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NOV 10 2025

Department of Agriculture
and Natural Resources

gjnlaw@gmail.com

October 28, 2025

Matthew E. Naasz, Esq.
Gunderson, Palmer, Nelson & Ashmore, LLP
506 Sixth Street
Rapid City, SD 57701

Re: Service of Discovery Requests – In the Matter of CNEC Uranium Exploration Permit
(EXNI 453)

Dear Matt:

Please find enclosed Jeremiah "Jay" Davis's Responses to Clean Nuclear Energy Corporation First Interrogatories and Requests for Production of Documents. This is considered as service upon you. Thank you.

Sincerely,



Vicky Murphy, CP
Certified Paralegal to George J. Nelson

Enclosures

NOV 10 2025

Department of Agriculture
and Natural Resources

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

IN THE MATTER OF CLEAN
NUCLEAR ENERGY CORP. URANIUM
EXPLORATION PERMIT
APPLICATION

EXNI 453

JEREMIAH "JAY" DAVIS'S
RESPONSES TO CLEAN NUCLEAR
ENERGY CORPORATION'S FIRST
INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF
DOCUMENTS

GENERAL OBJECTIONS

1. Jeremiah Davis ("Davis") objects to the discovery requests to the extent they seek information that is irrelevant, unduly burdensome, outside the scope of SDCL § 45-6D-29, or not proportional to the needs of this administrative proceeding.
2. Davis objects to any implication that he has conducted independent testing or technical analysis equivalent to that of a regulatory agency.
3. Responses below are based on publicly available information, Davis's personal knowledge, and expert consultation, and are subject to supplementation as investigation, expert disclosures, or third-party discovery progresses.

RESPONSES TO INTERROGATORIES

Interrogatory No. 1

Describe in detail all adverse effects you allege will be caused by the proposed uranium exploration project operation on the historic, archaeologic, geologic, scientific, or recreational aspects of affected or surrounding land.

Response:

Davis asserts that the proposed uranium exploration project threatens to cause multiple adverse effects. Davis lived in Fall River County from 1990 to 1992 while practicing law as a new attorney and has personally visited Craven Canyon on numerous occasions. Accordingly, his concerns are grounded in firsthand familiarity with the landscape and its historic, archaeological, and cultural context, rather than generalized opposition to mining or development.

Davis asserts that the proposed uranium exploration project threatens to cause multiple adverse effects, including:

- Disturbance or destruction of Indigenous rock art and sacred sites in and around Craven Canyon, including pictographs and petroglyphs documented by federal and tribal sources;
- Soil erosion, compaction, and loss of stratigraphic context in areas of archaeological significance;
- Introduction of industrial activity into a landscape historically used for religious and ceremonial purposes by Lakota, Cheyenne, and other tribes;
- Degradation of the scenic, recreational, and spiritual value of the area, which forms part of a known cultural corridor;
- Alteration of geologic features through borehole drilling and associated surface disruption.

Davis relies in part on the expertise of Dr. Linea Sundstrom and reserves the right to supplement this response following additional evaluation.

Interrogatory No. 2

Describe in detail all information relating to any alleged loss or reduction of long-range productivity of watershed lands, public and domestic water wells, aquifer recharge areas, or significant agricultural areas you allege will be caused by the proposed project.

Response:

Davis is concerned that exploratory drilling—particularly near sensitive hydrological zones—may introduce pollutants or cause structural interference that affects long-term aquifer recharge or contaminates nearby domestic wells. These concerns are amplified by the area's geology and the legacy of prior uranium activities in the region.

Davis reserves the right to supplement this answer as additional technical analyses are reviewed.

Interrogatory No. 3

Explain in detail all information relating to any alleged adverse effects to threatened or endangered wildlife indigenous to the area that you allege will be caused by the proposed uranium exploration operation.

Response:

Davis is aware of publicly available data suggesting that the proposed exploration area may be habitat for sensitive species including the northern long-eared bat and black-footed ferret, as well as raptors and grassland birds. Disruption from drilling operations, noise, and habitat intrusion could significantly disturb these populations.

Davis is monitoring this issue and may rely on state or federal agency data and expert interpretation.

Interrogatory No. 4

Please state the full name of the person or persons answering these interrogatories and the person's position, title, and/or relationship to the named intervenor.

Response:

These responses have been prepared by **George J. Nelson**, counsel for Jeremiah "Jay" Davis, based on Mr. Davis's personal knowledge, public information, and consultation with retained experts.

Contact:

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Interrogatory No. 5

Prior to answering these Interrogatories, have you made a due and diligent search of your books, records, papers, and documents, and a due diligent inquiry of your employees, agents, or representatives and their books, records, papers, and documents, for the purpose of eliciting and securing all of the information which is required to answer these Interrogatories?

Response:

Yes. Davis has undertaken a good faith and diligent search of relevant materials and consulted with his counsel and designated expert witness to the extent applicable. Davis has no employees or agents other than his attorney.

Interrogatory No. 6

Please identify any person you expect to call to testify at the time of trial. For each potential witness, please identify: (a) Full legal name and aliases; (b) Occupation and employer; (c) Present residence address; (d) Subject matter of expected testimony.

Response:

Davis anticipates calling the following witness, subject to supplementation:

- **Dr. Linea Sundstrom**

- Occupation: Archaeologist, Ethnohistorian, Rock Art Specialist
- Employer: Day Star Research
- Address: 1320 E. Lake Bluff Blvd., Shorewood, WI 53211
- Testimony: Cultural and historical significance of Craven Canyon; traditional Indigenous land use; potential impacts from uranium exploration on archaeological and sacred sites.

Davis reserves the right to identify additional witnesses and rebuttal experts as necessary.

Interrogatory No. 7

Have you made any investigations, examinations, tests, or analyses concerning any matter relating to the subject matter of the pending action? If so, please state: (a) Nature and method; (b) Subject matter; (c) Name and address of person conducting it; (d) Time and place; (e) Purpose.

Response:

Davis has reviewed published reports, federal and state data repositories, and has consulted with Dr. Linea Sundstrom regarding cultural and archaeological site integrity. These efforts are intended to support evaluation of the environmental and cultural risks posed by the proposed permit under SDCL § 45-6D-29.

RESPONSES TO REQUESTS FOR PRODUCTION

Request for Production No. 1

Please provide a copy of all investigations, examinations, tests or analysis identified in Interrogatory No. 7.

Response:

Responsive documents, including Dr. Sundstrom's expert report and any supporting reference materials or exhibits, will be produced in accordance with the Board's procedural deadlines. Davis does not possess independent technical studies beyond those prepared by his retained expert.

Request for Production No. 2

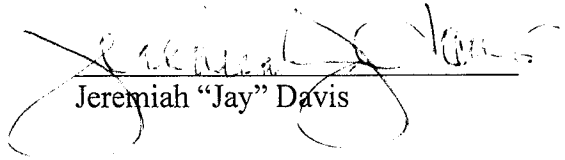
Please produce a copy of all documents related to your responses to Interrogatories Nos. 1–3.

Response:

Davis will produce non-privileged documents in his possession, including reference excerpts, photographs, and expert analyses relied upon. Davis does not maintain institutional records and

relies on public and expert sources. Privileged communications are withheld. A privilege log will be provided upon request.

Dated this 28 day of October, 2025.


Jeremiah "Jay" Davis

As to Objections:

/s/ George J. Nelson
George Nelson
Attorney for The Black Hills Group
of the Sierra Club
2800 Jackson Boulevard #3
Rapid City, SD 57702
(605) 719-9470
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CERTIFICATE OF SERVICE

I certify that on the 28th day of October, 2025, I caused to be served via U.S. mail, postage prepaid, a true and correct copy of ***BLACK HILLS GROUP OF THE SIERRA CLUB'S RESPONSES TO CLEAN NUCLEAR ENERGY CORPORATION'S FIRST INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS*** to:

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Michelle Tyon PO Box 1838 Pine Ridge, SD 57770	
Susan Hey 312 N 40th St Rapid City, SD 57702	

Dated this 28th day of October, 2025.

/s/ George J. Nelson
George Nelson