

Department of Environment and Natural Resources  
Minerals and Mining Program  
523 E Capitol Ave  
Pierre, SD 57501-3182  
Telephone: (605) 773-4201 Fax: (605) 773-5286

REQUEST FOR DETERMINATION  
SPECIAL, EXCEPTIONAL, CRITICAL,  
OR UNIQUE LANDS AND NOTICE OF  
INTENT TO OPERATE

Name of Operator \_\_\_\_\_

Office Address \_\_\_\_\_

Telephone \_\_\_\_\_

Local Address \_\_\_\_\_

Telephone \_\_\_\_\_

Legal Description \_\_\_\_\_

County \_\_\_\_\_

Name and Address of Surface Owner \_\_\_\_\_

Name and Address of Mineral Owner \_\_\_\_\_

Name and Address of Surface Owners Within 500 Feet of the Proposed Mining Operation \_\_\_\_\_

***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.***

Signature \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

**FOR DEPARTMENT USE ONLY**

The land described in this Request for Determination of Special, Exceptional, Critical, or Unique Lands and Notice of Intent to Operate ( ) is ( ) is not eligible for inclusion on the list of special, exceptional, critical, or unique lands.

\_\_\_\_\_  
**Secretary, Department of Environment and Natural Resources** Date \_\_\_\_\_

Operator Appeal Date \_\_\_\_\_

Intervenor Contest Date \_\_\_\_\_

The land described in this Request for Determination of Special, Exceptional, Critical, or Unique Lands and Notice of Intent to Operate ( ) is ( ) is not eligible for inclusion on the list of special, exceptional, critical, or unique lands.

\_\_\_\_\_  
**Chairman, SD Board of Minerals and Environment** Date \_\_\_\_\_

SUPPLEMENTALINSTRUCTIONS FOR REQUEST FOR DETERMINATION OF  
SPECIAL, EXCEPTIONAL, CRITICAL, OR UNIQUE LANDS  
AND NOTICE OF INTENT TO OPERATE

ARSD 74:29:10

1. Please complete the "Request for Determination of Special, Exceptional, Critical, or Unique Lands and Notice of Intent to Operate" pursuant to the requirements of ARSD 74:29:10:03. Attach additional sheets of paper if necessary. The Request for Determination of Special, Exceptional, Critical, or Unique Lands and Notice of Intent to Operate must be accompanied by:
  - a) A map showing sufficient information to locate the area of the proposed mining operation, including access routes and the approximate size and location of areas where surface resources will be disturbed pursuant to 74:29:10:03(3).
  - b) A general description of the type of mining operation proposed and how it would be conducted pursuant to 74:29:10:03(5).
  - c) A detailed assessment of whether the lands included in the proposed mining operation meet the criteria of SDCL 45-6B-33.3 including all information and data necessary to support the assessment and its conclusions pursuant to 74:29:10:03(6).
  
2. Submit the Request for Determination of Special, Exceptional, Critical, or Unique Lands and Notice of Intent to Operate to Department of Environment and Natural Resources, Minerals and Mining Program, 523 East Capitol, Pierre, South Dakota 57501-3181, at least 60 days prior to the submission of a mining permit application. In addition, copies of the Request for Determination of Special, Exceptional, Critical, or Unique Lands and Notice of Intent to Operate must be submitted to the following agencies at the same time it is submitted to the Department:
  - a) Bill Smith  
Department of Agriculture  
Foss Building  
523 East Capitol Avenue  
Pierre, SD 57501-3185
  
  - b) Lisa Nesselbeck  
Senior Archaeologist  
Archaeological Research Center  
PO Box 1257  
Rapid City, SD 57709-1257

- c) Stan Michals  
Department of Game, Fish, and Parks  
4130 Adventure Tr  
Rapid City, SD 57702-4804
  
- d) Ted Spencer  
South Dakota State Historic Preservation Office  
900 Governors Drive  
Pierre, SD 57501-2217
  
- e) Jim Hagen  
Department of Tourism  
Office of Tourism  
Capitol Lake Plaza  
500 East Capitol  
Pierre, SD 57501

A copy of the Request for Determination of Special, Exceptional, Critical, or Unique Lands and Notice of Intent to Operate must also be filed with the Register of Deeds in the county where the proposed mining operation is located. Proof of filing the Request with the various agencies must be submitted to the Department of Environment and Natural Resources.