

APR 25 2025

MINERALS &amp; MINING PROGRAM

130 E. Centennial St.  
Rapid City, SD 57701  
April 22, 2025

Minerals, Mining & Superfund Program  
523 E. Capitol Ave.  
Pierre, SD 57501-3182

RE: Clean Nuclear Energy Corp. proposed uranium  
exploration in Fall River County

Dear Sir or Madam:

Please consider this as my formal request and intent to intervene in opposition to the proposal by Clean Nuclear Energy Corporation (CNEC) to explore for uranium in an area approximately seven miles north of Edgemont on state school and public lands which are adjacent to Craven Canyon. It is clear to me that the adverse effects of uranium exploration (including up to fifty drill platforms) on the historic, archaeologic and geologic aspects of the surrounding land would outweigh any perceived benefits.

I have lived in South Dakota for more than fifty years. I graduated from the University of South Dakota School of Law in 1990 and moved to Hot Springs that year to begin my career as an attorney. In July 1991, I was one of several local citizens who approached the Board of Minerals and Environment in a successful effort to designate a portion of Craven Canyon as special, exceptional, critical or unique and therefore unsuitable for mineral exploration and mining. Among the proponents of this protection was George Hey, who was a lifelong rancher in the immediate vicinity.

We were mindful of the fact that this designation would not protect the adjacent national forest lands. However, the Hell Canyon Ranger District of the Black Hills National Forest advanced a twenty year mineral withdrawal to protect 3,968 acres in Craven Canyon in 2010, due to its unique and valuable cultural resources. In its draft environmental assessment, the Forest Service noted that "the rock art sites in Craven Canyon are a highly significant cultural resource. They have yielded, and continue to yield, information about ideology, aesthetics, technology, and social organization not found in other types of archaeological sites." Craven Canyon had been listed on the National Register of Historic Places in 1993, due to its petroglyphs and pictographs. However, the Forest Service suggested that "Craven Canyon should be viewed as an Ethnographic Landscape...(with a) variety of natural and cultural resources that associated peoples define as heritage resources." Specifically, it was noted that "some Lakota were more interested in Craven Canyon as a whole, and are not interested specifically in the rock art." It was noted that there is a need to protect the natural landscape features of the canyon, including limestone protrusions that have great scenic beauty. While the pictographs and petroglyphs are especially deserving of protection, they are not the only asset of the canyon.

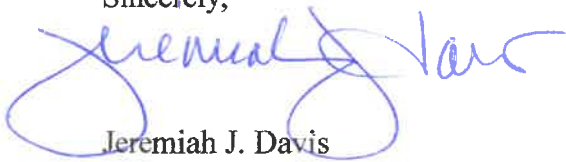
The lands surrounding Craven Canyon, including the approach to Pilger Mountain, have been damaged in the past by uranium exploration holes. It is reasonable to expect that renewed

uranium exploration would increase traffic, dust and vandalism to the archaeologic resource. Unfortunately, vandalism is an ongoing threat. In 1999, six people carved graffiti over some of the petroglyphs in Craven Canyon, for which they paid over \$9,000 in civil penalties in 2003. After that episode, the Forest Service decided to close the site for at least ten months, except for ranchers with grazing permits and Tribal members who had permits to enter the canyon for specific religious practices. It is clear that Craven Canyon is an important cultural and archaeological site which needs ongoing protection. The drilling operation that CNEC proposes would place the site in direct jeopardy.

My son Joshua was a student at Hot Springs Middle School, where he was active in sports, academics and social activities, until we moved abruptly to Pierre late in 1992. When I asked him what was his most memorable experience from our time in Hot Springs, he identified our trips to Craven Canyon, where George Hey showed us the prehistoric rock art, without hesitation. It is safe to say that numerous visitors to Craven Canyon have been deeply moved by the experience. This is a unique cultural and archaeological resource which should be protected and cherished, not exploited and degraded.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeremiah J. Davis", with a large, stylized loop at the end.

Jeremiah J. Davis

cc: CT Corporation System, 319 S. Coteau St., Pierre, SD 57501



Minerals, Mining & Superfund Program  
523 E. Capitol Ave.  
Pierre, S.D. 57501-3182

[illegible]

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MAY 12 2025  
MINERALS & MINING PROGRAM

May 9, 2025

Sarah Peterson  
510 Jennings  
Hot Springs, SD 57747

To, South Dakota State Board of Minerals and Environment

Dear Sirs,

I want to intervene in the CNEC Permit Hearing because I am concerned about our water in Fall River County.

I want the Board to deny this permit.

My concerns are for the water in the Caven Canyon area which is the water shed for the Chyenne River. The mouth of Cravens Canyon empties into the Red Canyon Creek which flows into the Chyenne River. There are many ranches in the area of the proposed for uranium exploration drilling which depend solely on rain and more importantly well water for their homes and cattle. There are recharge areas in this area.

Sincerely,

 5.9.2025

Sarah Peterson

**Black Hills Group - Sierra Club  
PO Box 1624  
Rapid City, SD 57709**

May 8, 2025

Minerals, Mining & Superfund Program  
Dept. of Agriculture and Natural Resources  
523 E. Capitol Ave.  
Pierre, SD 57501-3182

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**MAY 12 2025**

**MINERALS & MINING PROGRAM**

RE: Clean Nuclear Energy Corp. uranium proposal

Dear Minerals, Mining & Superfund Program:

On behalf of the Black Hills Group of the Sierra Club, I am seeking to intervene in opposition to the proposal by Clean Nuclear Energy Corporation (CNEC), to explore for uranium adjacent to Craven Canyon in Fall River County, South Dakota. The Sierra Club is the largest and oldest environmental organization in America. There has been an active Group of the Sierra Club in the Black Hills for more than fifty years. Our members enjoy and appreciate the cultural and ecological assets of the Black Hills, and are dedicated to the protection of our natural resources for future generations.

The permit to explore for uranium should be denied because of its adverse effects on the historic, archaeologic, geologic, scientific and recreational assets of the surrounding land, which clearly outweigh any benefits from this proposed uranium exploration operation. This area of Fall River County has suffered environmental damage from previous uranium exploration holes. If CNEC is allowed to build as many as fifty 60' by 60' drill platforms, and drill holes as deep as 700 feet, we can anticipate that permanent damage to valuable water resources and surrounding lands may well result.

Craven Canyon is a unique cultural resource because of the extensive rock art (prehistoric pictographs and petroglyphs) which are clearly visible there. For that reason, Craven Canyon is listed in the National Register of Historic Places. In addition to its archaeological significance, it is a place of unique scenic beauty. If it is opened up and degraded by a mineral exploration operation, Craven Canyon will be seriously degraded by extensive traffic and potentially by renewed vandalism, which has been an ongoing threat to the cultural resource.

Clearly, Craven Canyon and the surrounding national forest and state lands need more protection, not less. Extensive exploratory drilling for uranium threatens to further degrade a resource that has previously been damaged by mineral development and vandalism. We earnestly request that CNEC's application to explore for uranium in this area be denied.

Thank you for your consideration in this matter.

Sincerely,



Michael Melius  
Chair, Black Hills Group – Sierra Club

\*\*\* Petition to Intervene re Craven Canyon Uranium Exploration

I am:

Sanders Schaller  
322 4<sup>th</sup> Street  
Smithwick, SD 57782  
sanders.schaller@protonmail.com

Reason for intervene:

1. Uranium exploration/mining is dangerous to the local environment and longer distance (via aquifers) environment.
2. Uranium leads to use for nuclear power which is also dangerous (eg Chernobyl).
3. Uranium leads to use in nuclear weapons, which have extremely dangerous effects (including long denial of area use, nuclear "winter").
4. Clean water is necessary for healthy life and as local populations grow, ever more so necessary and to be stewarded.
5. There is no such thing as area or aquifer regeneration after uranium exploration/mining.
6. Craven Canyon is sacred, spiritually infused land, central to indigenous worldview.

Requested Board action:

DENY Craven Canyon uranium exploration

Relevant facts:

Long history of aquifer contamination during and after uranium exploration/mining.  
Proven track record of poor "company" performance.  
Proven history of nuclear power plant danger.  
Nuclear clock moving closer and closer to midnight.  
Humans can not exist without environment.  
Craven Canyon is sacred, spiritually infused land, central to indigenous worldview.

*Sanders Schaller*  
Sanders Schaller  
Fall River County  
May 8, 2025

MAY 12 2025

MINERALS &amp; MINING PROGRAM

May 9, 2025

To: SD DNR Board of Minerals and Environment:

I would like to intervene, and am petitioning you to DENY the permit application for uranium ~~mining~~ exploration on state land near Craven Canyon. This is a personal and collective concern of mine. As a resident of Fall River county, I recreate in this area, finding spiritual solace in the wild lands there. I also drink water from public and private wells that could be contaminated and/or drained by the proposed drilling/exploration of uranium.

The impact of drilling at the proposed site is detrimental - and there are many reasons why this would be damaging and dangerous to all life in the region (not just me as an individual). I will list them more specifically:

- \* Water is a precious resource around here. Shortages are already felt by communities in the area - and we cannot afford to put so much of our water supply towards this purpose. If it drains our sources of water further, residents will suffer
- \* The proposed site directly impacts the overall health of the watershed, affecting humans & the many animals of the area, alike.
- \* There would be adverse effects on the historic cultural sites in the area that have archaeological significance and have been used (and continued to be) by indigenous people

for ceremonial purposes. It is considered a sacred site and should be maintained + protected as such.

\* Another note: there are already numerous un-reclaimed uranium exploration holes in the area. Any improperly-capped wells that have been abandoned will continue to pose threats to our waters and the animals inhabiting the area, for years (and generations) to come. Let's not do more damage!

Please consider this my letter of intent to intervene in this project. In addition, I request that the venue for a hearing be changed to Hot Springs, SD so that the voices of concerned citizens who will be affected by this proposed "exploration" may be heard without requiring them to travel clear across the state to be a part of it.

Thank you for your time + consideration,

Julie Plachta  
(Julie Plachta)



P. O. Box 591  
Rapid City, SD 57709  
May 8, 2025

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MAY 12 2025  
MINERALS & MINING PROGRAM

Minerals, Mining, and Superfund Program  
523 East Capitol Avenue  
Pierre, SD 57501-3182

Dear Minerals, Mining, and Superfund Program:

This is my notice that I want to intervene in the permitting process for the proposed uranium exploration by Basin Uranium/Clean Nuclear Energy Corporation as part of the Chord Project. This proposed exploration area is in Section 36, T7S-R2E in Fall River County. I want to intervene because I am a concerned citizen of the Black Hills who sometimes visits the area and values its beauty and contribution to the historical and cultural record.

I want the Board of Minerals and the Environment to reject the proposed uranium exploration permit. I also request that the hearing on this matter be held in the Black Hills, preferably in the relevant county in Hot Springs, so that the public can participate and observe their government in action.

The issues I want to raise include:

- Fall River County has passed an initiative against uranium mining which is, among other things, an assertion of local control that should be respected.
- The proposed drilling could impact surface and ground water.
- Drilling would cause noise, lights and traffic in a protected, world-class area where silence and a lack of disruption are required.
- There may be as yet un-catalogued cultural, historical, and/or archeological sites in the proposed drilling area.
- The adverse effects of the proposed exploration on historic, recreation, cultural, archeological, and geological aspects of the affected and surrounding land outweigh the benefits of the proposed exploration project.
- The impacts of 50 drilling pads would result in loss or reduction of long-range productivity of the land and water.
- Past uranium drilling has left a number of drill holes, which are unreclaimed and could be improperly plugged, which could exacerbate water contamination or wastage.

Thank you for your attention to this matter.



Lili Jones Jarding, Ph.D.

Minerals, Mining & Superfund Program  
Dept. of Agriculture and Natural Resources  
523 E. Capitol Ave.  
Pierre, SD 57501-3182

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MINERALS & MINING PROGRAM

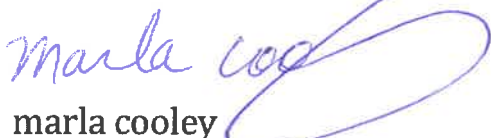
Dear Minerals, Mining & Superfund Program:

I, marla cooley, am writing to intervene to oppose the Clean Nuclear Energy proposal for Uranium Exploration/Mining at Craven Canyon in Fall River County, South Dakota. Here are my reasons:

1. This is CEREMONIAL and SACRED GROUND to our indigenous friends and family. They continue to this day to hold sacred, spiritual ceremonies on this land. It is horrid that uranium mining is proposed here, due to the FACT that these ceremonies have been going on for thousands of years.
2. There are pictographs and other rock art that are ANCIENT-up to 7,000 years old.
3. I object to the use of our land and water by a foreign entity.
4. The people of Fall River County have made it PERFECTLY CLEAR through voting in 2022 that we find uranium mining unacceptable.
5. There is too much risk to groundwater from contamination by uranium and other chemicals used in exploration. We, the people, really do NOT want that. Our food is grown here. We drink the local water. WATER IS LIFE.

Please do the right thing and deny this application.

Lastly, I request that the hearing be moved to Hot Springs.



marla cooley  
145 S. Garden St.  
Hot Springs, SD 57747

From: Susan Hey  
312 Nth 40th Street,  
Rapid City, SD, 57702

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MINERALS & MINING PROGRAM

May 8, 2025

Minerals, Mining and Superfund Program  
523 East Capital Avenue,  
Pierre, South Dakota, 57501-3182

To whom it may concern:

I am submitting a petition to intervene in the permit application for Basin Uranium in the Craven Canyon area of Fall River County, South Dakota. I am asking the board to deny the permit.

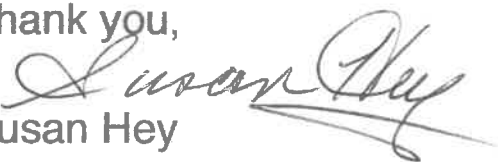
My family land is within 2 miles of the proposed exploration zone. I have grave concerns about contaminated domestic and livestock wells.

This exploration could also affect the cultural and archeological aspects of this very unique canyon in the Black Hills containing evidence of human habitation dated at thousands of years old. My father, George Hey, was part of the process in getting the Petroglyph area declared a "Special, Exceptional, Critical and Unique Area".  
I wish to honor his stewardship of this area.

I also request that the hearings be held in Fall River County.

Thank you,

Susan Hey



**LAW OFFICE OF BRUCE ELLISON**  
**P.O. Box 2508**  
**Rapid City, SD 57709**  
**(605) 858-1850**  
**Belli4law@aol.com**

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**MAY 12 2025**  
**MINERALS & MINING PROGRAM**

May 9, 2025

BOARD OF MINERALS AND ENVIRONMENT  
Department of Agriculture and Natural Resources  
Minerals, Mining, and Superfund Program  
523 East Capitol Avenue  
Pierre, South Dakota 57501-3182.

Re: Exploration Application by Clean Nuclear Energy Corp  
Petition to Intervene

I hereby intervene in the Application by Clean Nuclear Energy Corporation to conduct drilling exploration for uranium in Craven Canyon as authorized by ARSD 74:09:01:01.

I am a South Dakota resident and oppose uranium mining exploration operations which potentially threaten surface and subsurface water resources, religious, cultural, and historic resources, and public use of public lands.

The Board of Minerals and Environment should deny the Application under the reasons stated in SDCL 45-6D-29 and ARSD 74:09:01:07, including but not limited to the following:

The application and supporting documents are incomplete as are the Department's final recommendations for the granting of the permit.

Craven Canyon, including the area and interconnected surrounding area that the "Clean Nuclear" seeks Board approval to explore contains highly significant cultural, historic, religious sites as well as surface and subsurface water resources. The Application is inadequate in that it shows there was been inadequate and insufficient research, study, and analysis as to the existence and importance of these resources as well as the local geology and hydrology of the area. It inadequately failed to address the potential and irreparable adverse impacts to such resources by the proposed operation. It also failed to identify and address the adverse impacts by the proposed exploration on the continued and historic use of the area for Native ceremonial practices.

Therefore, as will be shown at the Hearing on this Application, it failed to address the potential adverse effects of the proposed uranium exploration operation on the historic, archaeologic, geologic, scientific, or ceremonial use of the land.

**LAW OFFICE OF BRUCE ELLISON**  
**P.O. Box 2508**  
**Rapid City, SD 57709**  
**(605) 858-1850**  
**Belli4law@aol.com**

The Application further failed to adequately identify and address the potential adverse effects of the proposed exploration on the loss or reduction of long-range productivity of watershed lands, public and domestic water well aquifers, or significant agricultural areas as well as ongoing recreational use of the area for hiking and hunting .

The proposed uranium exploration operation will further adversely affect threatened or endangered wildlife indigenous to the area.

The Department's recommendations to grant the permit and the suggested conditions therefore shows that the Department similarly failed to adequately study and consider the likely potential irreparable or long-term adverse impacts by the proposed drilling operations and related heavy equipment traffic and the closure of public lands to public use.

Such potential adverse impacts on the affected or surrounding land outweigh the benefits of the proposed uranium exploration operation.

The surety bond will not adequately remedy any damage to these resources, many of which would be irreparable.

Due to the potential impacts on local resources and the majority of the intervenors likely being from the Black Hills, particularly Fall River County, a great distance from Pierre, SD, I request that the Hearing on this Application be held in either Rapid City or Hot Springs.

Under the SDCL Chapter 1-26, I ask that the scheduling of the Hearing include time to permit me to seek discovery from the Applicant and the Department, as well as to exercise other pre-Hearing rights therein.

The Permit Application should be denied.

  
\_\_\_\_\_  
BRUCE ELLISON

**CERTIFICATE OF SERVICE**

It is hereby certified that a true and correct copy of this Intervention Petition was served, by mailing, US Postage Paid to the registered agent of "Clean" Nuclear Energy, Inc., a Canadian Corporation, to wit: CT Corporation System, 319 S Coteau St, Pierre, SD 57501.

  
\_\_\_\_\_

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MAY 13 2025

MINERALS & MINING PROGRAM

Michelle Tyon

MAY 9th 2025

Po Box 1838

Pine Ridge, SD 57770

To Whom It May Concern:

I am writing the Board of Minerals, Mining and Exploration, concerning the uranium mining or exploration by CNEC in the Black Hills of SD. Specifically Craven Canyon, which is sacred to the Lakota People. My name is Michelle Tyon I am a member of the Oglala Lakota Tribe, also a mother and grandmother, I live in Porcupine SD, what is now called western South Dakota. I would like to intervene as a petitioner on behalf of my immediate family who has lived here since before SD was a state. I oppose any mining by or near our sacred site Craven Canyon, it is a place our ancestors camped and lived we have prayed and gathered our food and medicines for our ceremonies, it has been that way since my grandfathers and grandmothers can remember. I am an agriculturist who grows my own food, and I also grow sacred medicines that are at risk of becoming extinct. If mining was to occur, I live downhill from any mining, and it would contaminate my water the water we drink, I have several immediate family members who passed on from cancer. I can't reiterate it enough that I am so opposed to any mining especially uranium mining. Thank you for your time.



Michelle Tyon, granddaughter, direct descendent of Chief Red Cloud

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MINERALS & MINING PROGRAM

Reno L. Red Cloud  
P.O. Box 4052  
Pine Ridge, SD 57770

RE: Request Individual Intervenor Status

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**Why I want to Intervene?**

I am a (six generation) direct descendant of Chief Red Cloud, (my great-great grandfather) signed the Treaties of 1851 & 1868. I am in opposition to the Chord Project-Craven Canyon, because 'Craven Canyon' is sacred to the Lakota People'. The petroglyphs, and surrounding area, are over 7000 years old, and, should be protected from uranium exploratory drilling there, and its surrounding area. Even though it's on (SD State) public education lands, and SD State jurisdiction.

**What action I want the 'SD Board of Minerals' to take?**

I want the State of 'South Dakota Minerals Board' to (deny) the Chord Project-Craven Canyon Uranium exploratory drilling project. I would like to request the 'SD Board of Minerals' have their (hearing) in Fall River County, or Pennington County. I understand this is an exploratory drilling project, but drilling exploration is a key step towards the development of a mine.

**Relevant facts about / issues about Craven Canyon.**

Our 1851 & 1868 Treaties, have a priority date before the State of South Dakota (Statehood) in 1889. Our 'Lakota' origin story is we came out of Wind Cave, and the Black Hills, is our ancestral homeland. We have the 1851 & 1868 Treaties (Nation to Nation) with the United States Government, and Article 6, States: 'Our treaties are the supreme law of the land' I would like to keep our sacred treaty land protected from mining influences of uranium contamination, especially in the Cheyenne River, which runs through the Pine Ridge Reservation, and the Cheyenne River Sioux Reservation. Our traditional, cultural, and ceremonial lands are being desecrated due to (South Dakota) State Mining Permitting.

Respectively,

*Reno L. Red Cloud*

Reno L. Red Cloud

Date: 05/10/25

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

May 9, 2025

Minerals, Mining and Superfund Program  
523 East Capitol Avenue  
Pierre, South Dakota 57501-3182

Chord Project – Craven Canyon area

To Whom it May Concern,

I want to intervene in the permitting processing for the Chord Project which would take place on state lands near Craven Canyon. I want the Board of Minerals to deny this permit because this project would most likely have adverse effects on “historic, archaeologic, geologic, scientific, or recreational aspects of affected or surrounding land.” The dangers outweigh the benefits of exploration here. There are many cultural resources in this particular area, including rock drawings, that were created 7,000 years ago. These prehistoric petroglyphs are a precious resource. Creating an archaeological education site such as the Mammoth Site in nearby Hot Springs would generate income indefinitely. A mine is played out after a decade or two and usually leaves a superfund site that typically costs taxpayers millions of dollars.

Furthermore, this project “will result in the loss or reduction of long-range productivity of watershed lands, public and domestic water wells, aquifer recharge areas, or significant agricultural areas.”

Thank you for making it possible for concerned citizens to intervene. If there should be permit hearings, please hold them in Hot Springs, South Dakota.

Sincerely,



Gena Parkhurst

cc: Clean Nuclear Energy Corp. CT Corp. System  
319 S. Coteau Street  
Pierre, SD 57501



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MINERALS & MINING PROGRAM

Ben R Sharp, MSc. PhD  
28290 W Flagpole Rd  
Hot Springs SD 57747  
(605) 515-4208

Attn: Minerals, Mining, and Superfund Program

Re: Exploration permit for uranium mining in Craven Canyon

Hello,

I am petitioning to be registered as an intervenor in the upcoming public hearing regarding uranium exploration in Craven Canyon area of Fall River County. I oppose this activity and ask that the Minerals Board deny these permits, on the following grounds.

- The exploration wells will penetrate aquifers and provide conduits for radioactive and chemical contamination to spread
- Pre-existing unsealed boreholes in the area already make the management of underground water movement between aquifers impossible. By pressurizing water and freeing contaminants, this exploration will permanently contaminate our groundwater.
- The Black Hills is a semi-arid environment wholly dependent on groundwater. Unlike the Rocky Mountains there is no snow melt to feed rivers.

2)

- The geology of the Craven Canyon area is fractured with no sealing layers. It is impossible to prevent contaminated water from spreading underground including between aquifers.
- The proposed exploration site is nearly 400' above the level of the canyon floor to the east. Radioactive contamination would likely spread laterally where it would re-surface in the canyon and spread down canyon in the creek.
- Craven Canyon contains the best un-damaged prehistoric rock art in the Black Hills, both petroglyphs and pictographs.
- Craven Canyon is an ancient and ongoing ceremonial site for Lakota and other indigenous people.
- The company proposing the exploration is Canadian. The money behind it is probably Chinese. Canada and China are not our allies.
- The citizens of Fall River County have already voted to ban uranium mining, by local referendum.

3) ... pursuing a mining project in defiance of this referendum is an affront to democracy.

- The citizens of this country will not accept our future prosperity and health being put at risk simply to sell out for short-term profits for foreign corporations.

We ask that the public hearing be held at the Mueller Center in Hot Springs SD. It is not acceptable that local decisions of this nature are made in Pierre without adequate local and tribal involvement.

Please confirm my intervenor status, and keep me informed of next steps.

Regards,

Ben R Shump



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MAY 14 2025

MINERALS &amp; MINING PROGRAM



May 14, 2025

Minerals, Mining, and Superfund Program  
523 East Capitol Avenue,  
Pierre, South Dakota 57501-3182

Dear Mineral, Mining and Superfund Programs:

My name is Ryman LeBeau and I serve as Chairman for the Cheyenne River Sioux ("CRST"). Our Tribe is represented by Kimberly Craven, Attorney General for the CRST, P.O. Box 590, Eagle Butte, SD 57625. Her email is [crstattorneygeneral@protonmail.com](mailto:crstattorneygeneral@protonmail.com). Any future correspondence or notices should be addressed to Attorney General Craven who will be representing the Tribe in this matter.

The Cheyenne River Sioux Tribe seeks to intervene in the matter of the proposed uranium exploration in Craven Canyon by Clean Nuclear Energy Corporation ("CNEC") of Vancouver, British Columbia.

The CRST believes this area to be a sacred and culturally significant site to us. We are concerned that this uranium exploration project will irreparably damage and harm this site.

This area is within our sacred Paha Sapa, otherwise known as the Black Hills. We believe uranium exploration will damage the natural environment and damage our sacred lands and waters.

The Cheyenne River Sioux Tribe seeks to have South Dakota Board of Minerals & Environment deny any and all necessary permits that would allow CNEC's proposed exploration of this sacred site.

The Tribe objects to this uranium mining exploration project located on our sacred lands in the Black Hills. The State of South Dakota's State Historic Preservation Office ("SHPO") evaluated the proposed project at this important site, listed on the National and State Registers of Historic Places, and has determined that there are at least twelve listed rock art sites, numerous

petroglyph sites within the one-mile study area and at least one suspected burial site. There may be many more of these.

This site is unique and needs to be protected from all future development in order to protect the sanctity of the sacred site, along with its surface and ground waters, and all the animals that live there. The proposed uranium mining developing would jeopardize the ability for all people to visit and recreate at this beautiful natural site.

Respectfully,



Ryman LeBeau  
*Wicáša Yámni*  
Chairman  
Cheyenne River Sioux Tribe

cc: Resident Agent: Clean Nuclear Energy Corp.  
CT Corporation System,  
319 S Coteau St, Pierre, SD 57501

Matthew E. Naasz, Gunderson, Palmer, Nelson and Ashmore, LLP  
P.O. Box 804  
Rapid City, SD 57709-8045

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FAX COVER SHEET

TO	Roberta Hudson
COMPANY	Board of Minerals and Environment
FAX NUMBER	16057735286
FROM	Steven Gunn
DATE	2025-05-14 20:42:46 GMT
RE	Oglala Sioux Tribe Petition to Intervene

COVER MESSAGE

To: Secretary of the Department  
Minerals, Mining, and Superfund Program  
Board of Minerals and Environment  
Department of Agriculture and Natural Resources

Attached please find the Oglala Sioux Tribe's Petition to Intervene in the matter of the Uranium Exploration Permit Application of Clean Nuclear Energy Corp. for the Chord Project.

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**MINERALS, MINING, AND SUPERFUND PROGRAM  
BOARD OF MINERALS AND ENVIRONMENT  
DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES  
523 East Capitol Avenue  
Pierre, South Dakota 57501-3182**

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**IN RE URANIUM EXPLORATION PERMIT APPLICATION OF  
CLEAN NUCLEAR ENERGY CORP. FOR CHORD PROJECT**

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**OGLALA SIOUX TRIBE'S PETITION TO INTERVENE  
PURSUANT TO ARSD 74:09:01**

COMES NOW the Oglala Sioux Tribe ("Tribe"), by and through undersigned counsel, and files this petition, pursuant to the Administrative Rules of South Dakota ("ARSD") 74:09:01:04, to intervene in, and become a formal party to, the proceeding before the South Dakota Board of Minerals and Environment ("Board") regarding the Permit Application by Clean Nuclear Energy Corp. ("CNEC") to conduct drilling exploration for uranium in the Craven Canyon area.

The Tribe respectfully requests that the Board grant this intervention petition and deny CNEC's application for a uranium exploration permit. The Tribe opposes uranium mining exploration operations that potentially threaten surface and subsurface water resources, religious, cultural, and historic resources, in the Craven Canyon area in particular, as that area is part of the Tribe's aboriginal and treaty-recognized territory.

The Board should deny the Permit Application for the reasons stated in S.D.C.L. § 45-6D-29 and ARSD 74:09:01:07, primarily that the application appears to be incomplete and the Project poses risks of adverse effects in one or more of the areas listed in S.D.C.L. § 45-6D-29, including risks of adverse effects to historic, archaeological, and cultural sites, and there is a risk that these adverse effects will outweigh any benefits of the proposed uranium exploration.

**I. CNEC's Proposed Chord Exploration Project**

CNEC has applied to the State of South Dakota to explore for radioactive uranium in Fall River County, north of Edgemont in an area near the rim of Craven Canyon. This project, called "Chord" is part of a larger plan to drill on both state and federal lands in the Craven Canyon area.

The exploration area is located approximately seven miles north of Edgemont in portions of Section 36, T7S-R2E; Fall River County.

CNEC's Chord Exploration Project ("Project") would consist of up to 50 holes drilled to a maximum vertical depth of 700 feet. Each drill platform would have a dimension of 60 feet by 60 feet. Exploration would be conducted utilizing reverse circulation drilling with sumps. Drill platforms would be near the rim of the Canyon. Each hole could take up to two weeks to drill, and the drilling activities would be seen and heard within the Canyon.

## II. The Oglala Sioux Tribe's Interest in the Matter

### A. The Oglala Sioux Tribe

The Oglala Sioux Tribe is a signatory to the Fort Laramie Treaties of 1851 and 1868 and a constituent tribe of the Great Sioux Nation, which is referred to in the *Lakota* language as the *Oceti Sakowin*, which means Seven Council Fires. In the Fort Laramie Treaty of 1868, the *Oceti Sakowin* reserved to itself the territory known as the Great Sioux Reservation, a tract of land including the sacred Black Hills, which is referred to as *Pahá Sápa* or *He Sapa* in *Lakota*. The United States promised that this territory would be “set apart for the absolute and undisturbed use and occupation” of the *Oceti Sakowin* as a “permanent home.” See Fort Laramie Treaty of 1868, arts. II, VII. The United States also promised in the Treaty that war shall “forever cease” with the *Oceti Sakowin*. See Fort Laramie Treaty of 1868, art. 1.

The United States broke the treaty when it invaded Lakota lands and waged war against the Lakota people. After the defeat of the United States and the Seventh Cavalry at the Battle of Little Bighorn in June 1876, Congress attached a “Sell or Starve” rider to the Indian Appropriations Act of 1876, 19 Stat. 176, which cut off rations in an attempt to coerce the people into selling the Black Hills. Yet, the Lakota stood firm, and the United States was unable to secure consent to the sale of the Black Hills. The Lakota said then—and the Oglala Sioux Tribe has repeated for generations—that the Black Hills are not for sale.

In the Act of February 28, 1877, 19 Stat. 254, the United States stole the Black Hills and other lands from the *Oceti Sakowin*. The United States Supreme Court acknowledged the illegality of the taking of the Black Hills in the case of *U.S. v. Sioux Nation*, 448 U.S. 371 (1980). In that case, the Supreme Court held that the Sioux Nation was entitled to compensation for the taking of the Black Hills. The Oglala Sioux Tribe and other tribes of the Sioux Nation have not accepted the compensation awarded for the Black Hills, insisting to this day that the United States stole the Black Hills and that it should return the Black Hills.

The Black Hills are sacred to the Oglala Sioux Tribe. The Tribe considers the Black Hills, or *Pahá Sápa*, to be “the heart of everything that is.” The Tribe is committed, now and forever, to protecting the Black Hills and preserving their claim to these sacred lands. To that end, several Sioux tribes purchased the sacred lands known as *Pe' Sla* in the heart of the Black Hills. The United States approved an application made by the tribes to take the sacred *Pe' Sla* lands into trust. The tribes intend to keep the lands in their original and natural state, reintroducing buffalo and other natural species, and preserving the area for traditional cultural and religious ceremonies.

The tribes of the *Oceti Sakowin* repeatedly have called upon the United States to return federal lands in the Black Hills, yet for over 40 years, the United States has not acted to provide justice for the *Oceti Sakowin* in respect to the Black Hills.



## **B. Opposition to Mineral Exploration and Mining in the Black Hills**

The Tribe is opposed to all mineral exploration and mineral development in the Black Hills that would infringe on the Tribe's rights under the Fort Laramie Treaties of 1851 and 1868 and other laws, as well as mining that would spoil the land, endanger the health and safety of the people, leave the land unusable for future uses, or pose danger to water, natural, and cultural resources. *See* S.D.C.L. § 45-6D-2. Specifically, and without limitation, the Tribe is opposed to any exploration or development of minerals in the Black Hills that would:

- Harm the sacred Black Hills, including the sacred site known as *Pe' Sla*, and traditional, cultural, and religious use of those lands; or
- Harm archeological, historical, cultural, and sacred sites in the Black Hills; or
- Harm the land, water, air, natural resources, and fish and wildlife in the Black Hills.

The Tribe consistently has opposed environmentally destructive mineral exploration and development projects in the Black Hills, including but not limited to the proposed Dewey-Burdock *in situ* uranium mine, the proposed Mineral Mountain Resources Rochford exploration project, the proposed F3 Gold Jenny Gulch exploration project, and the proposed F3 Gold Newark exploration project.

The Tribe also consistently has asserted that the United States should recognize that the Black Hills are not within the scope of the General Mining Act of 1872 and remove the Black Hills from all federal mining and mineral leasing laws. The *Oceti Sakowin* never consented or agreed to mining in *Pahá Sápa*.

The Tribe was pleased that the Biden-Harris Administration signed Public Land Order No. 7956 (Dec. 26, 2024) to withdraw approximately 20,574 acres of lands administered by the Black Hills National Forest Service in Pennington County, South Dakota, from mining and other forms of entry, appropriation, and disposal under the public land laws, mining laws, and mineral and geothermal leasing laws of the United States.

## **C. Protection of Treaty Rights, Sacred Sites, Archaeological, Historical, Cultural, and Religious Resources, and the Environment**

The Tribe seeks to protect its tribal treaty rights, sacred sites, archaeological, historical, cultural, and religious resources, and the environment from potential adverse effects from the proposed mineral exploration project in the Black Hills.

The Tribe has treaty rights to land, water, fish, wildlife, and other natural, cultural, and other resources in the Black Hills, and mineral exploration and development in the Black Hills threatens those rights. For example, past mineral development in the Black Hills has resulted in significant contamination of water resources in the Black Hills, and such contamination infringes on the tribal reserved, unextinguished right to fish in the Black Hills.

*Pahá Sápa* and *Pe' Sla* are sacred sites. The proposed uranium exploration project is in *Pahá Sápa* and in proximity to *Pe' Sla*. The project threatens to have significant adverse impacts

to these sacred sites, including pollution, noise, and disturbances caused by mineral exploration and development activities. In addition, pollution of the surface water and groundwater in the Black Hills threatens to make the Tribe's sacred sites unholy.

Mineral exploration and development in the Black Hills threaten to harm *Lakota* archeological, historical, cultural, and religious resources in the Black Hills, as well as to the free exercise of *Lakota* religion in *Pahá Sápa*. Allowing mining activities to occur anywhere in *Pahá Sápa*, poses a continuous and cumulative threat to cultural, religious, medicinal, and ceremonial practices, and should be prevented.

Craven Canyon and surrounding areas contain rock art and other artifacts that are up to seven thousand years old, and are of inestimable cultural, archeological, and scientific value. Many artifacts and sites of interest have been found in unprotected areas in and around the Canyon.

The proposed mineral exploration project poses a risk of harm to the land, water, air, natural resources, fish, and wildlife in *Pahá Sápa*, and risks negative impacts on the environment. Past mining activities in *Pahá Sápa* have had devastating impacts on the environment, causing extraordinary harms to the land, water, natural resources, and fish and wildlife in the Black Hills, including surface lands, subsurface structures, water, threatened and endangered species, and other natural resources. The Tribe cannot allow this to happen again.

### **III. The Tribe's Concerns with the Application**

#### **A. The Application Appears to Be Incomplete**

Craven Canyon, including the land that CNEC seeks Board approval to explore, contains highly significant cultural, historic, religious sites as well as surface and subsurface water resources. The Application appears inadequate in that it shows there has been inadequate and insufficient research, study, and analysis as to the existence and importance of these resources as well as the local geology and hydrology of the area. It failed to adequately address the potential and irreparable adverse impacts to such resources by the Project. It also failed to identify and address the adverse impacts by the proposed exploration on the continued and historic use of the area for Native ceremonial practices.

Therefore, as will be demonstrated at the Hearing on this Application, the permit application has failed to sufficiently address the potential adverse effects of the proposed uranium exploration operation on the historic, archaeological, geologic, scientific, or ceremonial use of the land.

The Application further failed to adequately identify and address the potential adverse effects of the proposed exploration on the loss or reduction of long-range productivity of watershed lands, public and domestic water well aquifers, or significant agricultural areas as well as ongoing recreational use of the area for hiking and hunting.

The proposed uranium exploration operation also risks further adversely affecting threatened or endangered wildlife indigenous to the area.

## **B. The Project Poses Risks of Adverse Effects to Historical, Archaeological, and Culturally Significant Lands and Resources**

Given the risk that the Project will adversely affect sites of historic, archaeological, and cultural significance to the Tribe and that there is a risk that these adverse effects will outweigh the benefits of the proposed uranium exploration, the Board should deny the permit according to 46-6D-29.

The Tribe draws the Board's attention to the concerns raised in the letter from the South Dakota State Historic Preservation Officer ("SHPO"), dated February 21, 2025, namely: visual impacts, potential damage by a drill site due to its proximity to a suspected burial site, lack of specificity regarding potential visual, fluid, vibratory, and auditory effects from the proposed drilling. The SHPO further emphasized that *"Additionally, if any tribes with an interest in this project wish to participate in the inspections, reasonable and good-faith accommodations should be made to facilitate this."* (Emphasis added.)

S.D.C.L. § 1-19A-11.1 outlines a process that must be followed prior to any governmental action (including the issuance of a permit) that may harm any historic property that is included in the Nation or State Register of Historic Places. While the SHPO determined in its letter that "the proposal will not encroach upon, damage, or destroy a historic property which is included in the National and State Registers of Historic Places," this determination was subject to a critical caveat: *"provided that* the twelve listed rock art sites are inspected pre- and post-construction by qualified personnel, a report documenting the conditions of the sites will be submitted to the SHPO within forty-five days after drilling has concluded, the environmental mitigation measures outlined in the case report are followed, and site 39FA0725 is avoided by all drilling activities." (Emphasis added.) The letter also stated that the SHPO would review the candidate to conduct this work, and that during pre-construction inspection, "significant background research of the sites identified" must be conducted. It is not known whether the SHPO consulted with Tribal Historic Preservation Officers ("THPOs") or performed adequate research, study, and analysis of potential impacts on *Lakota* historical, archaeological, and culturally significant lands and resources in the affected and surrounding areas.

Given the significance of the Black Hills area to the Tribe, the Tribe requests that it be involved and allowed to provide comments and input on any candidate, drafts or methodologies for the pre- and post-construction reports, and be a required party to any surveys conducted for the same. Further, the Tribe requests to be consulted by the Board and the SHPO and any other involved parties regarding any literature reviews or any other preparations for the reports. The Tribe's early and active participation will ensure that the results detailed in the report are culturally appropriate and adequately explain the Tribe's relationship to the Craven Canyon area.

**C. The Project Poses Risks of Loss or Reduction of Long-Range Productivity of Watershed Lands, Public and Domestic Water Wells, Aquifer Recharge Areas, or Significant Agricultural Areas**

Given CNEC's statement on page 7 of the Permit Application that the "drill holes are planned to penetrate the Inyan Kara Group rocks, which are water-bearing units or aquifers in some locations of the Black Hills," the Tribe is concerned that the exploration activities could damage aquifer recharge areas and seeks to intervene to attend the hearing and seek discovery and request more information on this potential risk, pursuant to S.D.C.L. § 46-6D-29.

**D. The Project Poses Risks of Adverse Effects on Threatened or Endangered Wildlife Indigenous to the Area**

The Tribe seeks to intervene to ascertain the risk that the Project will adversely affect threatened or endangered wildlife indigenous to the area, including buffalo and other indigenous species. Any threats to the aquifers and the natural landscape would also pose a threat to the species that live in the Project area.

**IV. Requests to the Board**


The Tribe respectfully asks the Board to grant its petition to intervene in this matter given its interest in the Project and the affected and surrounding lands and resources..

The Tribe requests that the Hearing on this matter be held in Rapid City.

Under the S.D.C.L. Chapter 1-26 (Administrative Procedures and Rules), the Tribe asks that the scheduling of the Hearing include time to permit the Tribe to seek discovery from the Applicant and the Department, as well as to exercise other pre-Hearing rights therein. The Tribe likewise requests to be present at the prehearing conference and to exercise other rights enumerated in ARSD Chapter 74:09:01.

The Tribe asks that it be provided the opportunity to participate in any surveys, reports, and any other matters relating to the assessment of adverse effects on historic properties impacted by this Project.

Dated: May 14, 2025



---

Steven J. Gunn, SD Bar No. 3284  
In-house Counsel to the Oglala Sioux Tribe  
Oglala Sioux Tribe Legal Department  
P.O. Box 1204  
Pine Ridge, SD 57770  
Telephone: (314) 920-9129  
Facsimile: (605) 867-2140  
Email: sjgunn@wustl.edu; sjgunn37@gmail.com

*Attorney for Oglala Sioux Tribe*

**MINERALS, MINING, AND SUPERFUND PROGRAM  
BOARD OF MINERALS AND ENVIRONMENT  
DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES  
523 East Capitol Avenue  
Pierre, South Dakota 57501-3182**

---

**IN RE URANIUM EXPLORATION PERMIT APPLICATION OF  
CLEAN NUCLEAR ENERGY CORP. FOR CHORD PROJECT**

---

**AFFIDAVIT OF FILING AND SERVICE**

I, Steven J. Gunn, hereby depose and say as follows:

1. I am In-house Counsel to the Oglala Sioux Tribe.
2. On May 14, 2025, I caused a copy of the Oglala Sioux Tribe's Petition to Intervene Pursuant to ARSD 74:09:01 to be filed with the Board of Minerals and Environment via facsimile as follows:

BOARD OF MINERALS AND ENVIRONMENT  
Department of Agriculture and Natural Resources  
Minerals, Mining, and Superfund Program  
523 East Capitol Avenue  
Pierre, South Dakota 57501-3182  
Facsimile: (605) 773-5286

3. On May 14, 2025, I caused copies of the Oglala Sioux Tribe's Petition to Intervene Pursuant to ARSD 74:09:01 to be served by facsimile and first-class mail, postage prepaid, to the attorney for Clean Nuclear Energy Corp. as follows:

Matthew E. Naasz  
Gunderson, Palmer, Nelson & Ashmore LLP  
PO Box 804  
Rapid City, SD 57709-8045  
Facsimile: (605) 342-9503

4. On May 14, 2025, I caused copies of the Oglala Sioux Tribe's Petition to Intervene Pursuant to ARSD 74:09:01 to be served by first-class mail, postage prepaid, to the registered agent for Clean Nuclear Energy Corp. as follows:

CT Corporation System  
319 S. Coteau Street  
Pierre, SD 57501-3187

5. On May 14, 2025, I caused copies of the Oglala Sioux Tribe's Petition to Intervene Pursuant to ARSD 74:09:01 to be served by first-class mail, postage prepaid, to all other known parties of record as follows:

Jeremiah Davis  
130 E Centennial St  
Rapid City, SD 57701

Marla Cooley  
145 S Garden St.  
Hot Springs, SD 57747

Michelle Tyon  
PO Box 1838  
Pine Ridge, SD 57770

Michael Melius – Black Hills Group  
Sierra Club  
PO Box 1624  
Rapid City, SD 57709


Susan Hey  
312 N 40<sup>th</sup> Street  
Rapid City, SD 57702

Reno L. Red Cloud  
PO Box 4052  
Pine Ridge, SD 57770

Law Office of Bruce Ellison  
PO Box 2508  
Rapid City, SD 57709

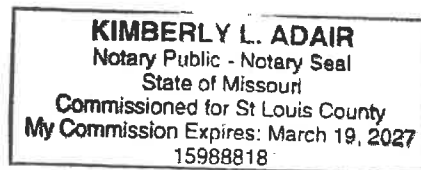
Gena Parkhurst  
514 Americas Way #20805  
Box Elder, SD 57719

Lilias Jones Jarding  
PO Box 591  
Rapid City, SD 57709

  
Steven J. Gunn, SD Bar No. 3284  
*Attorney for Oglala Sioux Tribe*

Sworn/affirmed before me this 14<sup>th</sup> day of May, 2025.

  
Notary Public



My Commission Expires:

3-19-2027

**PETITION OF THE GREAT PLAINS TRIBAL WATER ALLIANCE, INC.  
TO INTERVENE IN THE MATTER OF THE CLEAN NUCLEAR ENERGY CORP.  
URANIUM EXPLORATION APPLICATION – CHORD PROJECT**

2. The Board of Directors of the Great Plains Tribal Water Alliance, Inc. consists of representatives from seven South Dakota Tribes, including the Oglala Sioux, Standing Rock Sioux, Rosebud Sioux, Lower Brule Sioux, Cheyenne River Sioux, Yankton Sioux and Flandreau Santee Sioux Tribes.



3. The Tribes comprising the Tribal Water Alliance are signatories to the 1851 Fort Laramie Treaty, 11 Stat. 749 and 1868 Fort Laramie Treaty, 15 Stat. 635.

4. Under Article 5 of the 1851 Fort Laramie Treaty, the Tribes of the Great Plains Tribal Water Alliance reserved title to lands that include the Black Hills, and encompass the site of the proposed Uranium exploration, as follows:

The territory of the Sioux or Decotah Nation, commencing at the mouth of the White Earth River on the Missouri River: thence in a southwesterly direction to the forks of the Platte River; thence up the north fork of the Platte River to a point known as the Red Butte, or where the road leaves the river; thence along the mountain range known as the Black Hills, to the headwaters of the Heart River; thence down Heart River to its mouth and thence down the Missouri River to the place of beginning. 11 Stat. 749.

5. Article 2 of the 1868 Fort Laramie Treaty established the Great Sioux Reservation, encompassing all of present-day South Dakota from the east bank of the Missouri River to the Wyoming border, including the site of the proposed Uranium exploration. (15 Stat. 638).

6. Congress passed the Act of February 28, 1877, 19 Stat. 254, purporting to acquire the Black Hills and relocate the western boundary of the Great Sioux Reservation. However, in 1980, the United States Supreme Court ruled that the 1877 Act violated the rights of the Sioux Nation under the fifth amendment of the U.S. Constitution. *United States v. Sioux Nation of Indians*, 448 U.S. 371, 387 (1980). The Court awarded the Sioux Nation \$108 million and stated, “(a) more ripe and rank case of dishonorable dealings will never, in all probability, be found in our nation’s history.” *Id.* The Tribes have not accepted that award, and continue to seek a more comprehensive settlement.

7. As the site of the proposed Uranium exploration encompasses Treaty land, the Tribes of the Great Plains Tribal Water Alliance possess certain usufructuary and consultation

rights, including hunting and fishing rights, gathering medicinal plants and traditional foods. And the right to consultation on the effects of development projects on properties of historical and cultural significance.

8. A survey conducted by South Dakota State University and the University of Kansas in Craven Canyon recorded 70 petroglyph and pictograph sites in the area immediately adjacent to the proposed for Uranium exploration in the Chord application. Fifty-five of the 70 sites are on or are eligible for inclusion in the National Register of Historic Places. According to the Department of the Interior:

Both painted and carved styles occur, and seven distinct styles and substyles were identified, each represented by between three and 15 sites. In addition, many stylistically unique sites were recorded, some demonstrating gradual stylistic progression...

The sites range in age from Late Middle Prehistoric (1,000 B.C. to A.D. 500) to Protohistoric (post 1750), based on subject matter, relative weathering and patination and superimposition... Some painted designs contain symbols known to have been used by the Lakota (Sioux) and Cheyenne groups inhabiting the area... Numerous sites contain abraded grooves resulting from aboriginal tool sharpening, probably of bone and wood tools...

<https://npgallery.nps.gov/NRHP/GetAsset/b2edbdd5-63ed-45db-be22-0a49b743936f>.

9. The sites described in paragraph 8 hold extremely valuable cultural significance to the Tribes of the Great Plains Tribal Water Alliance.

10. The sites described in paragraph 8 are within the zone of impact of drilling and other industrial activities associated with the application and would be directly threatened with alteration or destruction. The proposed Uranium exploration as described in the application for the Chord project will “encroach upon, damage or destroy” the sites described in paragraph 8, within the meaning of South Dakota law. SDCL §1-19A-11.1.

11. The members of the Tribes comprising the Great Plains Tribal Water Alliance use the area proposed for Uranium exploration in the Chord application for the gathering of the traditional fruits and foods (e.g. chokecherry, plums, buffalo berries) and medicinal plants (not to be disclosed).

12. The members of the Tribes comprising the Great Plains Tribal Water Alliance hold religious significance to the area proposed for Uranium exploration in the Chord application, and conduct ceremonies in this area.

13. The members of the Tribes comprising the Great Plains Tribal Water Alliance exercise hunting rights in the area proposed for Uranium exploration in the Chord application.

14. The proposed Uranium exploration as described in the application for the Chord project will adversely affect the Treaty right of the Tribal members of the Great Plains Tribal Water Alliance to hunt, fish, gather and engage in religious ceremony in Craven Canyon.

15. Red Canyon Creek in Craven Canyon is vulnerable to point source pollution from holding ponds and non-point source run-off from well failures, or other development at the drill pads for the proposed Uranium exploration in the Chord application.

16. Red Canyon Creek is a tributary to the Cheyenne River.

17. The Tribes of the Great Plains Tribal Water Alliance possess reserved water rights under the concepts enunciated by the United States Supreme Court in *Winters v. United States*, 207 U.S. 564 (1908). “Reserved water rights should attach to all water – groundwater, streams, lakes and springs – that arise on border, traverse, underlie, or are encompassed within Indian Reservations.” COHEN’S HANDBOOK OF FEDERAL INDIAN LAW (2005 Ed.) p. 1177.

18. At least two Tribes of the Great Plains Tribal Water Alliance, the Oglala Sioux Tribe and Cheyenne River Sioux Tribe, possess reserved water rights to the Cheyenne River.

These rights are extensive, and may exceed the reliable base flow of the Cheyenne River at Red Shirt and at S.D. Highway 34.

19. Tribal reserved water rights include the right to adequate quality for beneficial uses on Indian land.

20. The proposed Uranium exploration in the Chord application threatens to adversely impact water quality in Red Canyon Creek and the Cheyenne River.

21. The U.S. Geologic Survey has indicated that median sulfate concentrations at the confluence of Red Canyon Creek and the Cheyenne River have been greater than 1,320 mg/l. U.S.G.S., ATLAS OF WATER RESOURCES IN THE BLACK HILLS AREA, SOUTH DAKOTA, HYDROLOGIC INVESTIGATIONS ATLAS HA-747 (2002) p. 84.

22. A study by the South Dakota School of Mines and Technology found significant existing water quality degradation from radionuclides associated with uranium exploration at the Angostura Reservoir. The authors determined, “[t]he close proximity of the mine sites to the Cheyenne River appears to promote elevated metal and radionuclide transport mechanisms... sediment contamination along the Cheyenne River and Angostura Reservoir appear attributed to anthropogenic activities and not natural weathering processes.” Shama et al., *Stream Sediment geochemistry of the upper Cheyenne River watershed within the abandoned uranium mining region of the southern Black Hills, South Dakota USA*, *Enviro. Earth. Sci.* (2016) 75:823.

23. The current level of water quality degradation in the upper Cheyenne River watershed from legacy contaminants from Uranium exploration and abandoned mines is significant and threatens water uses throughout the watershed, including the Pine Ridge and

24. The proposed Uranium exploration in the Chord application threatens habitat of the endangered northern long-eared bat (*Myotis septentrionalis*).

25. Prior applications for Uranium exploration in the Craven Canyon area have not been approved or advanced due to concerns with the impacts to environmental and cultural resources.

26. The adverse effects of the proposed Uranium exploration in the Chord application on the historic, archaeological, geologic, scientific, and recreational aspects of the affected and surrounding area outweigh the benefits of the proposed Uranium exploration.

27. The legal authorities for a contested case hearing on this Petition include SDCL §§45-6D-25, 45-6D-28. The statute relied upon for this Petition is SDCL 45 Chap. 6D and the regulations at ARSD §74:09:01:01 et seq.

WHEREFORE, the petitioner respectfully requests an Order:


1. Conducting the contested case hearing in Fall River County, South Dakota.
2. An order denying the application for the Chord project Uranium exploration.
3. Such other and further relief that is just and proper.

DATED this 14<sup>th</sup> day of May 2025

By: *Peter Capossela*

---

Peter Capossela  
Attorney at Law, PC  
Post Office Box 10643  
Eugene, Oregon 97440  
(541) 505-4883  
[pcapossela@nu-world.com](mailto:pcapossela@nu-world.com)  
Oregon State Bar No. 062254



Chase Iron Eyes  
Attorney at Law  
Post Office Box 393  
Pine Ridge, South Dakota 57770  
(605) 415-9238  
[Chase@Lakotalaw.org](mailto:Chase@Lakotalaw.org)  
S.D. Bar No. 3981

Attorneys for the Great Plains Tribal Water  
Alliance

### **Certificate of Service**

The undersigned hereby certifies that, on this day, I served the foregoing Petition to Intervene by regular mail with proper postage affixed to –

Resident Agent: Clean Nuclear Energy Corp.  
CT Corporation System  
319 S. Coteau St.  
Pierre, South Dakota 57501

Matthew E. Naasz  
Gunderson Palmer Nelson Ashmore LLP  
PO Box 8045  
Rapid City S.D. 57709

Dated this 14<sup>th</sup> day of May 2025

By: Peter Capossela

---

Peter Capossela

RECEIVED  
MAY 15 2025  
MINERALS & MINING PROGRAM

May 9, 2029

Susan McPhail Pang  
28017 Cascade Road  
Hot Springs, SD 57747

To: Minerals, Mining, and Superfund Program  
523 East Capitol Avenue  
Pierre, SD 57501-3182

cc. Resident Agent  
Clean Nuclear Energy Corp  
CT Corporation System  
319 S Coteau St.  
Pierre, SD 57501

Dear Board Members,

My name is Susan McPhail Pang, and I have owned land in Hot Springs (Fall River County) for nearly ten years. As a proud resident of South Dakota and the Black Hills, I respectfully request the right to intervene in the proposed Craven Canyon in-situ uranium mining project. I strongly object to this so-called "green" or "clean" initiative, particularly as it is being pursued by a foreign entity.

Water is our most precious resource. The Black Hills serve as an oasis in a region increasingly affected by drought. The Cheyenne River, already struggling, is evidence enough that our water systems are under stress. The vast amounts of water required for testing and operations in a project of this scale threaten to further deplete and compromise these fragile resources. It is deeply troubling to think we would gamble with something as vital and irreplaceable as clean, fresh water, especially when less than 1% of it is available for nearly 8 billion people worldwide.

I urge the Board not to approve this proposal. Fall River County voters previously declared uranium mining a public nuisance. To move forward with this project would be to disregard the will of American citizens in favor of foreign commercial interests—placing even more strain on our water and land.

In addition to environmental concerns, this region has profound historical and cultural significance. Craven Canyon, where this project is proposed, is home to 7,000-year-old rock art—ancient markings that predate the time of Jesus by over 5,000 years. Are we prepared to desecrate this irreplaceable heritage? Do we not honor faith, tradition, and history anymore? Is water no longer sacred? Are the people and places of the American West not worth protecting?

The Black Hills, our aquifers, our history, these are part of what makes America great. Selling off our land to be defiled and profited from by foreign interests undermines that greatness.

Please grant me the right to intervene so I can further voice my concerns about the potential destruction of the land and water in and around Craven Canyon.

Sincerely,

*Susan Pang*





Susan Pang  
PO Box 571  
Hot Springs, SD 57747-0571

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MAY 15 2025  
MINERALS & MINING PROGRAM

Board of Minerals  
Minerals, Mining & Superfund program  
523 Capital Ave  
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To: SD Minerals, Mining, and Superfund Program

523 E. Capitol Ave.

Pierre SD, 57501-3182

RE: Petition to Intervention the CNEC Chord Project

My name is Seth Eagle Bear Jr and I'm a Concerned Citizen  
from Wounded Knee SD. Today I am writing a Petition to Intervene and express my  
opposition to "Clean" Nuclear Energy Corp (CNEC)'s proposal to use exploratory drilling to mine  
radioactive uranium in and around Craven Canyon. I am specifically concerned  
about: Wild life, water, Nature, The Black Hills won't be the  
same anymore,

Craven Canyon and surrounding areas contain rock formations and other artifacts that are  
thousands of years old. Craven Canyon contains inestimable cultural, archaeological, and  
scientific value. Furthermore, this area and the broader Black Hills contain significant  
ceremonial sites that Indigenous Nations and Tribes hold culturally significant in value.

X Seth Eagle Bear Jr Date 5/12/2025

Print: Seth Eagle Bear Jr

Address: Po Box 44 Wounded Knee SD 57794

Phone: (605) 867-1725



RECEIVED

MAY 16 2025

MINERALS & MINING PROGRAM

To: SD Minerals, Mining, and Superfund Program

523 E. Capitol Ave.

Pierre SD, 57501-3182

RE: Petition to Intervention the CNEC Chord Project

My name is MASHANAPOSTE CAMP and I'm a Concerned Citizen from OGALA LAKOTA NATION. Today I am writing a Petition to Intervene and express my opposition to "Clean" Nuclear Energy Corp (CNEC)'s proposal to use exploratory drilling to mine radioactive uranium in and around Craven Canyon. I am specifically concerned

about: ANY desecration of our sacred CANYON. I AM  
Concerned about the soundscape. I know that  
vibrations from drilling can cause rock slides or  
some ancient sites to be disturbed. ANY mining  
or drilling affects ALL of us living downstream.

Craven Canyon and surrounding areas contain rock formations and other artifacts that are thousands of years old. Craven Canyon contains inestimable cultural, archaeological, and scientific value. Furthermore, this area and the broader Black Hills contain significant ceremonial sites that Indigenous Nations and Tribes hold culturally significant in value.

X Mashanaposte Camp Date 5-12-2025

Print: MASHANAPOSTE CAMP

Address: Box 339 Porcupine S.D. 57772

Phone: 605-891-9693

[illegible]

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**MAY 16 2025**

## MINERALS & MINING PROGRAM

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MINERALS & MINING PROGRAM

To: SD Minerals, Mining, and Superfund Program

523 E. Capitol Ave.

Pierre SD, 57501-3182

RE: Petition to Intervention the CNEC Chord Project

My name is Rudell Bear Shirt and I'm a Concerned Citizen  
from Wounded Knee SD, Oglala Sioux Tribe. Today I am writing a Petition to Intervene and express my  
opposition to "Clean" Nuclear Energy Corp (CNEC)'s proposal to use exploratory drilling to mine  
radioactive uranium in and around Craven Canyon. I am specifically concerned

about: the impact of Exploratory Drilling and the long term affects  
for the water. We want "clean" water for future  
generations to come when we are no longer here.

As a Grandfather, tribal member of the Oglala Sioux Tribe,  
I firmly oppose exploratory drilling on the Sacred Site  
Craven Canyon and its entirety.

Ceremony and traditional teachings still ~~are~~ are  
shared at Craven Canyon.

Craven Canyon and surrounding areas contain rock formations and other artifacts that are  
thousands of years old. Craven Canyon contains inestimable cultural, archaeological, and  
scientific value. Furthermore, this area and the broader Black Hills contain significant  
ceremonial sites that Indigenous Nations and Tribes hold culturally significant in value.

X Rudell Bear Shirt Date 05/12/2025

Print: Rudell Bear shirt

Address: PO Box 88 Wounded Knee SD 57794

Phone: 605-867-1585

Rudolph Bear Shirt  
PO Box 88  
Wounded Knee SD  
57794



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14 MAY 2025 PM 4:11

Minerals, Mining, & Superfund Program  
523 E. Capitol Ave  
Pierre SD 57501-3182

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MAY 16 2025

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14 MAY 2025 PM 4:11

57501-3182

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MINERALS & MINING PROGRAM

To: SD Minerals, Mining, and Superfund Program

523 E. Capitol Ave.

Pierre SD, 57501-3182

RE: Petition to Intervention the CNEC Chord Project

My name is Beverly Larson and I'm a Concerned Citizen from Wounded Knee SD. Today I am writing a Petition to Intervene and express my opposition to "Clean" Nuclear Energy Corp (CNEC)'s proposal to use exploratory drilling to mine radioactive uranium in and around Craven Canyon. I am specifically concerned

about: as a Tribal Member of the Oglala Sioux Tribe  
Exploratory Drilling which could lead to mining  
will pollute of water. We have the American Indian  
Religious Freedom Act 1978 which means we have the right to  
protect the Black Hills for our sacred ceremonies.  
Destruction of the Black Hill desecrates our  
Mother Earth. I am against any exploration  
or mining of the Black Hills.

Craven Canyon and surrounding areas contain rock formations and other artifacts that are thousands of years old. Craven Canyon contains inestimable cultural, archaeological, and scientific value. Furthermore, this area and the broader Black Hills contain significant ceremonial sites that Indigenous Nations and Tribes hold culturally significant in value.

X Beverly Larson Date May 12, 25

Print: Beverly Larson

Address: PO Bx 82 Wounded Knee, SD 57794

Phone: 605-869-6279



Beverly Larson  
PO Box 82  
Wounded Knee SD 57794

Minerals, Mining, & Superfund Program  
523 E. Capitol Ave  
Pierre SD 57501-3182

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PIERRE, SD 57501-3182



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MINERALS & MINING PROGRAM

To: SD Minerals, Mining, and Superfund Program

523 E. Capitol Ave.

Pierre SD, 57501-3182

RE: Petition to Intervention the CNEC Chord Project

My name is Darlene Hawk Wing and I'm a Concerned Citizen from Wounded Knee SD. Today I am writing a Petition to Intervene and express my opposition to "Clean" Nuclear Energy Corp (CNEC)'s proposal to use exploratory drilling to mine radioactive uranium in and around Craven Canyon. I am specifically concerned about: the Clean. I would like to take

part in any of "clean" organization.

The Black Hills is a big part in our lives, and I'm 4/4 enrolled member of Oglala Sioux Tribe. More concerned

about our future generation going to do ceremonial activities. I am very against the mining or any uranium going on in our Black Hills

Wopila pilamaya, Thank you

Craven Canyon and surrounding areas contain rock formations and other artifacts that are thousands of years old. Craven Canyon contains inestimable cultural, archaeological, and scientific value. Furthermore, this area and the broader Black Hills contain significant ceremonial sites that Indigenous Nations and Tribes hold culturally significant in value.

X Darlene Hawk Wing Date 05-12-25

Print: Darlene Hawk Wing

Address: Box # 25 Wounded Knee SD 57794

Phone: 605-401-2660



Ailine Maea  
715 Haines Ave, Apt 3  
Rapid City, SD 57701  
605.510.7835  
amaea@hesapaotipi.org

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May 13, 2025

Minerals, Mining, and Superfund Program  
523 East Capitol Avenue  
Pierre, South Dakota 57501-3182

Re: Formal Notice of Intent to Intervene – Opposition to Permit Application EXNI453

To Whom It May Concern,

I am submitting this letter as a formal notice of intent to intervene in opposition to Permit Application EXNI453, filed by Clean Nuclear Energy Corporation, a subsidiary of Basin Uranium, seeking authorization to conduct exploratory drilling for radioactive uranium in Fall River County, near the rim of Craven Canyon.

As an enrolled member of the Oglala Sioux Tribe, with direct cultural, legal, and historical affiliations across the Oceti Šakówin territories, I categorically oppose this permit. This permit represents a direct threat to the ecological integrity of the region, to irreplaceable cultural and historical sites, and to the treaty-protected rights of Tribal Nations whose sovereign interests continue to be marginalized by extractive development.

Craven Canyon constitutes a high-value cultural and archaeological zone. Its desecration through radioactive mineral extraction would constitute a gross violation of federal trust obligations, environmental due diligence, and Indigenous sovereignty. The irreversible environmental, legal, and sociocultural consequences render this proposal untenable.

Accordingly, I respectfully request formal confirmation of my status as an intervenor in this matter and expect to be included in all subsequent proceedings and opportunities for public engagement.

Thank you for your attention to this urgent and consequential matter.

Respectfully,



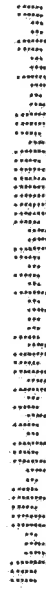
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MAY 16 2025

MINERALS & MINING PROGRAM

Minerals, Mining, + Superfund Program  
523 East Capitol Avenue  
Pierre, SD  
57501-3182

[illegible]

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To: SD Minerals, Mining, and Superfund Program

523 E. Capitol Ave.

Pierre SD, 57501-3182

RE: Petition to Intervention the CNEC Chord Project

My name is Helen Red Feather and I'm a Concerned Citizen  
from Wounded Knee, SD. Today I am writing a Petition to Intervene and express my  
opposition to "Clean" Nuclear Energy Corp (CNEC)'s proposal to use exploratory drilling to mine  
radioactive uranium in and around Craven Canyon. I am specifically concerned

about: water contamination, radiation in the  
air, land & water. Poisoning the Animals,  
Birds, fish.

Desecrating our sacred sites, ruining our  
lands according to our treaties

We dont want it here! We dont want  
to Die!

We need to protect our sacred lands

No one from any country should abuse  
our sacred Mother Earth.

Craven Canyon and surrounding areas contain rock formations and other artifacts that are  
thousands of years old. Craven Canyon contains inestimable cultural, archaeological, and  
scientific value. Furthermore, this area and the broader Black Hills contain significant  
ceremonial sites that Indigenous Nations and Tribes hold culturally significant in value.

X Helen Red Feather Date May 12, 25

Print: Helen Red Feather

Address: Box 173, Wounded Knee, SD 57794

Phone: 605 441 5867

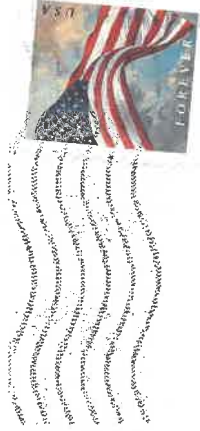
Helen Red Feather

P0 Box 173

Wounded knee 8D 57794

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Figure 6



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7-10-68  
J. J. J.  
J. J. J.

To: Minerals, Mining, and Superfund Program,  
523 East Capitol Avenue,  
Pierre, South Dakota 57501-3182

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May 13, 2025

My name is Caryn Lerman. I live at 337 S. 5<sup>th</sup> Street Hot Springs SD 57747. My email address is: [rajni1love@gmail.com](mailto:rajni1love@gmail.com).

I am writing to express my intention to intervene in the CNEC Chord Exploratory Drilling Project, and I am asking you to deny the permit for uranium exploration in the Craven Canyon area.

I have many concerns about this project such as the historic archaeological & recreational significance, the long range effects to our domestic water wells and aquifer. But mostly I am writing for you to deny the exploration permit due to the adverse effects to threatened & endangered wildlife indigenous to the area.

In a Black Hills National Forest Environmental Assessment done in 2011 for the proposed expanded Craven Canyon Mineral Withdrawal, a variety of mammal, bird, amphibian and reptile species are listed. Some of these species use the area for breeding as well as foraging habitat. District records list prairie falcons and golden eagles nesting in the steep cliff habitat of Craven Canyon. Spade-foot toads have been recorded breeding in the intermittent ponds that occur after spring rains. The riparian habitat in the canyon bottom contains mature cottonwood trees which provide nesting and roosting habitat for species like Lewis woodpecker, northern flicker, and hoary bat. The scattered stands of mature, dense ponderosa pine provide habitat for the fringed myotis, brown creeper and northern goshawk. Other species that occur in the Craven Canyon vicinity include: prairie dog, badger, various species of bats, hawks, owls, swallows, grasshopper sparrow, meadow lark, rock wren, bobcats, coyote, mule deer, turkey, red squirrel, busy tailed woodrat, and other small mammals.

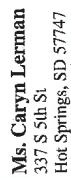
Four bat species and the bighorn sheep are considered Species of Local Concern (SOLC) and are known or strongly suspected to be present in the project area. Ground activities that cause vibrations associated with this project could result in nesting and roosting disturbances, affecting the viability of these species.

In addition, I am request that the Board of Minerals & Environment change the hearing venue to Hot Springs, or Fall River County.

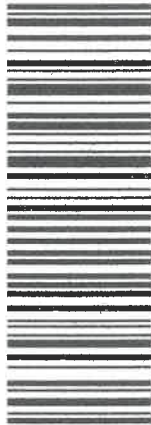
Sincerely,

  
Caryn Lerman





## GENERAL WILLS



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MINERALS & MINING PROGRAM

To: SD Minerals, Mining, and Superfund Program

523 E. Capitol Ave.

Pierre SD, 57501-3182

RE: Petition to Intervention the CNEC Chord Project

My name is Jean Roach and I'm a Concerned Citizen  
from Rapid City SD. Today I am writing a Petition to Intervene and express my  
opposition to "Clean" Nuclear Energy Corp (CNEC)'s proposal to use exploratory drilling to mine  
radioactive uranium in and around Craven Canyon. I am specifically concerned

about: our Sacred site being destroyed  
by exploratory mining, and mining  
Water being contaminated and the  
historical non cleanup of previous  
uranium sites in the Black Hills

Also of Lakota Religious connection  
to the land, and our ceremonies  
that will be impacted

Dont forget the animals, birds and  
other living beings here will be contam

Craven Canyon and surrounding areas contain rock formations and other artifacts that are  
thousands of years old. Craven Canyon contains inestimable cultural, archaeological, and  
scientific value. Furthermore, this area and the broader Black Hills contain significant  
ceremonial sites that Indigenous Nations and Tribes hold culturally significant in value.

X Jean Roach Date May 14, 25

Print: Jean Roach

Address: 3711 Ivy Ave RC, SD 57701

Phone: 605 415 3127

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ATTN:

May 13, 2025

Minerals, Mining, & Superfund Program  
DANR

523 East Capitol Ave  
Pierre, SD 57501-3182

To Whom It May Concern:

My name is Taylor Gunhammer. I am an enrolled member of the Oglala Sioux Tribe and a resident of Rapid City. This letter serves as my petition to be an intervenor against permit application EXNI453, the "Chord" project, proposed by Clean Nuclear Energy Corporation, a Basin Uranium subsidiary, which seeks to explore for radioactive uranium in Fall River County, close to the edge of the area known within western convention as Craven Canyon.

I am a multi-faceted stakeholder in this matter as an enrolled member of the Oglala Lakota Nation and a citizen who lives, works, prays, gathers, and recreates in the Black Hills – or in Lakota language, "HeSapa" - of western South Dakota.

My reasons for opposing the permit application include concerns regarding the adverse impacts the project would have on waterways, land, irreplaceable cultural, historical, and archeological resources, and the visual character and soundscape of the area as used for prayer, ceremony, and study. Additionally, there are violations of the law at hand concerning Tribal and Treaty Rights, both governmentally and at an individual level, along with impacts on public access. Notably, of the four reasons the board may deny a permit in SD, this project qualifies and registers with the weight of extraordinary, one-of-a-kind circumstances in three.

Finally, I respectfully request that the Board grant a change of venue for the public hearing on this matter. Given that the project would be located in the Black Hills, a venue for the hearing in western South Dakota would best serve the citizens most directly impacted by the ramifications of the Chord project. For the benefit of maximum civic engagement, I would suggest Pine Ridge, Rapid City, or Hot Springs as more suitable locations than the Capitol in Pierre.

I look forward to hearing from you as an intervenor in this matter.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Taylor Gunhammer', is written over a horizontal line.

05/13/2025

Taylor Gunhammer  
221 E. Jackson St.  
Rapid City, SD 57701  
taylor@ndncollective.org

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221 E. JACKSON ST  
RAPID CITY, SD 57701

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MINERALS & MINING PROGRAM

MINERALS, MINING, & SUPERFUND FROM.  
DANR  
523 EAST CAPITOL AVE  
PIERRE, SD 57501-3182

Wednesday, May 13, 2025

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To Whom It May Concern.

This letter serves as my petition to intervene against permit application EXNI453, the "Chord" project, proposed by Clean Nuclear Energy Corporation, a Basin Uranium subsidiary, which seeks to explore for radioactive uranium in Fall River County, close to the edge of Craven Canyon.

I am a stakeholder in this matter as an enrolled member of the Oglala Lakota Nation and a citizen who lives, works, prays, gathers, and recreates in the Black Hills – or in Lakota language, the sacred "He Sapa" - of western South Dakota.

My reasons for opposing the permit application include concerns regarding the adverse impacts the project would have on water, land, irreplaceable cultural, historical, and archeological resources, and the visual character and soundscape of the area as used for prayer, ceremony, and study. Additionally, there are violations of the law at hand concerning Tribal and Treaty Rights, both governmentally and at an individual level, along with impacts on public access.

Finally, I respectfully request that the Board grant a change of venue for the public hearing on this matter. Given that the project would be located in the Black Hills, a venue for the hearing in western South Dakota would best serve the citizens most directly impacted by the ramifications of the Chord project. For maximum civic engagement, I humbly suggest Pine Ridge, Rapid City, or Hot Springs as more suitable locations than the Capitol in Pierre.

I look forward to hearing from you as an intervenor in this matter.

Respectfully submitted,



Denise Giago  
221 E. Jackson St.  
Rapid City, SD 57701  
[denisergiago@gmail.com](mailto:denisergiago@gmail.com)



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DENISE GIAGO  
221 E. JACKSON ST.  
RAPID CITY, SD 57701

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MINERALS, MINING, & SUPERFUND PRGM.  
DAN R  
523 EAST CAPITOL AVE  
PIERRE, SD 57501-3182



Attention:  
Minerals, Mining, and Superfund Program  
DANR  
523 East Capitol Avenue  
Pierre, South Dakota 57501-3182

Tuesday, May 13, 2025

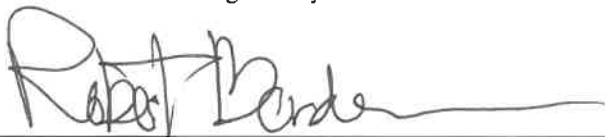
*To Whom It May Concern:*

Please consider this letter as a notice of my intent to intervene in opposition to permit application EXNI453 submitted by Clean Nuclear Energy Corporation, a subsidiary of Basin Uranium, to expand for radioactive uranium in Fall River County, near the rim of Craven Canyon.

My stake is as a descendant of the Sicangu Lakota Oyate (Rosebud Sioux Tribe) and a citizen who resides in the Black Hills of South Dakota.

My reasons for opposition to the permit application include concerns regarding impacts to water, land, cultural resources, Fort Laramie Treaty violations, impacts to public access, and long-term financial burdens for local community members (contamination, clean-up, detriment to local tourist economy).

I look forward to hearing from you on this matter.



05/13/2025

Robert Bordeaux  
740 University St  
apt. #3  
Spearfish, SD 57783  
816-848-8017  
robertswaneybordeaux@gmail.com

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**FROM:**

Robert Bordeaux  
740 University St  
apt. #3  
Spearfish, SD 57783



**TO:**

Dan R  
523 East Capitol Ave.  
Pierre, SD 57501-3182

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MAY 19 2025

MINERALS & MINING PROGRAM

To: SD Minerals, Mining, and Superfund Program  
523 E. Capitol Ave.  
Pierre SD, 57501-3182  
RE: Petition to Intervention the CNEC Chord Project

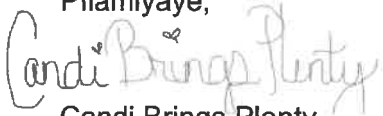
Anpetu Waštè,

Hai Mitakuyapi, Le Anpetu Kin Le, Iyuha Čante yé Wašté Napé CuziYapi Yé. Mi Lakota Čajé Kin Le, Wakinyan Tunwanpi Iyoyanpa Win, Emačiyapi Čantè Mí KinYela Win. Mi Wašiču ČajéKin Le Candi Brings Plenty. Ematahan Lila Ota Wakan Hé Sapa Kin Yé. Le Miyé Oglala Lakota Sioux Kté Yè.

I am writing today to  
from petition as an official intervener as I am in opposition to "Clean" Nuclear Energy Corp (CNEC)'s proposal to use exploratory drilling to mine radioactive uranium in and around Craven Canyon. I am specifically concerned about my ancestral lands and the desecration of the undisturbed grave sites of my people. This are especially is where our loved ones have been taken to be transitioned from this world to the next on a traditional scaffold. You see paintings of these, we weren't a nation who buried our relatives, that didn't come until later. But prior to the contemporary burial traditions, our relatives were offered back to the elements in the are now called "Craven Canyon."

On this day, the fourteenth of May, twenty-twenty five, I summit this request to be an intervener and petition on behalf of my ancestors, my Lakota elders and my unborn grandchildren.

Pílamiyayè,



Candi Brings Plenty  
Oglala Lakota Sioux  
725 Saint Charles St.  
RCSD 57701  
605-431-0211

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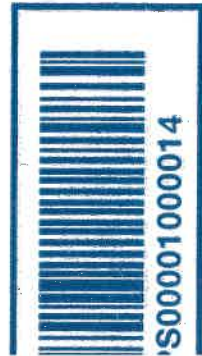
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Attn: Board of Minerals  
Minerals, Mining and Superfund Program  
523 East Capitol Avenue  
Pierre, South Dakota 57501-3182

Copy: Clean Nuclear Energy Corp.  
CT Corporation System  
319 S Coteau St.  
Pierre SD 57501

From: Thomas O'Connor  
4601 Mohawk Str.  
Lincoln, NE 68510  
Email: [tmoconnor7@gmail.com](mailto:tmoconnor7@gmail.com)

RE: Clean Nuclear Energy Corp. Application  
Chord Project Uranium Mining near Craven Canyon  
Fall River County, SD

Greetings:

I am writing to request that the Board of Minerals allow me to intervene regarding the Clean Nuclear Energy Corporation application for uranium mining in Fall River County north of Edgemont (Chord Project Craven Canyon). I am interested in preserving the cultural and groundwater resources of the area.

  
Thomas O'Connor

Date: May 13, 2025



Mr Tom O'Connor  
4601 Mohawk St  
Lincoln, NE 68510-4840

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Return



9589 0710 5270 1685 6831 72

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S2324K502947-19

FCM LETTER  
LINCOLN, NE 68506  
MAY 13, 2025

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Minerals, Mining: Super Fund Program  
523 East Capitol Avenue  
Pierre,

South Dakota

MINERALS & MINING PROGRAM

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Hearing should be held in Fall River.

To: Minerals, Mining, and Superfund Program  
523 East Capitol Ave., Pierre SD 57501-3182

Hello, Permit for CNEC

State Board of Minerals & Environment

My name is Brenda Gamache, I would like to be an Intervener.

I oppose this. Reasons:

- (1) Are there old mines in project area?
- (2) Does DNR going to control this project.
- (3) Are the area free from past contamination from old mines? Be controlled.
- (4) How would air born contamination be controlled, from past mines, in area.
- (5) Native American Cultural sites
- (6) Why are they requesting to drill 100 ft?
- (7) How will they control run off to not enter streams.
- (8) Does this company understand that Fall River has a nuisance law against Uranium mining?

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MINERALS & MINING PROGRAM

Thank you

Brenda Gamache  
2337 Wilson Ave. Hot Springs SD 57147



# Past History

## CONCERNED FALL RIVER COUNTY CITIZENS FOR CLEAN WATER

The following are some of the objections "Concerned Fall River County Citizens For Clean Water" have regarding allowing uranium mining to proceed in Fall River County. Various foreign corporations continue to seek vast amounts of water rights in Fall River and Custer counties which we believe will be extremely detrimental to our environment and will use and contaminate vast amounts of water needed for our towns, cities, private homes and agricultural uses.

These foreign corporations generally based in Canada have had and may continue to have shareholders from Russia and China. Vladimir Putin controls a corporation wholly owned in Russia, called Uranium One which bought out Energy Metals Corporation which owned at least 20% of the uranium leases in the Dewey Burdock area North and West of Edgemont. A uranium mining project proposed by Powertech has sought huge water and mining permits for more than 12 years.

Powertech has sold thousands of shares of stock in the project causing shareholders to lose millions of dollars. Along the way Powertech was sold to a Chinese affiliated corporation, with Chinese investors which became Azarga. Currently the shares have been transferred to enCore. Since these transactions have been kept secret, it is difficult to discern the true ownership of the Corporation.

One has only to look at the international actions of Russia and China and the brutal invasion of the Ukraine to know that turning over the vast resources of our water would be catastrophic to our area now and for future generations.

Consider these risks:

- Powertech has asked for over 9000 gallons per minute from the Madison and Inyan Kara water aquifers. The water right would use 12,960,000 gallons per day for at least 20 years or 94 billion gallons of water. If permitted, they would pay nothing for the water and the water right could be transferred to other corporations or entities including those out of our country.
- Currently there are no local or state requirements to govern the use of the water beyond the permitting stage or to protect it from contamination.
- Potential contaminants include radioactivity and lixivants used to dissolve underground rock stratas which will be compromised in the process of drilling and water production. Once contaminated the water can never be restored to a usable condition.
- The petition we are circulating seeks to put the issue of whether these vast water permits should be granted, on the ballot.
- The petition reads "URANIUM MINING IS A NUISANCE IN FALL RIVER COUNTY." This huge water permit is tied to uranium mining. Nuisance is a legal term governing ordinances in a county such as Fall River.



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**MAY 20 2025**

MINERALS & MINING PROGRAM

57501-3182

ATTN:  
Minerals, Mining, and Superfund Program  
DANR  
523 East Capitol Avenue  
Pierre, South Dakota 57501-3182

Monday, May 12, 2025

To Whom It May Concern:

Please consider this letter notice of my intent to intervene in opposition to permit application EXN1453 submitted by Clean Nuclear Energy Corporation, a subsidiary of Basin Uranium, to explore for radioactive uranium in Fall River County, near the rim of Craven Canyon.

My stake is as an enrolled member of the Rosebud Sioux Tribe, with residences on the Rosebud, Pine Ridge, and Cheyenne River Reservations. My reasons for opposition to the permit application include, but are not limited to: concerns regarding impacts to water, land, cultural and historical resources, violations of law concerning Tribal and Treaty Rights, as well as impacts to public access.

I look forward to hearing from you as an intervener in this matter.

Respectfully submitted,



05/12/2025

Elizabeth Lone Eagle  
PO Box 160  
Howes, SD 57748  
605-200-6800  
bridgeradvocate@gmail.com

ELIZABETH LONE EAGLE  
PO BOX 160  
HOWES, SD 57748

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MAY 19 2025

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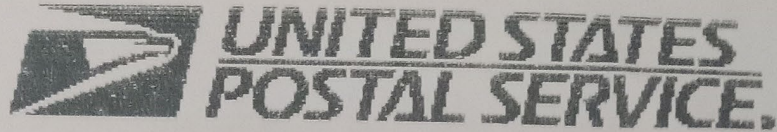
MAY 9 2025

MINERALS & MINING PROGRAM

MINERALS & MINING PROGRAM

MINERALS, MINING, & SUPERFUND PROGRAM  
D.A.N.R.  
523 EAST CAPITOL AVENUE  
PIERRE, SD 57501-3182

**From:** [Bridger Advocate](#)  
**To:** [Hudson, Roberta](#)  
**Subject:** Re: [EXT] Clean Nuclear Intervention petition  
**Date:** Wednesday, May 28, 2025 12:47:53 PM



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500 EAST BLVD  
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Approval #: 044216

Transaction #: 080

Receipt #: 050957

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AI: US DEBIT

Here it is! Thank you!

Elizabeth Lone Eagle

On Wed, May 28, 2025, 11:14 AM Hudson, Roberta <[Roberta.Hudson@state.sd.us](mailto:Roberta.Hudson@state.sd.us)> wrote:

Ms. Lone Eagle,

As per our phone conversation, please email me a copy of your mail receipt showing your intervention petition was mailed on or prior to May 14, 2025. Once I have the confirmation of mailing, I will mark your intervention as filed and include you as a party to the proceedings.

Thank you!

*Roberta Hudson, PE*

Engineer Manager I

Minerals, Mining, and Superfund Program

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**FAQs**

MAY 08, 2025

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MINERALS & MINING PROGRAM

TO: The Members of the State Board of  
Minerals and Environment

RE: Exploratory Permit for Uranium  
adjacent to Craven Canyon

From: Cheryl Angel, 1212 Columbus Street, Rapid City SD, 57701  
605-828-4325 c\_angel@yahoo.com

For the Record, I oppose the Permit. I want to intervene as a Stake holder. I'm an enrolled member of the Sicangu Lakota Qpte, of the Ojete Sakowin. I'm also a 3<sup>rd</sup> party beneficiary, as a descendant of the Great Sioux Nation, of the 1851 & 1868 Treaties. I was born in Rapid City and reside there.

As a grandmother and Matriarch I hold the responsibility to ensure the safety and viability of those lands named the Treaties for the coming 7 generations.

I go to the "Heart of Everything That Is" aka the Black Hills, for ceremony, for recreation, for hunting, gathering and fishing, as all my ancestors before me have done. It is my duty to ensure the next 7 generations continue to enjoy and assert their rights to carry on all of the traditions and practices of the Great Sioux Nation, including all Spiritual and Cultural ways.

Thank You, Cheryl Angel

p/s I also request to hold the  
hearing in Fall River County or Rapid City.

BSN 348-20555  
Sicangu Lakota Qpte

Cheryl Angel  
P.O. Box 1033  
Rosebud SD 57570

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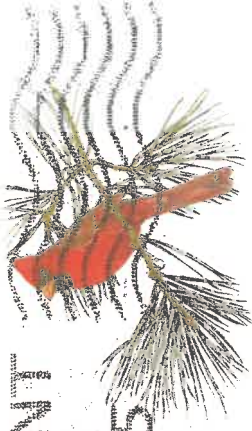
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DAKOTA CENT

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Minerals, Mining, and Superfund Program  
523 East Capitol Avenue  
Pierre, S.D. 57501-3182

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**MAY 20 2025**

**MINERALS & MINING PROGRAM**

To: South Dakota Minerals, Mining and Superfund Program

523 East Capitol Avenue

Pierre, South Dakota 57501-3182

Re: Petition of Intervention to the CNEC Chord Project

My Name is Tonia Stands, I am a Oglala Sioux Tribal Member, of Treaty signer Families/Descendants, and very concerned Ceremonial use Lakota Practitioner & military veteran citizen. I come from Oglala, SD on the Pine Ridge Indian Reservation and we travel to Camps in the Black Hills and our Original 1851 Treaty Homelands throughout the year to use and heal. We even run around the Black Hills annually during Summer. My concerns include but not limited to as I have just been made aware of these Proposed Project:

I am writing a Petition to Intervene and opportunity to express my opposition to "Clean" Nuclear Energy Corp. (CNEC's) proposal to Exploratory Drilling to mine radioactive uranium in and around the Craven Canyon area. We have a right to heard and our cases presented respectfully. SHPO never does come to our Tribes and hear our issues. Nor does a mining board.

I am specifically concerned for many reasons but mostly ceremonial and water impacts to Tribal Ceremonial use practitioners and health issues that will arise with the nuclear component. Uranium needs to be taken very seriously in the world of Tribal Ceremonial user. There are Supreme Court Rulings and Case Law to uphold not to mention Treaty Obligations and water use rights. Water use includes Uranium impacted to poverty stricken non white communities per UN Indigenous Declarations.

How can we not be concerned of the nature of gravity and water's nature to nurture ecosystems downstream/downflow from the existing Sacred Site Craven Canyon. Utmost, as well as other former Uranium mines and present proposed project inherently polluting as of us, Ceremonial use Practitioners. Which a Non-ceremonial use person does not understand because they do not actively participate. Especially from a Lakota Woman and Child perspectives. Anything is a act of racism and Ceremonial Injustices.

- I also, feel and oppose this application because I believe the proposed exploration would harm all public health, the economy, and the environment. Not just us, Ceremonial practitioners. Because of the fact that uranium regardless remains Radioactive for Billions of years.
- SD Tribal Nations have not notified their own people who are at risk and high use Ceremonial Site.
- TCPs haven't been done properly and thoroughly. Our Tribes lack meaningful Treaty Relations with South Dakota. Especially, mining projects.

- Our Tribes have long standing resolutions against mining the Black Hills bc of the Ceremonial Health Impacts.
- The tributaries and topography contribute to the likelihood that a spill and run off from the proposed drill sites would flow into Cheyenne River. Which will then flow into Tribal Mni Wiconi Pipeline water and into faucet all across the 3 western Tribal Nations Faucets. We lack water filtration systems to clean Uranium and it's byproducts. More testing is required.
- Per: Ceremonial Protections and Case Law: this must be taken into consideration and applied as we can not continue to reinvent the in Ceremonial Impacts to Tribal Nations **865 F. Supp. 733 (1993) CITY OF ALBUQUERQUE, Plaintiff, v. Carol M. BROWNER, Administrator, United States Environmental Protection Agency, Defendant. Civ. No. 93-82-M. United States District Court, D. New Mexico.**
- Also, Sacred Sweat Lodge impacts. California Tribes have this special case law.
- Craven Canyon is a World Class Sacred Site. Needs to be protected as such. If we even return to do Ceremonies in that site we will be exposed to direct radiation, Air, Water, Soil and "Artifact" Contamination.
- Our People have not crossed the Bering Straight we have always been here. We originated from the Black Hills. Not just Wind Cave but the many exits and entry of underground caves all over the Black Hills. That's why we continue to Run around the Black Hills annually with our familie. We never forgot.

For now, I will conclude here and get this sent off before the deadline. Before I forget, I request and plead that the Venue for this Hearing be on the Pine Ridge Indian Reservation or Hot Springs, SD. Closer for people to attend especially the poverty stricken ones from the reservations. Reservations are Treaty Obligations and seems like a Far fetched Idea but why not Prairie Wind Casino on the very western edge of Pine Ridge Indian Reservation aka Oglala Lakota County? I dare you to build relations and not ignore us.



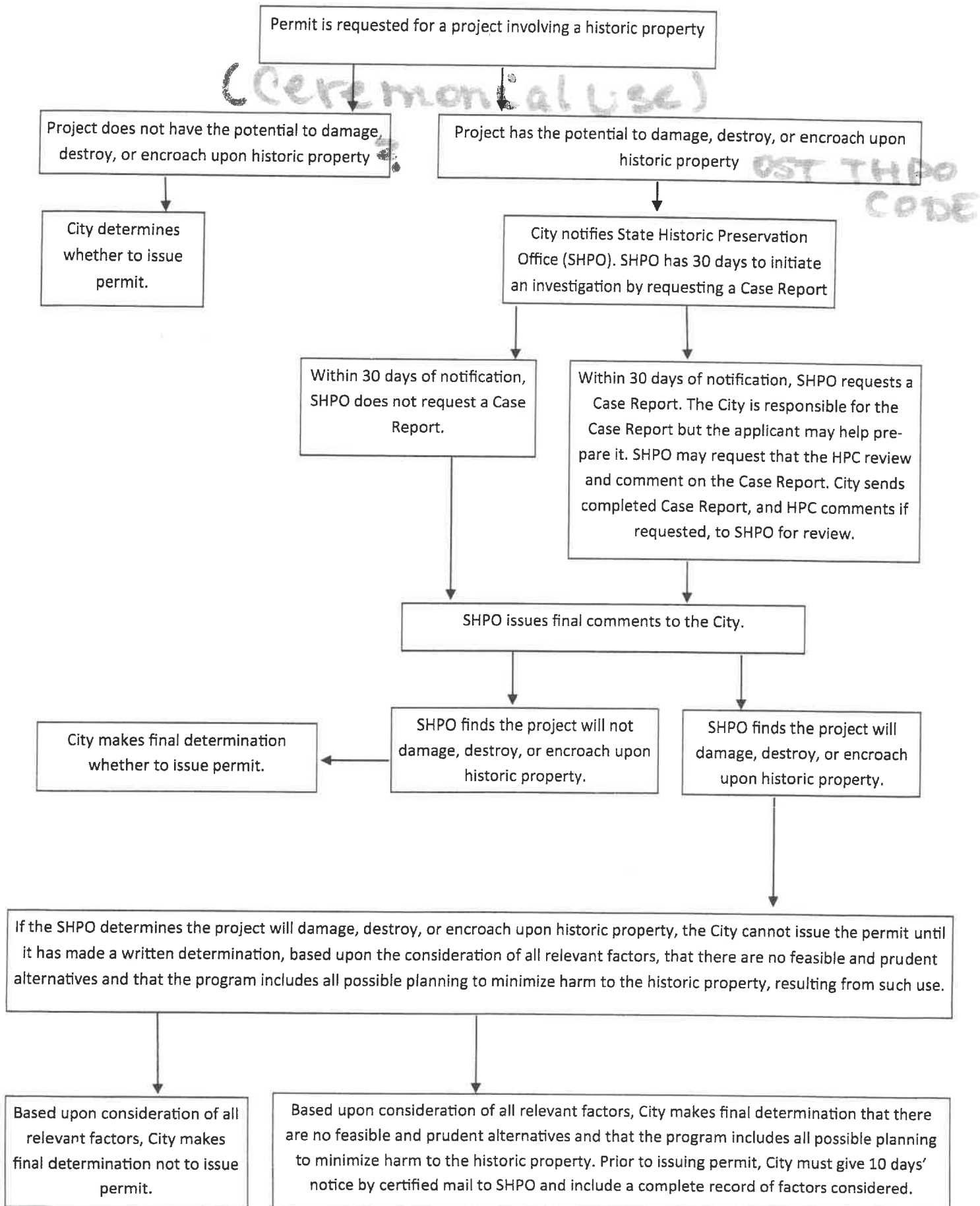
Date: 05/14/2025

Tonia R. Stands

202 Bald Eagle Lane #8

Rapid City, SD 57701

## Summary of SDCL 1-19A-11.1 Review Process



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FAQs

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523 E. Capitol Ave.  
Pierre, South Dakota  
57501-3182

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Pierre, SD 57501-3182

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MAY 20 2025

MINERALS & MINING PRG

**From:** [T Stands](#)  
**To:** [Hudson, Roberta](#)  
**Subject:** [EXT] Intervention Petition for Clean Nuclear Uranium Exploration Permit Hearing  
**Date:** Thursday, June 12, 2025 12:45:37 PM

---

Ms. Hudson,

Sending copy of Receipt dated May 14, 2025. Also, Tracking #s.

Any questions or comments please let me know.

Tonia Stands  
6054150115

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Employee: 349179

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Time: 03:54 PM

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Tax			\$1.11
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Tracking Number			
Metred Mail Ground Advantage			\$17.87
	1 0	\$17.87	
Tax			\$1.11
MM-SVUGBQJ94G			
Tracking Number			
Subtotal			\$35.74
Shipping/Other Charges			\$0.00
Total tax			\$2.22
Total			\$37.96
Cash			\$40.00
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1 2 5 0 5 1 4 1 8 8 4 0 0 2 4 0 7 7

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#### SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

##### 1. Article Addressed to:

Minerals, Mining & Superfund  
Program

523 E. Capitol Ave.  
Pierre, SD 57501-3182

##### 2. Article Number

(Transfer from service label)

7009 1680 0000 9413 1465

#### SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

##### 1. Article Addressed to:

Clean Nuclear  
Resident Agent: Energy Corp  
CT Corporation System  
319 S. Coteau Street  
Pierre, SD 57501

##### 2. Article Number

(Transfer from service label)

7009 1680 0000 9413 1458

PS Form 3811, February 2004

Domestic Return Receipt

#### COMPLETE THIS SECTION ON DELIVERY

##### A. Signature

X

##### B. Received by (Printed Name)

CENTRAL MAIL SERVICE

1320 E. SIoux AVE

MAY 19 2025

PIERRE SD 57501

##### 3. Service Type

- ☐ Certified Mail
- ☐ Registered
- ☐ Insured Mail
- ☐ Express Mail
- ☐ Return Receipt
- ☐ C.O.D.

##### 4. Restricted Delivery? (Extra Fee)

##### A. Signature

Wendy Barth

##### B. Received by (Printed Name)

Wendy Barth

##### D. Is delivery address different from the address on the label?

YES, enter delivery address below

PIERRE SD 57501

MAY 19 2025

##### 3. Service Type

- ☐ Certified Mail
- ☐ Registered
- ☐ Insured Mail
- ☐ Express Mail
- ☐ Return Receipt
- ☐ C.O.D.

##### 4. Restricted Delivery? (Extra Fee)



The UPS Store #1884  
3213 W MAIN  
RAPID CITY, SD 57702-2314  
605-342-7379

Terminal....: POS1884C  
Employee....: 349179  
COPY

Date.: 5/14/2025  
Time.: 03:54 PM

ITEM NAME	QTY	PRICE	TOTAL
-----------	-----	-------	-------

Metered Mail Ground Advantage			\$17.87
-------------------------------	--	--	---------

	1 @	\$17.87	
--	-----	---------	--

Tax			\$1.11
-----	--	--	--------

MMFSYUG27A9MU

Tracking Number

Metered Mail Ground Advantage			\$17.87
-------------------------------	--	--	---------

	1 @	\$17.87	
--	-----	---------	--

Tax			\$1.11
-----	--	--	--------

MMFSYUGBQJ94G

Tracking Number

Subtotal			\$35.74
----------	--	--	---------

Shipping/Other Charges			\$0.00
------------------------	--	--	--------

Total tax			\$2.22
-----------	--	--	--------

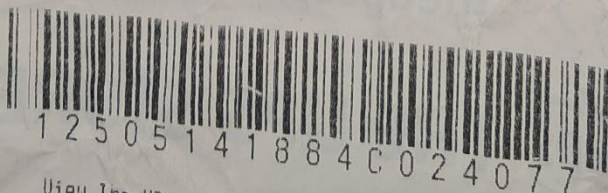
Total			\$37.96
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Cash			\$40.00
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Change back (Cash)			(\$2.04)
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Items Designated NR are NOT eligible  
for Returns, Refunds or Exchanges.

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