STATE OF SOUTH DAKOTA
BEFORE THE SECRETARY OF
THE DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES

IN THE MATTER OF THE
APPLICATION OF

Transfer of EXNI 440 to DTRC LLC

CERTIFICATION OF APPLICANT

STATE OF South Dakota

COUNTY OF Lawrence

I, DTRC LLC, 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 1-41-20 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 1-41-20, 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 27 day of May, 2022.

Applicant (print) Gerald M. Aberle

[Signature]

Applicant (signature)

Subscribed and sworn before me this 27 day of May, 2022.

[Signature]

Notary Public (signature)

My commission expires: 11-10-2027

(SEAL)

PLEASE ATTACH ANY ADDITIONAL INFORMATION NECESSARY TO DISCLOSE ALL FACTS AND DOCUMENTS PERTAINING TO SDCL 1-41-20 (1) (a) THROUGH (e).
ALL VIOLATIONS MUST BE DISCLOSED, BUT WILL NOT AUTOMATICALLY RESULT IN THE REJECTION OF AN APPLICATION.
27 May 2022

Eric Holm  
Engineer III  
Department of Agriculture and Natural Resources  
Minerals and Mining Program  
Joe Foss Building  
523 E. Capitol Ave.  
Pierre South Dakota, 57501

RE: Transfer of EXNIs 424, 439, and 440 to DTRC LLC

Dear Mr. Holm:

As requested in your letter dated 20 May 2022, and follow-up to letters from Roberta Hudson of 25 April 2022 and 11 May 2022, Dakota Gold Corp. herein submits enclosed completed Certifications of Applicant forms for Exploration Notice of Intents (EXNIs) 424, 439 and 440.

Submittal of these additional completed Certifications of Applicant forms for EXNIs 424, 439 and 440 are for transfer of these EXNIs to DTRC LLC.

Thank you for your time as it pertains to this matter. Should you have any question or comments, please do not hesitate to contact me directly at (719) 203-0567 or tcomer@dakotagoldcorp.com.

Regards,

Timm Comer  
Environmental Director

Enclosures:  
Completed Certification of Applicant form for EXNI 424  
Completed Certification of Applicant form for EXNI 439  
Completed Certification of Applicant form for EXNI 440