents.

#### Subseries A: Original Titles and Materials

#### General Note

Consists of the original claim and title documents kept by HMC and organized according to stream flow.

	<b>Box</b>	<b>Folder</b>
Bear Butte Creek	1	1
Silver Spring Creek	1	2
Box Elder Creek-Springs (HMC Location)	1	3
Foster Ditch Sec. 29 & 30, T5N, R3E	1	4
Foster Ditch-Deadwood/Homestake, Black Hills Power & Light Co.	1	5

## Original Titles and Materials

Pocket Gulch Springs	1	6
DeSmet, Bowie & Palmer Ditch (Deadwood Creek & Gulch)	1	7
Poorman NE/4, Sec. 32, T5N, R3E	1	8
Saw Pit Gulch	1	9
Elk Creek Springs	1	10
Elk Creek	1	11
Columbia Ditch (1 of 2)	1	12
Columbia Ditch (2 of 2)	1	13
Columbia Ditch-Columbia Court Case, 1915	1	14
Columbia Ditch Stock Certificates & Receipts	1	15
Little Rapid Ditch	1	16
Concordia Ditch-NE/4NW/4 Sec. 10, T7N, R2E	1	17
Evans, et. al. (1 of 2)	1	18
Evans, et. al. (2 of 2)	1	19

## Original Titles and Materials

Evans, et. al.-Zoellner Property	1	20
Ramsdell Ditch-NE/4NW/4 Sec. 15, T6N, R2E (1 of 2)	1	21
Ramsdell Ditch-NE/4NW/4 Sec. 15, T6N, R2E (2 of 2)	1	22
Walton Ditch	2	1
Peake Ditch-Dated	2	2
Peake Ditch-Undated	2	3
Raddick & Intake Gulches	2	4
Juniper Gulch (Spearfish Creek)	2	5
Elk Mountain Water Right (on Main Spearfish)	2	6
South Dakota Mining Company	2	7
Gay or Gregg Ditch	2	8
Keats Property/Powers Property-Spearfish	2	9
Spearfish & Cape Horn Water Ditch & Right	2	10
Hydro-Electric No. 2-Pipeline Right of Way	2	11



## Original Titles and Materials

Pioneer Ditch (1 of 2)	2	12
Pioneer Ditch (2 of 2)	2	13
French Boys Ditch (Old Abe/New Manual)	2	14
Spring Creek Rights	2	15
Boulder Ditch	2	16
Montana Ditch	2	17
Hearst Ditch	2	18
Dakota Mining Co. to James Milliken, Sheriff's Deed, 1882	2	19
Martin Sands & Co.	2	20
McNabb Ditch-Lead Country Club	2	21
Two-Bit Gulch-Court Documents	2	22
Articles of Incorporation of Sunday Associated Companies & Conveyances to Homestake	2	23
Calaboga Mining Company Stock Book	2	24

## Original Titles and Materials

Cyanide #3 House Purchase	2	25
Right of Way Deed from James Cusick to C.B.&Q.R.R. Co., April 20, 1915	2	26
General Chain of Title of Water Rights to HMC	2	27
Grier Appointment as Superintendant, etc.	3	1
Englewood-Electric Plant/Right of Way/Pipe & Pole Lines, 1905-1908	3	2
Estate of Samuel McMaster Documents	3	3
Laws Enacted by Miners of Gold Run, 2-21-1876	3	4
Miscellaneous Correspondence and Documents	3	5
Myers, Belding & Atchison	3	6
Newspaper Clippings Notebook, Application for Patent Notices, 1890s	3	7
Portland Mining Company	3	8
Right of Way Deed, John R. Russell & James E. Russell to HMC, July 10, 1933	3	9
Spearfish Conduit Application for Right of Way Access, U.S. Forest Reserve to Englewood, 1905	3	10

## Original Titles and Materials

Right of Way-Telephone Line, 1907-1966	3	11
Original and Specific Documents Binder Vol. 1, Documents of a General Nature (1 of 2)	3	12
Original and Specific Documents Binder Vol. 1, Documents of a General Nature (2 of 2)	3	13
Original and Specific Documents Binder Vol. 1, Application No. 1587-1 Spearfish Water Right	3	14
Original and Specific Documents Binder Vol. 11, Application No. 1589-1 Little Elk Water Right	3	15
Original and Specific Documents Binder Vol. 11, Application No. 1590-1 Little Rapid Water Right	3	16
Original and Specific Documents Binder Vol. 11, Application No. 1588-1 Peake Water Right	4	1
Original and Specific Documents Binder Vol. 111, Application No. 1591-1 Clark-Bowen Water Right	4	2
Original and Specific Documents Binder Vol. 111, Application No. 1592-1 Hearst Water Right	4	3
Original and Specific Documents Binder Vol. 111, Application No. 1594-1 Englewood Water Right	4	4

## Early Trials

Original and Specific Documents Binder Vol. 111, Application No. 1594-1 Englewood Water Right	4	5
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Belle Fourche Project-Coleman v. Matson	4	6
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**Subseries B: Early Trials****General Note**

Consists of documentation of early litigation HMC was involved in as a result of water rights claims. Major cases include Kellar v. Homestake and Cook et. al. v. Evans et. al.

	<b>Box</b>	<b>Folder</b>
Kellar v. HMC - Correspondence	4	7
Kellar v. HMC-Correspondence & Evidentiary Material re: Spearfish Valley Land & Water Rights, various dates	4	8
Kellar v. HMC-Evidence & Affidavits	4	9
Kellar v. HMC-Miscellaneous Affidavits (copies) (1 of 2)	4	10
Kellar v. HMC-Miscellaneous Affidavits (copies) (2 of 2)	4	11
Kellar v. HMC-Miscellaneous Data	4	12
Kellar v. HMC-Miscellaneous Documents & Correspondence	4	13

## Early Trials

Kellar v. HMC-Miscellaneous Documents & Notes	4	14
Kellar v. HMC-Miscellaneous Evidence & Memorandums	4	15
Kellar v. HMC-Photographs & Photography Inventory List	4	16
Kellar v. HMC-Research Materials, Miscellaneous Ditches	4	17
Kellar v. HMC-Trial Documentation	4	18
Kellar v. HMC-Water Rights Location Documents	4	19
Kellar v. HMC-Witnesses, Evidence & Deeds	4	20
Cook v. Evans-Correspondence & Related Documents	5	1
Cook v. Evans-Correspondence re: Witnesses and Evidentiary Material Kellar & Stanley	5	2
Cook v. Evans-Circuit Court Judgement, 1908 (copy)	5	3
Cook v. Evans-Circuit Court Litigation Documents (1 of 2)	5	4
Cook v. Evans-Circuit Court Litigation Documents (2 of 2)	5	5
Cook v. Evans-Data, Notes, Tabulations, Witness Lists, Research & Memos (1 of 2)	5	6

## Early Trials

Cook v. Evans-Data, Notes, Tabulations, Witness Lists, Research & Memos (2 of 2)	5	7
Cook v. Evans-Decision	5	8
Cook v. Evans-Deeds, Agreements, Abstracts, etc.	5	9
Cook v. Evans-Mann Ditch	5	10
Cook v. Evans-Miscellaneous Original Notes & Research (1 of 2)	5	11
Cook v. Evans-Miscellaneous Original Notes & Research (2 of 2)	5	12
Cook v. Evans-Original Title Documents	5	13
Cook v. Evans-Pleadings Only	5	14
Cook v. Evans-Research, Spearfish Irrigation Ditch (aka Ramsdell, Jones & Aikman Ditch)	5	15
Cook v. Evans - Schmidt - Schultz - Arrington Ditch	5	16
Cook v. Evans-Statements, Depositions, Notices, Answers & Affidavits	5	17
Cook v. Evans-Statements, Depositions & Evidentiary Materials	5	18
Cook v. Evans - Subpoenas and Assessor Information	5	19

## Early Trials

Cook v. Evans-Brief of Plaintiff & Appellant, Book One	6	1
Cook v. Evans-Brief of Plaintiff & Appellant, Book One, pgs. 1-200 (copies)	6	2
Cook v. Evans-Brief of Plaintiff & Appellant, Book Two, pgs. 201-400 (copies)	6	3
Cook v. Evans-Brief of Plaintiff & Appellant, Book Three, pgs. 401-600 (copies)	6	4
Cook v. Evans-Brief of Plaintiff & Appellant, Book Four	6	5
Cook v. Evans-Brief of Plaintiff & Appellant, Book Four, pgs. 601-800 (copies)	6	6
Cook v. Evans-Brief of Plaintiff & Appellant, Book Five, pgs. 801-991 (copies)	6	7
Cook v. Evans-Brief of Plaintiff & Appellant, Book Six	6	8
Cook v. Evans-Respondent's Brief (copies)	6	9
Cook v. Evans-Stipulation & Reply Brief of Plaintiff and Appellant	6	10
Cook v. Evans-Miscellaneous Documents, Vol. I, 1 of 10	6	11
Cook v. Evans-Miscellaneous Documents, Vol. I, 1 of 10 (copy)	6	12

## Early Trials

Cook v. Evans-Trial Transcript, Vol. I, 3 of 10	6	13
Cook v. Evans-Trial Transcript, Vol. I, 3 of 10 (copy)	6	14
Cook v. Evans-Miscellaneous Documents, Vol. II, 2 of 10	6	15
Cook v. Evans-Miscellaneous Documents, Vol. II, 2 of 10 (copy)	6	16
Cook v. Evans-Trial Transcript, Vol. II, 4 of 10 (copy)	7	1
Cook v. Evans-Trial Transcript, Vol. II, 4 of 10 (copy)	7	2
Cook v. Evans-Trial Transcript, Vol. 3, 5 of 10	7	3
Cook v. Evans-Trial Transcript, Vol. 3, 5 of 10 (copy)	7	4
Cook v. Evans-Trial Transcript, Vol. IV, 6 of 10	7	5
Cook v. Evans-Trial Transcript, Vol. IV, 6 of 10 (copy)	7	6
Cook v. Evans-Trial Transcript, Vol. V, 7 of 10	7	7
Cook v. Evans-Trial Transcript, Vol. V, 7 of 10 (copy)	7	8
Cook v. Evans-Trial Transcript, Vol. VI, 8 of 10	7	9
Cook v. Evans-Trial Transcript, Vol. VI, 8 of 10 (copy)	7	10



**Spearfish Creek Watershed Legal Documents**

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Cook v. Evans, Trial Transcript, vol. VII, 9 of 10	8	1
Cook v. Evans, Trial Transcript, vol. VII, 9 of 10 (copy)	8	2
Cook v. Evans, Trial Transcript, vol. VII, 10 of 10	8	3
Cook v. Evans, Trial Transcript, vol. VII, 10 of 10 (copy)	8	4

**Subseries C: Spearfish Creek Watershed Legal Documents**

**General Note**

Consists of legal documentation, research, trial preparation, correspondence, witness information and testimony, maps and measurements, evidentiary materials, etc., prepared for several subsequent legal cases involving proposed changes to the Spearfish Creek Watershed by HMC. Most of the material is from the 1990s, but some of the research and preliminary materials dates prior. These materials are a combination of HMC generated material and that of outside parties, including the legal representation team for HMC.

**Subgroup I: General Files**

	<b>Box</b>	<b>Folder</b>
Abstract: Use of Staging areas by Sandhill Cranes in the Midcontinent Region of North America	8	5
Action List & notes - Tellinghuisen	8	6
Blackstone Memorandum, 1907	8	7

## General Files

Collection System Exhibits, Historical Municipal Water use Exhibits, Map of city of Deadwood Water Distribution System in 1800s - Prepared by Jonathan Jones P.E. WWE	8	8
Combined Ditches	8	9
Deer Mountain Agreement	8	10
DENR Material - Del Brosz	8	11
Divisions - Hearst and Consolidated (1 of 2)	8	12
Divisions - Hearst and Consolidated (2 of 2)	8	13
Drilling Water Used in Mining	8	14
Englewood Turbimeter Reading (compiled for trial)	8	15
Englewood Water flow and meter readings, 1990-1994	8	16
Englewood Water flow in G.P.M., 1996-1997 (1 of 2)	8	17
Englewood Water flow in G.P.M., 1996-1997 (2 of 2)	8	18
Englewood Water flow in G.P.M. 1999	9	1
Exhibit Lists	9	2

## General Files

Formal Water Files, Potable Files, Working Files (with list of working files) - Diskettes	9	3
Four square notes (1 of 2)	9	4
Four square notes (2 of 2)	9	5
Geochemical Evaluation of Additional Core Drilling, Sheeler Site, Whitewood Creek, South Dakota	9	6
Halbe, Doug - Report and related documents	9	7
Hanna Pumping Station - Pump History by Mike Johnson	9	8
Hearst Water Right - Application No. 1592-1	9	9
Homestake Consolidated Cases: Proposed changes in the Spearfish Creek Watershed	9	10
Homestake Application	9	11
Homestake Book 3	9	12
Homestake - Discovery	9	13
Homestake Monthly Water reports, 1994-1996	9	14
Homestake Water Repair / Conservations Projects, 1970s	9	15

## General Files

Legal Department Memos and Information	9	16
Legal Documents re: Homestake Water Rights, Hughes County (1 of 2)	9	17
Legal Documents re: Homestake Water Rights, Hughes County (2 of 2)	10	1
Map: Water Collection and Distribution System as of January, 1998	10	2
Memorandum Decision re: App No. 1927-2, 1921-2 & 2192-2	10	3
Miscellaneous Evidence Lists and Exhibits	10	4
Municipal Water Rights Documents	10	5
Notes Miscellaneous Ditches	10	6
Notes and Memos, Roger Tellinghuisen	10	7
Pipelines - Highest recorded Weir Measurements	10	8
Pipeline Summaries: Spearfish / Peake	10	9
Populations Study, Dave Miller	10	10
Precipitation records	10	11

## General Files

Report: Ceriodaphnia: Their use as stream profile indicators of water quality in Whitewood Creek, South Dakota	10	12
Report: Effects of Homestake Mining Company Diversions on Elk Creek Stream flows	10	13
Report: Factors Affecting the Mobilization, Transport, and Bioavailability of Mercury in Reservoirs of the Upper Missouri River Basin	10	14
Report on Ingested Inorganic Arsenic: Skin Cancer: Nutritional Essentiality, 1987	10	15
Research - HMC Vested Water Rights	10	16
Rocky Mountain Mineral Law Foundation - Water Law Newsletter	10	17
South Dakota Law Review Materials	10	18
South Dakota Water Rights as prepared by Margaret Winsel, 6/5/1985 (1 of 2)	10	19
South Dakota Water Rights as prepared by Margaret Winsel, 6/5/1985 (2 of 2)	10	20
State of South Dakota v. Rippling Water Ranch	10	21
Summaries - Englewood, Hanna, South Lead	10	22

## Vested Water Rights Binders and Related Materials

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System Flow Analysis - NJS Engineering	10	23
Water Reports Measurements, 1917-1928 (1 of 2)	10	24
Water Reports Measurements, 1917-1928 (2 of 2)	10	25
Water Reports Memos, 1977-1989	10	26
Water Rights Applications - Copies and Notes	11	1
Water Rights Evaluation Reports for HMC by Allen Dittman P.E. 1985	11	2
Weir Measurements (copies for trial)	11	3
Working Files, Water Files, Potable Water System Diskettes	11	4
Videotapes - Spearfish Canyon	11	5
<b>Subgroup II: Vested Water Rights Binders and Related Materials</b>		
	<b>Box</b>	<b>Folder</b>
HMC Vested Water Rights Binder #1	11	6
HMC Vested Water Rights Binder #2 - Summary of Applications (1 of 2)	11	7
HMC Vested Water Rights Binder #2 - Summary of Applications (2 of 2)	11	8

## Vested Water Rights Binders and Related Materials

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HMC Vested Water Rights - Documents	11	9
HMC Vested Water Rights - Dave McDowell	11	10
HMC Vested Water Right Applications - Homestake Mining Company, Book A (1 of 3)	11	11
HMC Vested Water Right Applications - Homestake Mining Company, Book A (2 of 3)	11	12
HMC Vested Water Right Applications - Homestake Mining Company, Book A (3 of 3)	11	13
HMC Vested Water Rights - Jack Cole	11	14
HMC Vested Water Rights - Mike Johnson	11	15
HMC Vested Water Rights - Pretrial Motions	11	16
HMC Vested Water Right Applications - Research Notebook	11	17
HMC Vested Water Rights Applications - SD Division of Water Rights, Book A - Discovery, Depositions, Motions, Miscellaneous Pleadings	11	18
HMC Vested Water Rights - Todd Hubbard to WWE	11	19
Applications for Writ of Prohibition	11	20

## Vested Water Rights Binders and Related Materials

Blackstone Mining Report	11	21
Brief in Support of Application for Writ of Prohibition and Accompanying Documents	11	22
Certificate of Service, HMC vs. South Dakota Water Management Board and John Hatch (1 of 2)	11	23
Certificate of Service, HMC vs. South Dakota Water Management Board and John Hatch (2 of 2)	11	24
City Water Tie, Hydro #1, December 1980	12	1
Elk Creek Ditch Water Rights	12	2
Englewood - Lead Supply	12	3
Exhibits	12	4
Exhibits - First Hearing and Indices	12	5
Exhibits - 47A-E	12	6
Halbe, Doug	12	7
Hearst Water Right Binder, Prepared by Margaret A. Winsel, April 16, 1994	12	8



## Vested Water Rights Binders and Related Materials

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HMC - Lead - Deadwood Sanitary District Agreement	12	9
Hubbard, Todd	12	10
Information, Resumes	12	11
Johnson, Mike	12	12
Legislation and ARSD Changes	12	13
Marie	12	14
Marks, John - Information	12	15
McDowell, Dave - Information	12	16
Professor Miller Testimony	12	17
Miscellaneous Files: Correspondence, Legal Files and Court Orders	12	18
Old Abe Ditch / Pipeline	12	19
Peake and Precipitation	12	20
Pipe Loss	12	21
Research - Clark, Bowen / Meyers, Belding and Atchison	12	22

## Vested Water Rights Binders and Related Materials

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Research - Englewood, "New French Boys - New Manual" Ditch	12	23
Research - Hearst Ditch	12	24
Settlement Agreement	12	25
Transcript Summaries	12	26
Trial Preparation - Evidentiary Materials	12	27
Trial Preparation Research and Notes - Prepared by Brenda	12	28
Vested Water Right Applications	12	29
Water Law: Cases and Commentary by Joseph L. Sax, 1965	12	30
Water Permit Applications	12	31
Water Rights - Howard Mason File, 1985	12	32
Water Rights - Miscellaneous Materials (1 of 2)	12	33
Water Rights - Miscellaneous Materials (2 of 2)	12	34
Water System Historic Notebook, Volume 1	12	35
Wright Water Engineers (1 of 3)	12	36

## Phil Barnes Files

Wright Water Engineers (2 of 3)	12	37
Wright Water Engineers (3 of 3)	12	38
<b>Subgroup III: Phil Barnes Files</b>		
	<b>Box</b>	<b>Folder</b>
Phil Barnes Files - Copied Evidentiary Materials	13	1
Phil Barnes Files - Correspondence (with attachments) (1 of 5)	13	2
Phil Barnes Files - Correspondence (with attachments) (2 of 5)	13	3
Phil Barnes Files - Correspondence (with attachments) (3 of 5)	13	4
Phil Barnes Files - Correspondence (with attachments) (4 of 5)	13	5
Phil Barnes Files - Correspondence (with attachments) (5 of 5)	13	6
Phil Barnes Files - Miscellaneous Trial Information (1 of 3)	13	7
Phil Barnes Files - Miscellaneous Trial Information (2 of 3)	13	8
Phil Barnes Files - Miscellaneous Trial Information (3 of 3)	13	9
Phil Barnes Files - Water Management Board Trial Documents (1 of 4)	13	10

## Tellinghuisen/Main Trial Preparation Materials

Phil Barnes Files - Water Management Board Trial Documents (2 of 4)	13	11
Phil Barnes Files - Water Management Board Trial Documents (3 of 4)	13	12
Phil Barnes Files - Water Management Board Trial Documents (4 of 4)	13	13
<b>Subgroup IV: Tellinghuisen/Main Trial Preparation Materials</b>		
	<b>Box</b>	<b>Folder</b>
Applications - Notices	13	14
Applications - Supplemental Report and Recommendations	13	15
Consolidated & SCW - Hearing Volume 2 of 4	13	16
Cross Exam Materials	13	17
DENR Materials	14	1
Department of the Interior Report - 'Authorizing an Exchange of Lands in South Dakota and Colorado', 9-21-1990	14	2
Deposition of Ron Waterland, 5-26-1994	14	3
Evidentiary Materials - Cost/Repair/Maintenance	14	4
Evidentiary Materials - Drought and Irrigation Information	14	5

## Tellinghuisen/Main Trial Preparation Materials

Evidentiary Materials - Game, Fish, and Parks Exhibits	14	6
Evidentiary Materials - Greg Palmer Material	14	7
Evidentiary Materials - Leak Detection Reports	14	8
Evidentiary Materials - Maps/Schematics	14	9
Evidentiary Materials - Precipitation Charts	14	10
Evidentiary Materials - State Engineer Water Reports	14	11
Evidentiary Materials - Tribal Rights	14	12
Evidentiary Materials - Use Data	14	13
Evidentiary Materials - Water Sale Agreements	14	14
Evidentiary Materials - Water Systems Video	14	15
Final Orders and Settlement Agreements Regarding HMC's Vested Water Rights Applications	14	16
Hearst, Consolidated, SCW - Certificate of Service, Order Dismissing Claims, Billing Information	14	17
Hearst Ditch Photographs, 9-15-1992	14	18

## Tellinghuisen/Main Trial Preparation Materials

Hearst, Consolidated, SCW - Motion for Order Dismissing Remaining Claims and Miscellaneous Trial Documents	14	19
Howard Mason Materials	14	20
Lasher - Elk Creek Application	14	21
Main - Well Reports	14	22
SCW - Hearing Vol. 1 of 4, 2-28-1995	14	23
Trial Preparation Documents (Copies)	14	24
Vested Water Rights - Homestake's Memorandum of Law on New Limitations on Vested Water Rights	14	25
Water Treatment Projects (1 of 2)	14	26
Water Treatment Projects (2 of 2)	14	27
Witnesses - Dave Miller	14	28
Witnesses - Elk Creek Interviews	14	29
Witnesses - Lower Brule Sioux Tribe	14	30
Witnesses - Maps and Diagrams	14	31

## Ron Waterland Files

Witnesses - Ron Waterland	14	32
Witnesses - Wright Water Engineers	14	33
<b>Subgroup V: Ron Waterland Files</b>		
	<b>Box</b>	<b>Folder</b>
(The) Court's Findings of Fact and Conclusions of Law	14	34
DENR Geological Survey, Elk Creek, 1948-49, 1978-79	14	35
Deposition of Dave McDowell (with Exhibits), 5-25-1994	14	36
Deposition of Margaret E. Winsel, 5-27-1994	14	37
Deposition of Mike Johnson, 5/25/1994	15	1
Deposition of Pat Trask, 4/18/1994	15	2
Deposition of Ron Waterland, Spearfish Creek Watershed	15	3
Depositions of Tom Trask, 4/18/1994	15	4
Englewood Power Plant Data (1 of 2)	15	5
Englewood Power Plant Data (2 of 2)	15	6

## Ron Waterland Files

Examinations, May 1995	15	7
Hearing, 2/27/1995	15	8
HMC Deposition Motions, 1/13/1995	15	9
Homestake's Disclosure, Interrogatories and Requests for Production to Trasks & Eagan Co., & Homestake Answers to Interrogatories & Supplemental Interrogatory of Trasks & Eagan Co.	15	10
Homestake's Motion for Continuance & Response to Trask and Eagan's Motions, 1998	15	11
Metallurgical Water Data	15	12
Mine Water Documents	15	13
Motions Hearing, 2/27/1995	15	14
Motion for Procedure on Remand	15	15
Newspaper Clippings	15	16
Rapid City - Tillson, HMC Water Rights, Wright Water Engineers	15	17
Scholarly Articles	15	18
Transcript of Oral Agreement - Spearfish Watershed	15	19



## Ron Waterland Files

Transcript of Proceedings - Spearfish Creek Watershed (1 of 2)	15	20
Transcript of Proceedings - Spearfish Creek Watershed (2 of 2)	15	21
Water Rights Tables	15	22
Consultants (1 of 2)	15	23
Consultants (2 of 2)	15	24
Evans-Tonn Ditch Information	15	25
Flow Information	16	1
General Water Information	16	2
Maps	16	3
Miscellaneous	16	4
Miscellaneous Documents and Notes - Waterland	16	5
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#### General Note

This series consists of the daily operating reports created and used by the Homestake Mine's water and treatment plants. This includes the Englewood Power Station, the Hanna Pump Station, the Spearfish Hydro Electric Plants 1 & 2, and the Steam Auxiliary Station. Additionally includes Demand Tabulations and Curves for the Kirk Power Plant, Power Report Cards and Worksheets, Weir Measurements and Circle Graphs for the Hanna Pump Station, Water reports for multiple stations, and records of pipeline work.

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