

PAID

TRANSFER OF MINING PERMIT

Pursuant to SDCL 45-6B-47

JUL 22 2021

RECEIVED

JUL 22 2021

MINERALS & MINING PROGRAM

Mine permit number: 318  
Present operator: DAKOTA GRANITE COMPANY  
Address: 48391 150TH ST  
MILBANK SD 57252-6047  
Telephone number: (605) 432-5580  
Township/Range: T120N-R47W  
Legal description: Portions of the NE1/4 Section 17:  
T120N-R47W

Transfer to: Dakota Stone, Inc.  
Address: 48391 150th St  
Milbank, SD 57252  
Telephone number: 605-432-5580  
Name and address of Resident Agent  
if you are an out-of-state corporation:

County: Grant

Resident Agent Telephone number:

Name and address of surface owner:  
Dakota Stone, Inc.  
48391 150th St  
Milbank, SD 57252

Name and address of mineral owner:  
Dakota Stone, Inc.  
48391 150th St  
Milbank, SD 57252

INSTRUCTIONS:

Include a \$100 check payable to the Department of Agriculture and Natural Resources, a replacement surety, copies of written instruments of consultation with the surface and mineral owners (if not the operator) indicating pending transfer of the mining permit, and certified mail receipts confirming mailing of such consultation to them.

I Rick Dilts agree to the transfer of mining permit 318 to Dakota Stone Inc  
Signature of Present Operator New Operator

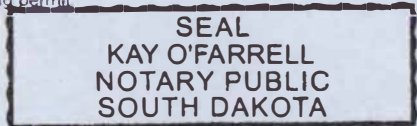
This transfer releases DAKOTA GRANITE COMPANY of all liability with regard to reclamation of the affected area. I understand that the surety submitted to cover reclamation will be released only upon approval of the transfer by the Board of Minerals and Environment

Date: July 20, 2021

STATE OF South Dakota  
COUNTY OF Grant

On this 20th day of July 2021 before me personally appeared Rick Dilts who acknowledged that he is authorized to execute the transfer of this mining permit

Kay O'Farrell  
Notary Public  
My Commission Expires: May 16, 2022



I [Signature] agree to the transfer of mining permit 318 from DAKOTA GRANITE COMPANY

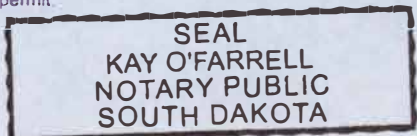
This transfer releases DAKOTA GRANITE COMPANY of all liability with regard to reclamation of the affected area. I understand that in agreeing to this transfer Dakota Stone, Inc. is assuming all responsibility and liability for this mining permit and reclamation of the area affected under this permit. I understand that a replacement surety must be provided prior to the transfer. It is also understood that any changes to the existing operating or reclamation plans of this permit must be submitted to the Department of Agriculture and Natural Resources for approval. All terms and conditions established in this permit shall be followed.

Date: July 20, 2021

STATE OF South Dakota  
COUNTY OF Grant

On this 20th day of July 2021 before me personally appeared Jacob Barkley who acknowledged that he is authorized to execute the transfer of this mining permit

Kay O'Farrell  
Notary Public  
My Commission Expires: May 16, 2022



FOR DEPARTMENT USE ONLY

Chairman, SD Board of Minerals and Environment Date Approved: \_\_\_\_\_

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STATE OF SOUTH DAKOTA  
BEFORE THE SECRETARY OF

THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

IN THE MATTER OF THE )  
APPLICATION OF )

Dakota Stone, Inc. )

CERTIFICATION OF

STATE OF South Dakota )

APPLICANT

COUNTY OF Grant )

I, Jacobs Bartolny, the applicant in the above matter after being duly sworn upon oath hereby certify the following information in regard to this application:

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

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

- (1) The applicant is unsuited or unqualified to perform the obligations of a permit holder based upon a finding that the applicant, any officer, director, partner, or resident general manager of the facility for which application has been made:
  - (a) Has intentionally misrepresented a material fact in applying for a permit;
  - (b) Has been convicted of a felony or other crime involving moral turpitude;
  - (c) Has habitually and intentionally violated environmental laws of any state or the United States which have caused significant and material environmental damage;
  - (d) Has had any permit revoked under the environmental laws of any state or the United States; or
  - (e) Has otherwise demonstrated through clear and convincing evidence of previous actions that the applicant lacks the necessary good character and competency to reliably carry out the obligations imposed by law upon the permit holder; or
- (2) The application substantially duplicates an application by the same applicant denied within the past five years which denial has not been reversed by a court of competent jurisdiction. Nothing in this subdivision may be construed to prohibit an applicant from submitting a new application for a permit previously denied, if the new application represents a good faith attempt by the applicant to correct the deficiencies that served as the basis for the denial in the original application.

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

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

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

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

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

Dated this 19<sup>th</sup> day of July, 2021.

Jacob Bartley

Applicant (print)

[Signature]

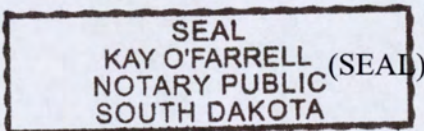
Applicant (signature)

Subscribed and sworn before me this 19<sup>th</sup> day of July, 2021.

[Signature]

Notary Public (signature)

My commission expires: May 16, 2022



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