



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

September 22, 2026

NOTICE OF DECISION

The Department of Agriculture and Natural Resources is informing you that the following mine permit amendment application has been conditionally approved in accordance with ARSD 74:29:03:15:

Date of Action: September 22, 2026

Applicant: Teresa Fox

Address: 1110 Ash Street, Whitewood, SD 57793

Permit: 477

Legal Description: S1/2 SW1/4 Section 23; T5N-R1E, Lawrence County

General Location: Approximately nine miles southwest of Spearfish, South Dakota

Mineral: Placer gold

Post Mining Use: Forest grassland

Narrative: This amendment will allow Teresa Fox to extend the completion date of the mining operation, to include final reclamation, to November 1, 2033 and add one large holding tank (vat) which will serve as a water source and sediment containment for a recirculating trommel operation. All other facets of the general mining operation will remain as described in the original permit.

Conditions: Copy enclosed.

If you have any questions regarding the amendment, please feel free to contact Eric Holm, Minerals and Mining Program at (605) 773-4201.

Sincerely,

Hunter Roberts
Secretary

Teresa Fox
Mine Permit 477 Amendment Conditions

General

1. The conditional approval of this permit amendment application incorporates by reference those representations made by Teresa Fox, as to plans, specifications, operations, environmental impacts, and reclamation as contained in the permit amendment submitted March 20, 2025, with supplemental information submitted on June 26 and July 16 and 28, 2025 and April 28, May 21, and June 18 and 22, 2026. The representations contained in the permit amendment are general conditions unless modified by the following conditions, modified by future technical revisions, amendments, or permits, or modified by other conditions imposed by the Board of Minerals and Environment.
2. This permit amendment and all rights under it are expressly conditioned on the truth of representations made by the applicant, Teresa Fox, in the application and supporting documentation relating to the application. Should any material representation prove to be false, this permit amendment and all rights under it may be canceled by the board.
3. This permit amendment is conditioned upon compliance with all applicable laws and regulations.
4. These conditions apply to the entire mining operation and supersede similar conditions in previous mine permits, amendments and technical revisions. Any conditions in previous mine permits, amendments, and technical revisions that do not conflict with these conditions remain in effect.
5. The operation shall be conducted in compliance with all Lawrence County zoning requirements and US Forest Service operating plan conditions.
6. Teresa Fox shall abide by the recommendations, proposed at the time of permit amendment approval, by the South Dakota Archaeological Research Center in its July 28, 2026 letter, the South Dakota Department of Game, Fish and Parks (GF&P), and the South Dakota Department of Health, except as modified or restated in these conditions.

Reclamation

1. Teresa Fox shall continue to conduct concurrent reclamation on areas affected during the mining operation.
2. Teresa Fox shall control noxious and other weeds at all times during the operation in accordance with the Lawrence County Invasive Species Management Board.

Erosion Control

1. Teresa Fox shall obtain a General Permit for Stormwater Discharges Associated with Industrial Activities from DANR's Water Quality Program.
2. Erosion and sediment control structures shall be in place and functional during all operational and reclamation phases to prevent leakage of water from the holding vat into Iron Creek and prevent sedimentation of the creek. Periodic maintenance and repair shall be required on all erosion and sediment control structures to ensure control effectiveness.

Reclamation Bond

1. Teresa Fox shall submit additional reclamation surety in the amount of \$6,800 before the mine permit amendment is issued. This will increase the total reclamation surety held for the mine site to \$11,400 (\$9,300 held by the department and \$2,100 held by the US Forest Service). The department reserves the right to adjust the bond at any time based on the amount of new disturbance, the reclaimed acreage, and any changes to the original mine plan. The reclamation surety may also be adjusted downward as reclamation work is completed.