



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

December 12, 2024

Nathan Chowning  
Longview Minerals LLC  
25497 Flynn Creek Road  
Custer, SD 57730

Re: **EXNI 459 for Longview Minerals LLC Exploration Drilling in Portions of Section 9; T2S-R6E,  
Pennington County**

Dear Mr. Chowning:

The department is in receipt of the Exploration Notice of Intent (EXNI) that you filed with our office on September 6, 2024. The department has determined the Notice of Intent to be procedurally complete. Based on our review of your Notice, we determined the following restrictions are required:

1. This project shall be conducted and reclaimed in such a manner as to prevent any violation of the beneficial uses of specified water quality criteria of any water resources in the area. In accordance with Chapter 74:51, all surface waters of the state have been assigned the following beneficial uses:
  - 9) Wildlife propagation, recreation, and stock watering waters; and
  - 10) Irrigation waters.
2. Any discharge from the site will shall be directed to a settling pond or flat vegetated area to allow suspended solids to settle out. For any discharge into a dry draw, gulch or surface water resource, a South Dakota Surface Water Discharge permit may be required prior to discharge.
3. To ensure optimal soil erosion protection, all affected lands shall have adequate sedimentation and erosion control measures applied pursuant to SDCL 45-6C-32 and according to Best Mineral Management Practices. These measures shall be in the form of waterbar construction on access roads where appropriate; revegetation of roads; road embankment slopes; and the installation of straw bale or silt fence type sediment filters wherever necessary. Longview Minerals shall inspect, clean out, repair, or upgrade the sediment controls as necessary.
4. All topsoil shall be salvaged and stockpiled whenever possible for use in reclamation. If topsoil is to be stockpiled for longer than one season prior to use in reclamation, it should be seeded with the approved seed mix to ensure the quality of soil and protection from weed infestation during the interim period.
5. When drilling fluids are used and/or when ground water is encountered during drilling, the fluids shall be sufficiently contained to prevent overland flow or discharge to any waters of the state. If water tanks are used in lieu of mud pits, they shall also be sufficiently contained.

6. When mud pits are being utilized in drilling a hole, where possible, these pits shall be constructed on the uphill side of the drill pad or away from highwalls.
7. Should access to some drill sites be needed by crossing into adjacent properties, Longview Minerals shall provide Road Use Permits and/or Access Agreements with neighboring landowners to the department prior to utilizing these access routes. The department will place these documents in the EXNI 459 file as proof of right of access.
8. Longview Minerals shall spray noxious weeds up to 50 feet from all disturbed and surrounding areas, including along access roads within the exploration permit boundary. Noxious weed control on all disturbed or reclaimed areas is required until this EXNI is released of reclamation liability by the Board of Minerals and Environment.
9. During periods of active exploration drilling, Longview Minerals shall provide, via email, a weekly schedule outlining when and where holes will be drilled so the department can plan inspections and witness plugging activities.
10. Longview Minerals shall maintain up-to date location surveys of underground utilities throughout all active stages of ground-disturbance and drilling activities.
11. All test holes shall be capped, sealed and plugged according to ARSD 74:11:08 (Plugging Standards) immediately following drilling and probing.
12. If surface casing is used in exploration holes, the following requirement shall be met:
  - a) Prior to removal of surface casing, the hole shall be plugged in accordance with ARSD 74:11:08 to a level just below the bottom of the surface casing.
  - b) Following step a), the casing will be removed (when possible) or cut off at least one foot below the ground surface.
  - c) The remainder of the hole will be plugged in accordance with ARSD 74:11:08.
13. Longview Minerals shall notify the department, in writing, when exploration drilling penetrates an aquifer. Notification shall be provided as soon as possible, but not more than 90 days after penetration of the aquifer. Notification shall include the location of the test hole penetrating the aquifer.
14. Where affected roads and drill pad areas are no longer necessary for further exploration purposes, reclamation must be completed on these disturbed areas within 12 months. If Longview Minerals plans to continue exploration in disturbed areas but must temporarily cease exploration activities, reclamation must be completed within 24 months. Longview Minerals may submit a request to extend these deadlines as necessary to the department.
15. Reclamation must be completed on all affected acreages within 12 months following completion of all exploration activities allowed under this Notice.
16. The following seed mix shall be used for reclamation of the affected areas:

Big bluestem	1.67 PLS/acre
Sideoats grama	1.09 PLS/acre

Western wheatgrass	7.29 PLS/acre
Slender wheatgrass	1.90 PLS/acre
Green needlegrass	0.33 PLS/acre
Little bluestem	0.14 PLS/acre
Canada Wildrye	0.57 PLS/acre
Purple prairie clover	0.11 PLS/acre

17. Wherever possible Game, Fish and Parks (GF&P) recommends that tree clearing be completed outside the migratory bird nesting season to avoid and minimize impacts to migratory birds. The time period associated with the maximum migratory bird nesting season is approximately December to August. The time period associated with the minimum migratory bird nesting season is April 1 to July 15 (timeframe when the majority of annual bird nesting occurs). Contact the GF&P Minerals and Energy Coordinator if tree clearing must take place during the minimum migratory bird nesting season.
18. Longview Minerals shall conduct the necessary archaeological studies as outlined in the November 22, 2024, letter from the Archaeological Research Center prior to disturbance of any areas identified as requiring additional study.
19. During the conduct of its exploration activities, Longview Minerals shall avoid bones, artifacts, foundation remains, or other evidence of previously unrecorded past human use. For specific direction regarding avoidance of these sites, please contact the SD Archaeological Research Center.
20. If any artifacts or other archaeological or cultural resources are discovered during exploration activities, the activities shall be halted and the State Archaeologist notified at once.

Please note that we have assigned your Notice of Intent the following number: **EXNI-459**. This Notice allows you to conduct only the type and amount of work which is hereby being approved. Any additional work must be covered by the submission of a new Notice to our office. Longview Minerals may commence with the operation contingent upon compliance with the above restrictions and submittal and approval of the reclamation bond for this project.

Thank you for your interest in and consideration for the natural resources of South Dakota.

Sincerely,

\s/

Roberta Hudson  
 Engineering Manager I  
 Minerals, Mining, and Superfund Program  
 Telephone: (605) 773-4201  
 E-mail: roberta.hudson@state.sd.us

cc: Stan Michals, Department of Game, Fish and Parks  
 Dustin Lloyd, Archaeological Research Center