

# DAKOTA TERRITORY RESOURCE CORP

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JAN 13 2022

www.dakotatrc.com

info@gold-sd.com

106 Glendale Drive, Suite A, Lead, SD 57754

MINERALS & MINING PROGRAM

January 10, 2022

Roberta Hudson  
Department of Agriculture and Natural Resources  
Minerals and Mining Program  
Joe Foss Building  
523 East Capitol Avenue  
Pierre, SD 57501-3182

PAID

JAN 13 2022

Ck# \_\_\_\_\_  
\$250.00

Dear Mrs. Hudson,

**RE: Dakota Territory Resource Corporation Richmond Hill Exploration Notice of Intent**

Dakota Territory Resource Corp. is submitting this Exploration Notice of Intent (EXNI) for the Richmond Hill Exploratory Drill Program. The program comprises drilling and coring from drill pads constructed exclusively on private land within Lawrence County.

Included in this EXNI are the following:

- Notice of Intent to Conduct Mineral Exploration Operation Application Form
- A plan of reclamation pursuant to Section 8
- A topographic map pursuant to Section 9
- A fee of \$250 pursuant to Section 17 in check form
- Landowner option agreement
- Cultural Resources Report (Confidential)

Because of snow cover and weather conditions, only a Level 1 cultural resources report was completed. Dakota Territory proposes to have an archaeologist monitor drill pad preparation/dirt work at all proposed drilling locations at Richmond Hill.

If there are any questions or concerns, please contact me. Dakota Territory Resource Corp. is committed to working with SD DANR and meeting or exceeding all statutes and regulations.

Regards,

Jerry Aberle  
Dakota Territory Resource Corp.  
106 Glendale Drive, Suite A  
Lead, SD 57754  
605.584.2834  
[JAberle@gold-sd.com](mailto:JAberle@gold-sd.com)

Department of Agriculture and Natural Resources  
Minerals and Mining Program  
523 East Capitol Avenue  
Pierre, South Dakota 57501-3182  
605 773-4201; Fax: 605 773-5286

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**NOTICE OF INTENT TO CONDUCT  
MINERAL EXPLORATION OPERATION  
(Excluding Uranium)**

Pursuant to SDCL 45-6C

Operator's name: Dakota Territory Resource Corp.

Mailing Address: 106 Glendale Drive, Suite A  
Lead, South Dakota 57754

Telephone: 605.717.2640

Resident agent (if out-of-state corporation): Gerald M Aberle

Resident agent address: 11171 Alpine Circle  
PO Box 568  
Lead, SD 57754

Telephone: 605.717.2640

Legal description of area to be explored by Section, Township, and Range: Portions of Section 14, 15, 22, and 23, Township 5 North, Range 2 East, Black Hills Maridian

County: Lawrence

Give a brief description of the type of exploration to be conducted. Include a list of all minerals to be explored and a description of methods (e.g. drill rig type, number of holes to be drilled, number of drill pads to be constructed, proposed depth for each test hole, length of existing access roads and/or new access road construction).

Dakota Territory Resource Corp. will explore for hardrock gold deposits in the project area. Drilling will be completed from existing roads and trails to the extent practicable, though existing trails may require removal of overgrown vegetation. It is anticipated that drilling will be completed using skid-mounted core and/or reverse circulation drilling methods/drill rigs. The project would include up to 16 drill pads, with exploration holes deviated and/or vertical to a maximum depth/length of 5,000 ft. Each drill pad may host multiple holes drilled at variable directions and inclinations. Drilling will occur on a drill pad with 1-acre or less of disturbance per drill pad. We intend to minimize the number of drill pads required by drilling fans of holes from the optimized pad locations. The configuration of those fans will be based on results of the drilling operation but could be up to 5 holes per pad and may include wedged or directional drilled deflections down-hole. See attached topographic and aerial photo map.

Date exploration will commence: Immediately following approval of this EXNI.

What legal authority does the operator have to conduct exploration on the above-described land? Include a copy if available.

☐ Deed ☒ Lease ☐ US Forest Service Permit ☐ Pending US Forest Service Permit ☒ Other

Will the operator conduct uranium exploration? ☐ Yes ☒ No If yes, a permit pursuant to SDCL 45-6D must be obtained.



**INSTRUCTIONS:**

Please reference SDCL 45-6C. This Notice of Intent must be accompanied by:

1. A plan of reclamation pursuant to Section 8.
2. A topographic map pursuant to Section 9.
3. A fee of \$250 payable to the Department of Agriculture and Natural Resources pursuant to Section 17.
4. A surety in an amount to be determined by the department pursuant to Section 19.
5. Any written landowner consultations giving alternative preferences for the reclamation of the affected land pursuant to Section 16.

Applicant affirms that the surface owner has been notified of the proposed mineral development and that said surface owner is aware of his rights to compensation for damages to property pursuant to SDCL 45-5A. Applicant hereby affirms that the mineral exploration will be conducted pursuant and subject to the provisions of SDCL 45-6C, and all regulations promulgated thereunder, that he will grant access to the SD Board of Minerals and Environment or its agents to the area under notice from the date of the notice and thereafter to assure compliance with the provisions of SDCL 45-6C.

*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.*

Gerald M. Aberle  
Signature

Date: January 10, 2022

Title: Chief Operating Officer

STATE OF South Dakota

COUNTY OF Lawrence

On this 10 day of JANUARY, 2022, before me personally appeared Gerald Aberle, who acknowledged himself to be the COO (Title) for Dakota Territory Resource Corp and that he is authorized to execute the Notice of Intent for the purposes contained therein.  
(Operator)

Ronald E. Ewert  
Notary Public

My Commission Expires: 11-18-2027

SEAL

**FOR DEPARTMENT USE ONLY**

DATE APPROVED: BOND AMOUNT: EXNI NUMBER:

\_\_\_\_\_  
Chairman, SD Board of Minerals & Environment



STATE OF SOUTH DAKOTA  
BEFORE THE SECRETARY OF

THE DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES

IN THE MATTER OF THE  
APPLICATION OF

Dakota Territory Resource Corp

STATE OF South Dakota

COUNTY OF Lawrence

CERTIFICATION OF  
APPLICANT

I, Gerald M. Abert, 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 1-41-20 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 1-41-20, 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 10<sup>th</sup> day of January, 20 22

Applicant (print) Gerald M Aberle

Gerald M Aberle  
Applicant (signature)

Subscribed and sworn before me this 10 day of JANUARY, 20 22.

Ronald Eneeth  
Notary Public (signature)

My commission expires: 11-10-2027

(SEAL)

**PLEASE ATTACH ANY ADDITIONAL INFORMATION NECESSARY TO DISCLOSE  
ALL FACTS AND DOCUMENTS PERTAINING TO  
SDCL 1-41-20 (1) (a) THROUGH (e).  
ALL VIOLATIONS MUST BE DISCLOSED, BUT WILL NOT  
AUTOMATICALLY RESULT IN THE REJECTION OF AN APPLICATION**



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**EXPLORATION RECLAMATION PLAN**

Pursuant to SDCL 45-6C-8 and 45-6D-9

In preparing this reclamation plan, please address each item in detail, referencing SDCL 45-6C-8 and 45-6D-9. Please refer to the reclamation standards outlined in SDCL 45-6C-27 through 45-6C-34, SDCL 45-6D-33 through 45-6D-39, and the state's hole plugging regulations as detailed in ARSD 74:11.

1. Describe the type of reclamation the operator proposes to achieve in the reclamation of the affected land.

Dakota Territory Resource Corp. and its contractors will strive to minimize the surface impacts of the exploratory drilling program. The drilling operations would include removal and stockpiling of topsoil for regrading whenever possible. Topsoil stockpiles will be clearly located and marked. Sedimentation and erosion control best management practices will be implemented (e.g. berms, straw bale or silt fences) at all affected areas pursuant to SDCL 45-6C-32. Sumps will be located on the uphill side of the drill site when feasible and constructed with a liner suitable to retain liquids. Areas where drilling sites or exploration roads are constructed would be reclaimed using two methods. For drilling on or immediately adjacent to existing roads, the area of the drill site would be regraded as necessary, the drill sump will be backfilled, and the area will be seeded. Reclamation will be conducted post-drilling. The post-mining land use for the exploration area will be woodland grazing, which would be accomplished by reclaiming to an open canopy area within the forested surroundings.

2. Provide a proposed timetable for seeding and replanting indicating when and how the reclamation plan will be implemented. Such timetable shall be developed in consultation with the County District Conservationist as to the nature of the soils and native vegetation in the area of the proposed operation. These recommendations shall be followed, if any are provided, and copies of all correspondence shall be provided to the Department.

Seeding will take place after recontouring and regrading of disturbed areas is completed. Seedings would be done on a clean, smooth, weed free seedbed. Dakota Territory Resource Corp will control all noxious weeds on areas impacted by exploration drilling throughout operations and through 1 year post-reclamation. Weeds would be clipped before they compete against the seeding for moisture and light.

All reclamation processes, seed mixes, seasonal constraints and timing and guidance will be based on South Dakota NRCS Conservation Practice Standard (CPS) Critical Area Planting Code 342 as suggested by the Lawrence County Conservation District and the local NRCS requirements and recommendations, per 45-6C-16; Consultation with surface owner—Preferences for reclamation and travel restrictions, as well as with the conservation district and NRCS offices. Fertilizer would be applied as necessary. Reseeding of the reclaimed sites would be conducted if the initial reclamation is not successful. The seed mix for reseeding drill pad sites consists of local native species and was developed based on recommendations by the local Natural Resources Conservation Service (NRCS) office. The reclamation seed mixture attached on a NRCS Seeding Plan Tool Form.

3. Describe how the reclamation plan will rehabilitate the affected land.

The goal of the reclamation plan is to rehabilitate and restore the affected lands to woodland grazing habitat. Planting of grasses would control erosion and protect the soil. Numerous forb and shrub species are expected to volunteer on the reclaimed areas because ground disturbance associated with exploration activities would be limited as compared to surrounding areas of vegetation. A grass, forb, shrub and subshrub community is expected to develop as reclamation matures, which would support woodland grazing and provide an edge effect to support the wildlife in the area.



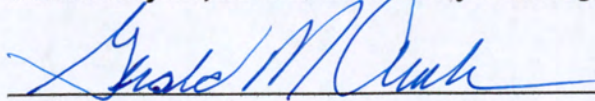
4. Describe the anticipated temporary and permanent plugging and capping procedures to be used. Please refer to SDCL 45-6C-28 through 45-6C-30, SDCL 45-6D-33 through 45-6D-35, and the state's hole plugging regulations as detailed in ARSD 74:11.

At a minimum Dakota Territory Resource Corp. commits to following all South Dakota laws and statues concerning hole plugging and abandonment and alternatively would execute a full cement grout where needed, such as any instance where aquifer cross contamination is possible. All exploration drill holes would be plugged in accordance with ARSD 74:11:08 and SDCL 45-6C-28 through 45-6C-30. The drill holes may penetrate Tertiary intrusions and the Precambrian, which are water-bearing units or aquifers in the Black Hills. If an aquifer is penetrated, the exploration drill holes will be plugged from bottom to top using bentonite grout, which complies with the requirements of ARSD 74:11:08:05 and ARSD 74:11:08:05:01 (i.e. requirements for plugging exploration drill holes that penetrate single unconfined aquifers and confined or multiple aquifers). In the event that a confined aquifer is penetrated, the weight of the bentonite grout column would be sufficient to overcome formation pressure or the hole would be plugged using cement grout. Records regarding aquifers encountered during drilling and plugging methods used would be retained for each exploration hole and those records would be provided to the South Dakota Department of Agriculture and Natural Resources (DANR). All exploration drill holes will be plugged immediately upon completion while the drill rig is still on the pad. In the event that a drill hole needs to remain open for more than 30 days, Dakota Territory Resource Corp will apply for an alternate plugging schedule to temporarily keep the hole open.

5. Provide the estimated cost of implementing and completing the proposed reclamation, and, the estimated cost of plugging and sealing each test hole.

Reclamation of each drill pad is estimated to cost approximately \$1,000. Plugging and sealing drill holes is estimated to cost \$1,000 per hole. Dakota Territory Resource Corp. has a statewide surety bond of \$20,000 in place with the State of South Dakota in lieu of drill program specific surety bonds (SDCL 45-6C-19).

***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.***

  
Signature

Date: January 10, 2022

Title: Chief Operating Officer



JAN 13 2022

## SEEDING PLAN

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MLRA

Producer Dakota Territory Resource Corp Conservation District: Lawrence 62Program CTA Practice No. 342 Practice Name: Critical Area SeedingCI or Referral No.                      Contract #                     

Resource Concern (CPPE Impact)

Purpose:

342- Stabilize areas with existing or expected high rates of soil erosion by wind or water

## PLANNED

Tract	NA	Seedbed Preparation
Field	NA	Clean, smooth, weed free seedbed will be prepared
Acres	1.00	
Group or Site	Critical Area Group	
Site	Loamy or Silty Texture	
Date to be Planted	Early Spring Prior to 5/15	Protection Provided
Alternative planting dates		
Alternative planting dates		Clip weeds before they compete for moisture and light
Seeding Equipment	Special Grass Drill	
Companion Crop	None	

## PLANNED

Species * **	1/ Select Improved Variety (recommended) or select common seed (see note below)	Percent in Mixture	Pure Live Seeds (PLS) per square foot	Pure Live Seed (PLS) lbs/ac Needed	Acres to Seed	Pure Live Seed (PLS) lbs Required
		105	41.48			
Western wheatgrass		55.0	20.63	8.02	1.00	8.02
Big bluestem		15.0	6.75	1.67	1.00	1.67
Sideoats grama		5.0	2.25	0.54	1.00	0.54
Slender wheatgrass		20.0	7.50	2.11	1.00	2.11
Green needlegrass		5.0	2.25	0.54	1.00	0.54
Little bluestem		3.0	1.35	0.21	1.00	0.21
Western yarrow		1.0	0.38	0.01	1.00	0.01
Purple prairie clover		1.0	0.38	0.06	1.00	0.06

## To meet SD NRCS

## Standards Please Note:

- 1/ Improved varieties recommended above have no restrictions on their origin.  
1/ Origin of Common grass seed must be ND, SD, NE, MT, WY, MN, or IA. Exception: Smooth Bromegrass any locale.  
1/ Common Native forbs and legumes will originate or be grown in

(USA): ND, SD, NE, MT, IA, WY, ID, WA, OR, MN, WI, and (CAN): AB, BC, MB, ON, SK.

- Seed test must be completed according to SD Seed laws (see link below) and no more than 9 months prior to the date planted.
- All legumes must be pre-inoculated. Producer will provide all seed tags to NRCS [Legume inoculants](#)
- Tetrazolium (TZ) tests may be used as a substitute for germination tests ONLY for Green Needlegrass
- For Alfalfa Salinity tolerance use F or G from the web site link ----> [Alfalfa Variety Ratings](#)

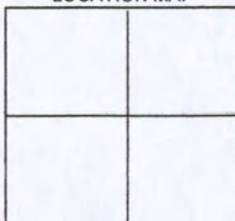
\* Pubescent wheatgrass and Intermediate wheatgrass are the same species and can be substituted for one another at any time.

\*\* Thickspike wheatgrass may be substituted for western wheatgrass if the later is not available but only west of the Missouri River.

To calculate the amount needed multiply the western wheatgrass seeding rate by .72

SD Seed Laws [Codified Laws Statute 38-12A](#)Seed testing [SD state seed-lab](#)

## LOCATION MAP



Tract

N

S.

T.

R.

Planning Assistance By:

Mitch Faulkner

11/1/2021

Name

Date)

Plan Meets SD Standards (if no explain)

Yes ☒ No ☐



**From:** [Faulkner, Mitch - NRCS, Belle Fourche, SD](#)  
**To:** [Crystal Hocking](#)  
**Cc:** [Justin Krajewski](#)  
**Subject:** RE: [External Email]Recommended seed mixes for Lawrence County?  
**Date:** Tuesday, December 14, 2021 9:09:08 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[Converted Richmond Hill Phase 1 Proposed Holes.xlsx](#)

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**CAUTION:** This email originated from outside of the organization. Exercise caution when viewing attachments, clicking links, or responding to requests.

Hi Crystal- I took a look at the soils mapped at the planned drill sites and it is going to be dominated by "forest" soils again. I agree that the seeding plan we did for the other project is probably the best bet considering that. A lot of similar soils and sites again.

Let me know if you need anything else for this. I did some conversions and added the sites and soils to your table. That modified table is attached.

Thanks

Mitch

Mitch Faulkner  
Area Rangeland Management Specialist  
USDA-NRCS  
Belle Fourche, SD  
Cell: (605) 519-1446

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**From:** Crystal Hocking <crystal.hocking@respec.com>  
**Sent:** Tuesday, December 7, 2021 11:25 AM  
**To:** Faulkner, Mitch - NRCS, Belle Fourche, SD <mitch.faulkner@usda.gov>  
**Cc:** justin.krajewski@respec.com  
**Subject:** RE: [External Email]Recommended seed mixes for Lawrence County?

Hello Mitch – You helped us with the seed mix for a drilling project north of Central City a couple months back. Now we have another drilling project we need a seed mix for, this one at the old Richmond Hill Mine. Overall the project is the same, 1 acre max disturbance per drill hole (shown in map and listed in table attached). I was assuming we could use the same seed mix (attached) but wanted to check in and get your blessing first. Else if you have other recommendations, we'll follow your recommendations. We'd like to have this issue worked out before Christmas, so let me know if you need additional info and Justin or I will get you what you need.

Crystal M. Hocking, PG PE  
RESPEC  
605.394.6451







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