



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

August 11, 2023

Michael Schlumpberger
SDO Services, LLC
18 East Main St
Suite 103
Rapid City, SD 57701

Dear Mr. Schlumpberger,

The department has completed review of the Notice of Intent to Conduct Mineral Exploration (EXNI) submitted on August 4, 2023. We have determined this application to be incomplete. Please address the following:

1. SDCL 45-6C-8(2): Please include a seed mix and planting timetable developed in consultation with the Pennington County District Conservation Officer of the Natural Resources Conservation Service.
2. SDCL 45-6C-8(4): Please note the proposed alternative plugging procedure to potentially utilize bentonite chips in the top eight feet of a drill hole does not meet the minimum acceptable plugging requirements outlined in ARSD 74:11:08:04. DANR will be placing a restriction on the EXNI stating this proposed alternative is not to be utilized during plugging activities.
3. SDCL 45-6C-9: Please note maps should include a one-half mile area surrounding the proposed exploration area. Currently, it does not appear that any of the maps provided include the entire one-half mile area surrounding the proposed exploration. Also, the site is located immediately adjacent to Hill City. According to this statute, the map needs to include water pipelines which we would expect to see so close to residences on the edge of the town. Please redo the maps to include this information.
4. SDCL 45-6C-11: No cultural resource information was included in this application. Since this is in the location of a known historical mine site, it is advisable to contact the state archaeologist to determine whether there will be a need to complete any archaeological surveys prior to the start of any exploration activities. While this may not prevent the issuance of a restriction letter by the department, it may delay any activities that can be conducted due to restrictions on the EXNI placed by the state archaeologist as per this statute.

5. SDCL 45-6C-13: This application will not be considered filed as per this statute until all required statutes have been addressed.

6. As a technical comment, during review of the Purchase Agreement we noted the legal location provided in Section 3 of the agreement is incorrect. There appears to be a typographical error for the Township.

Please let me know if you have any questions.

Sincerely,

\s/

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