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JAN 10 2022

MINERALS & MINING PROGRAM

Present operator: ANDERBERG, KELLY J.

EXNI number: 399

Address: 803 ODDE PLACE
RAPID CITY SD 57701-8670

Telephone number: (605) 718-5465

Legal description: Sections 1 & 12; T5N-R3E & Sections 6 & 7; T5N-R4E

County: Lawrence

PAID

NOV 23 2021

Ck#.

Permit to be transferred to: Victor M Utech
Address: 28170 Spring Creek place Pierre SD. 57501
Telephone Number: 605-431-3256

Name and address of Resident Agent if you are an out-of-state corporation:

INSTRUCTIONS:

This transfer form must be accompanied by a fee of \$250 pursuant to SDCL 45-6C-53 and a replacement surety.

I, Kelly J Anderberg agree to the transfer of permit EXNI 399 to Victor M Utech.
Signature of Present Operator New Operator

This transfer releases ANDERBERG, KELLY J. of all liability with regard to reclamation of the affected area. I understand that the surety submitted to cover reclamation will be released only upon approval of the transfer by the Board of Minerals and Environment. Date: 6/18/21

STATE OF South Dakota

COUNTY OF Pennington

On this 18 day of June, 2021 before me personally appeared Kelly J Anderberg who acknowledged that he is authorized to execute the transfer of this exploration permit.

[Signature]
Notary Public

My Commission Expires: 06/26/2021



I, Victor M. Utech agree to the transfer of permit EXNI 399 from ANDERBERG, KELLY J.
Signature of New Operator

This transfer releases ANDERBERG, KELLY J. of all liability with regard to reclamation of the affected area. I understand that in agreeing to this transfer Victor M. Utech is assuming all responsibility and liability for this exploration permit and reclamation of the area affected under this permit. I understand that a replacement surety must be provided prior to the transfer. It is also understood that only the exploration work authorized under this exploration permit may be conducted and that all terms and conditions established in this permit shall be followed. Date: April 16th 2021

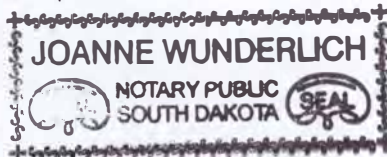
STATE OF South Dakota

COUNTY OF Hughes

On this 16th day of April, 2021 before me personally appeared Victor M Utech who acknowledged that he is authorized to execute the transfer of this exploration permit.

[Signature]
Notary Public

My Commission Expires: July 23, 2021



FOR DEPARTMENT USE ONLY

Date Approved: _____

EXNI number: 399

Chairman, Board of Minerals and Environment

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APR 20 2021

MINERALS & MINING PROGRAM

STATE OF SOUTH DAKOTA

BEFORE THE SECRETARY OF

THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

IN THE MATTER OF THE
APPLICATION OF

Transfer of Exploration Notice of Intent,
EXNI-399, from Kelly Anderberg to Vic Utech.

STATE OF _____

COUNTY OF _____

CERTIFICATION OF

APPLICANT

I, Vic M. Utech, the applicant in the above matter after being duly sworn upon oath hereby certify the following information in regard to this application:

I have read and understand South Dakota Codified Law Section 1-40-27 which provides:

"The secretary may reject an application for any permit filed pursuant to Titles 34A or 45, including any application by any concentrated swine feeding operation for authorization to operate under a general permit, upon making a specific finding that:

(1) The applicant is unsuited or unqualified to perform the obligations of a permit holder based upon a finding that the applicant, any officer, director, partner, or resident general manager of the facility for which application has been made:

- (a) Has intentionally misrepresented a material fact in applying for a permit;
- (b) Has been convicted of a felony or other crime involving moral turpitude;
- (c) Has habitually and intentionally violated environmental laws of any state or the United States which have caused significant and material environmental damage;
- (d) Has had any permit revoked under the environmental laws of any state or the United States; or
- (e) Has otherwise demonstrated through clear and convincing evidence of previous actions that the applicant lacks the necessary good character and competency to reliably carry out the obligations imposed by law upon the permit holder; or

(2) The application substantially duplicates an application by the same applicant denied within the past five years which denial has not been reversed by a court of competent jurisdiction. Nothing in this subdivision may be construed to prohibit an applicant from submitting a new application for a permit previously denied, if the new application represents a good faith attempt by the applicant to correct the deficiencies that served as the basis for the denial in the original application.

All applications filed pursuant to Titles 34A and 45 shall include a certification, sworn to under oath and signed by the applicant, that he is not disqualified by reason of this section from obtaining a permit. In the absence of evidence to the contrary, that certification shall constitute a prima facie showing of the suitability and qualification of the applicant. If at any point in the application review, recommendation or hearing process, the secretary finds the applicant has intentionally made any material misrepresentation of fact in regard to this certification,

consideration of the application may be suspended and the application may be rejected as provided for under this section.

Applications rejected pursuant to this section constitute final agency action upon that application and may be appealed to circuit court as provided for under chapter 1-26."

I certify pursuant to 1-40-27, that as an applicant, officer, director, partner, or resident general manager of the activity or facility for which the application has been made that I; a) have not intentionally misrepresented a material fact in applying for a permit; b) have not been convicted of a felony or other crime of moral turpitude; c) have not habitually and intentionally violated environmental laws of any state or the United States which have caused significant and material environmental damage; (d) have not had any permit revoked under the environmental laws of any state or the United States; or e) have not otherwise demonstrated through clear and convincing evidence of previous actions that I lack the necessary good character and competency to reliably carry out the obligations imposed by law upon me. I also certify that this application does not substantially duplicate an application by the same applicant denied within the past five years which denial has not been reversed by a court of competent jurisdiction. Further;

"I declare and affirm under the penalties of perjury that this claim (petition, application, information) has been examined by me, and to the best of my knowledge and belief, is in all things true and correct."

Dated this 16th day of April, 2021.

Victor M Utech
Applicant (print)

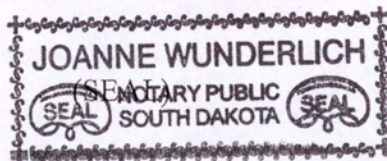
Victor M. Utech
Applicant (signature)

Subscribed and sworn before me this 16th day of April, 2021.

[Signature]
Notary Public (signature)

My Commission Expires
July 23, 2021

My commission expires: _____



PLEASE ATTACH ANY ADDITIONAL INFORMATION NECESSARY TO DISCLOSE
ALL FACTS AND DOCUMENTS PERTAINING TO
SDCL 1-40-27 (1) (a) THROUGH (e).
ALL VIOLATIONS MUST BE DISCLOSED, BUT WILL NOT
AUTOMATICALLY RESULT IN THE REJECTION OF AN APPLICATION