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**MARTY J. JACKLEY**  
ATTORNEY GENERAL

**BRENT K. KEMPEMA**  
CHIEF DEPUTY

March 5, 2026

Brenda Binegar  
Department of Agriculture  
and Natural Resources  
523 East Capitol Avenue  
Pierre, SD 57501  
Email: [Brenda.Binegar@state.sd.us](mailto:Brenda.Binegar@state.sd.us)

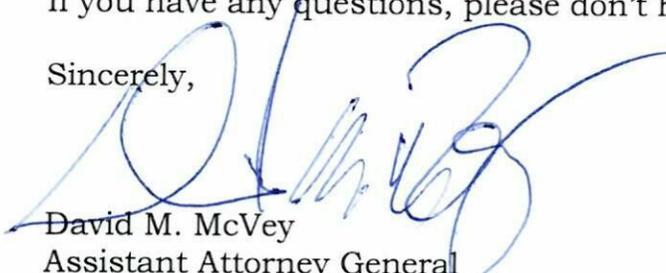
Re: *In the Matter of Clean Nuclear Energy Corp. Uranium Exploration Permit Application; EXNI 453*

Dear Ms. Binegar:

Enclosed please find the original Notice of Entry of Order on Motion for Access to Unredacted Archeological Reports and Certificate of Service and the original Notice of Entry of Order on Great Plains Tribal Water Alliance, Inc. Motion to Withdraw as Intervenor and Certificate of Service intended for filing in the above-referenced matter. True and correct copies have been sent to those individuals listed in the attached Certificate of Service.

If you have any questions, please don't hesitate to contact me.

Sincerely,



David M. McVey  
Assistant Attorney General

DMM/mn

Enclosures

Via electronic mail and inter-office mail

cc/encs: Parties on Attached Certificate of Service

STATE OF SOUTH DAKOTA  
DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES  
BOARD OF MINERALS AND ENVIRONMENT

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IN THE MATTER OF CLEAN NUCLEAR )	
ENERGY CORP. URANIUM )	
EXPLORATION PERMIT APPLICATION )	NOTICE OF ENTRY OF ORDER ON
EXNI 453 )	MOTION FOR ACCESS TO
)	UNREDACTED ARCHEOLOGICAL
)	REPORTS
)	

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TO: ALL INTERESTED PARTIES:

Please take notice that on March 2, 2026, Hearing Officer Morris entered his Order on Motion for Access to Unredacted Archeological Reports in the above-referenced contested action. A copy of the signed Order is attached to this Notice and hereby served upon you.

Dated this 5th day of March 2026.



David M. McVey  
Assistant Attorney General  
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Pierre, South Dakota 57501-8501  
Telephone: (605) 773-3215  
Email: [David.McVey@state.sd.us](mailto:David.McVey@state.sd.us)  
*Counsel for the Board of Minerals and Environment*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the original of the NOTICE OF ENTRY OF ORDER ON MOTION FOR ACCESS TO UNREDACTED ARCHEOLOGICAL REPORTS was served via electronic mail and inter-office mail upon the following to be filed in the above-captioned matter:

Brenda Binegar  
Department of Agriculture  
and Natural Resources  
523 East Capitol Avenue  
Pierre, SD 57501  
Email: [Brenda.Binegar@state.sd.us](mailto:Brenda.Binegar@state.sd.us)  
*Secretary, Board of Minerals & Environment*

Further, the undersigned certifies that true and correct copies of the above-referenced document(s) were served via United States Mail, First Class, Postage Prepaid, upon the following:

Steven R. Blair  
General Counsel  
221 Mall Drive, Suite 201  
P.O. Box 6221  
Rapid City, SD 57709  
*Counsel for Department of Agriculture &  
Natural Resources Minerals, Mining &  
Superfund Program*

Seth Eagle Bear Jr.  
P.O. Box 44  
Wounded Knee, SD 57794

Matthew Naasz  
Attorney At Law  
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P.O. Box 8045  
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Cheyenne River Sioux Tribe  
Kimberly Craven, Attorney General  
P.O. Box 590  
Eagle Butte, SD 57625

Taylor Gunhammer  
221 East Jackson Street  
Rapid City, SD 57701

Great Plains Tribal Water Alliance, Inc.  
P.O. Box 271  
Pine Ridge, SD 57770

Jean Roach  
3711 Ivy Avenue  
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Michael Melius  
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P.O. Box 1624  
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Brenda Gamache  
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Reno L. Red Cloud  
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Pine Ridge, SD 57770

Gena Parkhurst  
514 Americas Way #20805  
Box Elder, SD 57719

Tonya Stands  
202 Bald Eagle Lane #8  
Rapid City, SD 57701

Steven Gunn  
Oglala Sioux Tribe  
Oglala Sioux Tribe Legal Department  
P.O. Box 1204  
Pine Ridge, SD 57770

Courtesy copies of the above-referenced document were served via electronic  
mail upon the following:

Bob Morris, Hearing Officer  
704 7th Avenue, Suite 2  
P.O. Box 370  
Belle Fourche, SD 57717  
bobmorris@westriverlaw.com

Dated this 5th day of March 2026.



David M. McVey  
Assistant Attorney General

STATE OF SOUTH DAKOTA  
DEPARTMENT OF AGRICULTURE & NATURAL RESOURCES

BOARD OF MINERALS AND ENVIRONMENT

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IN THE MATTER OF CLEAN NUCLEAR	)	
ENERGY CORP. URANIUM	)	ORDER
EXPLORATION PERMIT APPLICATION	)	ON MOTION FOR ACCESS TO
	)	UNREDACTED ARCHEOLOGICAL
EXNI 453	)	REPORTS
	)	
	)	
	)	
	)	

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On February 13, 2026, a protective order (the “Protective Order”), stipulated among the Clean Nuclear Energy Corporation, the Department of Water and Natural Resources, the Oglala Sioux Tribe, and the Cheyenne River Sioux Tribe, was entered by the Hearing Chair to govern the disclosure of certain documents containing information relating to archaeological or cultural resources, historic properties, or traditional, cultural, or religious properties (the “Records”).

On February 17, 2026, the Black Hills Group of the Sierra Club and Jeremiah “Jay” Davis, by and through their attorney George J. Nelson, filed a motion requesting:

1. Black Hills Group of the Sierra Club and Jeremiah “Jay” Davis, their attorney, and their expert witness, Dr. Linea Sundstrom be granted access to the unredacted archeological reports filed under seal in this proceeding.
2. Requiring execution of the Acknowledgement of Protective Order by Dr. Linea Sundstrom prior to disclosure.
3. Confirmation that such access is subject to all terms and restrictions of the existing protective Order.

Paragraph 8 of the Protective Order states:

All parties that have formally made an appearance in this action may, by motion served on all parties, request access to the unredacted reports discussed

herein, provided that if such access is granted by order of the Board of Minerals and Environment, they shall acknowledge receipt of this Protective Order and indicate that they have reviewed the order and agree to abide by its terms and conditions by executing the attached Acknowledgement and returning it to the Board for filing.

**ORDERED**, the movants' request for access to the unredacted archeological reports filed under seal in this proceeding is **Granted** only according to the following conditions:

1. Access by the Black Hills Group of the Sierra Club, Jeremiah "Jay" Davis, Dr. Linea Sundstrom, and George J. Nelson as counsel is limited to those persons who have a need to access the documents for the preparation and prosecution of the hearing in this matter and for no other purpose.
2. All individuals accessing the Records must acknowledge receipt of the Protective Order and indicate that they have reviewed the order and agree to abide by its terms and conditions by executing the Acknowledgement of Protective Order and returning it to the Board for filing.
3. All access is subject to the terms and conditions of the Protective Order.

Dated this 2<sup>nd</sup> day of March 2026

**BOARD OF MINERALS & ENVIRONMENT**

By:

  
\_\_\_\_\_  
Bob Morris, Hearing Officer

STATE OF SOUTH DAKOTA  
DEPARTMENT OF AGRICULTURE & NATURAL RESOURCES

BOARD OF MINERALS AND ENVIRONMENT

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IN THE MATTER OF CLEAN NUCLEAR	)	
ENERGY CORP. URANIUM	)	ACKNOWLEDGEMENT OF PROTECTIVE
EXPLORATION PERMIT APPLICATION	)	ORDER
	)	
EXNI 453	)	
	)	
	)	
	)	

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I, \_\_\_\_\_ a party to the above-captioned proceedings, a party's duly noticed legal counsel, or a disclosed expert witness acknowledge that I have received a copy of the Protective Order entered by the Hearing Chair in this matter. I have read the terms and conditions of that Order. I, or my client, agree to abide by the Protective Order and agree not to disclose any protected information except in accordance with the terms of the Protective Order.

I declare and affirm under the penalty of perjury that this Acknowledgment has been examined by me and that the statements made and information provided herein are true and correct.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2026

Signature: \_\_\_\_\_  
Printed Name: \_\_\_\_\_

STATE OF SOUTH DAKOTA  
DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES  
BOARD OF MINERALS AND ENVIRONMENT

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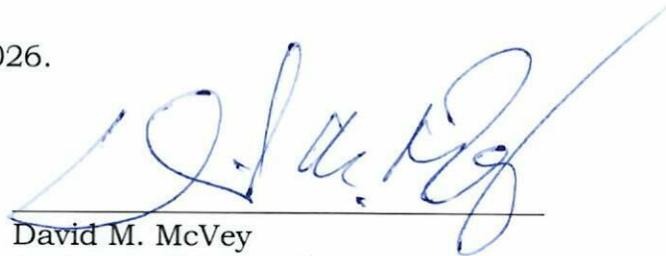
IN THE MATTER OF CLEAN NUCLEAR )	
ENERGY CORP. URANIUM )	
EXPLORATION PERMIT APPLICATION )	
EXNI 453 )	
)	NOTICE OF ENTRY OF ORDER ON
)	GREAT PLAINS TRIBAL WATER
)	ALLIANCE, INC. MOTION TO
)	WITHDRAW AS INTERVENOR
)	

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TO: ALL INTERESTED PARTIES:

Please take notice that on March 2, 2026, Hearing Officer Morris entered his Order on Great Plains Tribal Water Alliance, Inc. Motion to Withdraw as Intervenor in the above-referenced contested action. A copy of the signed Order is attached to this Notice and hereby served upon you.

Dated this 5th day of March 2026.



David M. McVey  
Assistant Attorney General  
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Email: [David.McVey@state.sd.us](mailto:David.McVey@state.sd.us)  
*Counsel for the Board of Minerals and Environment*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the original of the NOTICE OF ENTRY OF ORDER ON GREAT PLAINS TRIBAL WATER ALLIANCE, INC. MOTION TO WITHDRAW AS INTERVENOR was served via electronic mail and inter-office mail upon the following to be filed in the above-captioned matter:

Brenda Binegar  
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and Natural Resources  
523 East Capitol Avenue  
Pierre, SD 57501  
Email: [Brenda.Binegar@state.sd.us](mailto:Brenda.Binegar@state.sd.us)  
*Secretary, Board of Minerals & Environment*

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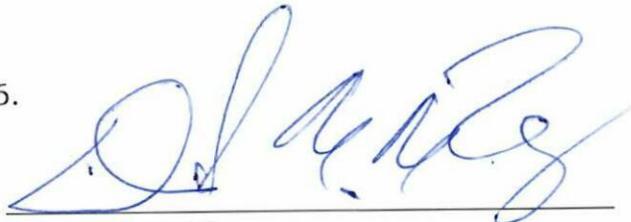
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Oglala Sioux Tribe  
Oglala Sioux Tribe Legal Department  
P.O. Box 1204  
Pine Ridge, SD 57770

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Bob Morris, Hearing Officer  
704 7th Avenue, Suite 2  
P.O. Box 370  
Belle Fourche, SD 57717  
bobmorris@westriverlaw.com

Dated this 5th day of March 2026.



David M. McVey  
Assistant Attorney General

STATE OF SOUTH DAKOTA  
DEPARTMENT OF AGRICULTURE & NATURAL RESOURCES

BOARD OF MINERALS AND ENVIRONMENT

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IN THE MATTER OF CLEAN NUCLEAR )  
ENERGY CORP. URANIUM )  
EXPLORATION PERMIT APPLICATION )  
EXNI 453 )  
)  
)  
)  
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ORDER  
ON GREAT PLAINS TRIBAL WATER  
ALLIANCE, INC.  
MOTION TO WITHDRAW AS  
INTERVENOR

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On February 18, 2026, the Great Plains Tribal Water Alliance, Inc. filed a motion, by and through their attorneys, to withdraw as intervenors.

**ORDERED**, the movant's request to withdraw as intervenors is hereby **GRANTED**.

Dated this 2<sup>nd</sup> day of March 2026

**BOARD OF MINERALS & ENVIRONMENT**

By:



\_\_\_\_\_  
Bob Morris, Hearing Officer