



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

June 1, 2023

Michael Schlumpberger  
General Manager  
SDO Services, LLC  
506 6<sup>th</sup> St Street  
Rapid City, SD 57701

Dear Mr. Schlumpberger;

The department has completed review of the Notice of Intent to Conduct Mineral Exploration (EXNI) submitted on May 25, 2023. We have determined this application to be incomplete. Please address the following:

1. Application form: The application form will need to be redone to address the following items:
  - a. SDCL 45-6C-7(2) – The application requires a physical address and phone number for the operator. Please provide the operators address and phone number. The current contact information provided is for the resident agent and is not the physical address or phone number of the operator.
  - b. SDCL 45-6C-7(5) – Please provide a clear description of the total disturbance estimated for this operation. This should include total number of drill pads, drill pad size, holes to be drilled per drill pad if multidirectional drilling is utilized to minimize disturbance, and length of road to be improved and/or developed as part of this exploration.
  - c. On the second page, the notary failed to completely fill out the information for the company being represented by Mr. Schlumpberger.
2. SDCL 45-6C-8 – Plan of Reclamation:
  - a. SDCL 45-6C-8(1) – In the description provided it states all reclamation and access requirements are outlined in the Exhibit C. However, we did not receive the entire document in Exhibit C. Please include the remainder of this document to show all reclamation and access requirements defined and approved by the current landowner. If these are not present, please provide additional consultation with the current landowner to show they have approved reclamation and access road development and reclamation at the site should the Option not be pursued.
  - b. Also, please confirm that reclamation may be completed if the Option provided in Exhibit C expires. An EXNI may not be released until the department has approved the completion of reclamation and this often takes 1-3 years upon completion of reclamation activities to ensure proper revegetation of the disturbed areas. This Option expires in

December 2023. We need to be sure reclamation activities can be adequately completed upon expiry of this document.

3. 45-6C-11: No cultural resource information was included in this application. Since this is in the location of a known historical mine site, it is advisable to contact the state archaeologist to determine whether there will be a need to complete any archaeological surveys prior to the start of any exploration activities. While this may not prevent the issuance of a restriction letter by the department, it may delay any activities that can be conducted due to restrictions on the EXNI placed by the state archaeologist as per this statute.
4. SDCL 45-6C-13: This application will not be considered filed as per this statute until all required statutes have been addressed.
5. SDCL 45-6C-14: Several maps were marked confidential in this application. Please note that only those maps with test hole locations are considered confidential. None of the maps provided include that information and cannot be considered confidential under this statute.
6. It was noted the Option in Exhibit C is to SDO RE LLC not SDO Services LLC. Please provide a brief description and chart showing corporate structure for this company to show that these companies are related and that SDO Services does have the right to act on mineral exploration in place of SDO RE LLC which holds the Right of Entry as per the Option. This should be provided as a statement by the company from company representatives confirming their company's information.
7. Currently, the only contact shown for this company is Michael Schlumpberger. This means that all permitting and financial documents must be signed by Mr. Schlumpberger as a representative of this company. If there are any additional people that should be included as signatories for these documents, please provide a list with their name and title within the company.

Please note that surface owner consultation required per SDCL 45-6C-16 and the \$20,000 statewide surety required per SDCL 45-6C-19, must be posted prior to commencement of any exploration activities. If this information is not received within 30 days of the time the application is considered filed, the department may not issue the restriction letter until this information is received unless requested by the operator. This is to minimize confusion and prevent exploration activities until all required information has been submitted to the department.

Please let me know if you have any questions.

Sincerely,

\s/

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Minerals, Mining, and Superfund Program  
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