

Department of Agriculture and Natural Resources
Minerals and Mining Program
523 East Capitol Avenue
Pierre, South Dakota 57501-3182
605 773-4201; Fax: 605 773-5286

**NOTICE OF INTENT TO CONDUCT
MINERAL EXPLORATION OPERATION
(Excluding Uranium)**

Pursuant to SDCL 45-6C

RECEIVED
DEC 29 2025
MINERALS & MINING PROGRAM

Operator's name: Wharf Resources (USA) Inc.

Mailing Address: 10928 Wharf Road
Lead, SD 57754

Telephone: 605-585-4158

Resident agent (if out-of-state corporation): CT Corporation System

Resident agent address: 319 South Coteau Street
Pierre, SD 57501

Telephone: 605-224-5826

Legal description of area to be explored by Section, Township, and Range:

Portions of Sections 27, 33, 34, 35, Township 5 North Range 2 East
Portions of Sections 2 and 3, Township 4 North Range 2 East

PAID \$250
DEC 29 2025

Clk# _____
Rec't# _____

County: Lawrence

Give a brief description of the type of exploration to be conducted. Include a list of all minerals to be explored and a description of methods (e.g. drill rig type, number of holes to be drilled, number of drill pads to be constructed, proposed depth for each test hole, length of existing access roads and/or new access road construction).

Gold and silver exploration to be conducted by reverse circulation and diamond drilling methods. Anticipated maximum depth for reverse circulation is approximately 2,000 feet and a maximum depth of 10,000 feet for diamond drilling. There will be 1,925 drill holes and 385 drill pads at approximately 2,000 sq ft per pad. Mineral exploration and gold mining have been conducted over portions of this property in the past and existing roads and trails will be used whenever possible to minimize new disturbance. Approximately 4.5 miles of existing roads and trails will be used and approximately 13.5 miles of new trails may be created. Drilling activities conducted within past mining disturbance may be modified to accommodate mining progression and other activities.

Date exploration will commence: February 2025

What legal authority does the operator have to conduct exploration on the above-described land? Include a copy if available.

☒ Deed ☐ Lease ☐ US Forest Service Permit ☐ Pending US Forest Service Permit ☐ Other

Will the operator conduct uranium exploration? ☐ Yes ☒ No If yes, a permit pursuant to SDCL 45-6D must be obtained.

INSTRUCTIONS:

Please reference SDCL 45-6C. This Notice of Intent must be accompanied by:

1. A plan of reclamation pursuant to Section 8.
2. A topographic map pursuant to Section 9.
3. A fee of \$250 payable to the Department of Agriculture and Natural Resources pursuant to Section 17.
4. A surety in an amount to be determined by the department pursuant to Section 19.
5. Any written landowner consultations giving alternative preferences for the reclamation of the affected land pursuant to Section 16.

Applicant affirms that the surface owner has been notified of the proposed mineral development and that said surface owner is aware of his rights to compensation for damages to property pursuant to SDCL 45-5A. Applicant hereby affirms that the mineral exploration will be conducted pursuant and subject to the provisions of SDCL 45-6C, and all regulations promulgated thereunder, that he will grant access to the SD Board of Minerals and Environment or its agents to the area under notice from the date of the notice and thereafter to assure compliance with the provisions of SDCL 45-6C.

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

Date: 12/9/25

Title: AGM

STATE OF South Dakota

COUNTY OF Lawrence

On this 9th day of December, 20____, before me personally appeared

John Key, who acknowledged himself to be the AGM (Title)
for Wharf Resources (Operator) and that he is authorized to execute the Notice of Intent for the purposes contained therein.

Notary Public

My Commission Expires: March 28 2030



FOR DEPARTMENT USE ONLY

DATE APPROVED: BOND AMOUNT: EXNI NUMBER:

Chairman, SD Board of Minerals & Environment

Department of Agriculture and Natural Resources
Minerals and Mining Program
523 East Capitol Avenue
6D-9 Pierre, South Dakota 57501-3182
605 773-4201; Fax: 605 773-5286

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DEC 29 2015
MINERALS & MINING P.

EXPLORATION RECLAMATION PLAN

Pursuant to SDCL 45-6C-8 and 45-

In preparing this reclamation plan, please address each item in detail, referencing SDCL 45-6C-8 and 45-6D-9. Please refer to the reclamation standards outlined in SDCL 45-6C-27 through 45-6C-34, SDCL 45-6D-33 through 45-6D-39, and the state's hole plugging regulations as detailed in ARSD 74:11.

1. Describe the type of reclamation the operator proposes to achieve in the reclamation of the affected land.

Reclamation will generally be completed using bulldozers and excavators for earthwork and either hydroseeding, no-till drill, or broadcast seeding depending on location and equipment access. Seed mixes approved for mine reclamation will be used to ensure consistency with existing county and state requirements and prior approval for these locations, topography and soil type.

2. Provide a proposed timetable for seeding and replanting indicating when and how the reclamation plan will be implemented. Such timetable shall be developed in consultation with the County District Conservationist as to the nature of the soils and native vegetation in the area of the proposed operation. These recommendations shall be followed, if any are provided, and copies of all correspondence shall be provided to the Department.

Reclamation will generally occur in the fall following the typical exploration season, and pending suitable ground conditions. Drill sites and new access roads that have no future use will be reclaimed as soon as practicable. Sites and roads that are needed for re-entry and additional drilling at a later date or have ancillary uses on private land will be reclaimed following those activities.

3. Describe how the reclamation plan will rehabilitate the affected land.

Reclamation activities are designed to return the land surface to approximate pre-disturbance topography and seed mixes are designed for sustained success at this elevation ensuring soil stability and forage/cover for wildlife. Examples of previous success are located on other portions of the Wharf site.

4. Describe the anticipated temporary and permanent plugging and capping procedures to be used. Please refer to SDCL 45-6C-28 through 45-6C-30, SDCL 45-6D-33 through 45-6D-35, and the state's hole plugging regulations as detailed in ARSD 74:11.

All plugging of exploration holes will be conducted by the drilling contractor and adhere to all applicable South Dakota laws and regulations.

5. Provide the estimated cost of implementing and completing the proposed reclamation, and, the estimated cost of plugging and sealing each test hole.

Hole plugging costs are covered under existing \$100,000 Wharf statewide surety.

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

Date:

12/9/25

Title:

AGM

RECEIVED
DEC 29 2025
MINERALS & MINING PROGRAM

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

IN THE MATTER OF THE
APPLICATION OF

CERTIFICATION OF
APPLICANT

STATE OF

COUNTY OF

I, JOHN X KEY, 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 9th day of DECEMBER, 2025.

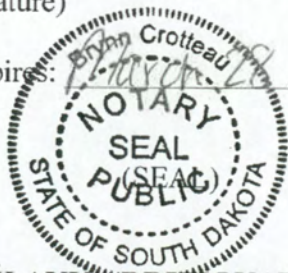
SHS IC KEY
Applicant (print)

[Signature]
Applicant (signature)

Subscribed and sworn before me this 9th day of December, 2025.

Byron Crotteau
Notary Public (signature)

My commission expires: March 28, 2030



**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**

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MINERALS & MINING PROGRAM

Wharf Resources (USA) Inc.

LIST OF NOTICES OF VIOLATION

Seven Notices of Violation and one Order have been issued to Wharf Mine since 1983.

1. Notice of Violation issued 5/24/1984. Reason a. Wharf failed to install Hypalon liner into the Overflow Pond prior to use. b. Wharf failed to allow a minimum of 2 feet of freeboard in the ponds. c. Wharf failed to report the possible release of cyanide into the environment within 24 hours as required.
2. Cease and Desist Order issued 6/12/1984. Reason: Failed to comply with 5/24/1984 Notice of Violation and Order.
3. Two Notices of Violation issued 10/13/1995. Reason: From 8/21/1995 through 8/28/1995, Wharf discharged inadequately treated cyanide solution into Ross Valley and subsequently into Annie Creek. Two Notices of Violations were issued, one under mining and one under water pollution laws.
4. Notice of Violation issued 12/12/1997. Reason: Wharf exceeded the nitrate ground water standard in two shallow wells and the total cyanide limit in its surface water discharge permit for Ross Valley and Annie Creek.
5. Notice of Violation issued 5/31/2000. Reason: Wharf exceeded the selenium standard for Annie Creek, exceeded the ammonia standard for the outfall from Ross Valley denitrification facility and failed an acute whole effluent toxicity test in Ross Valley.
6. Notice of Violation issued 8/7/2001. Reason: Wharf exceeded the selenium standard for Annie Creek and had a failure of the Pregnant Pond Leak, Detection, Collection and Recovery System (LDCRS) causing process solution to be released into the environment.
7. Notice of Violation issued 1/28/2003. Reason: Wharf exceeded the ammonia standard for Annie Creek, the nitrate standard for Ross Valley ground water, and the nitrate and bacteria standards in the drinking water supply well.
8. Notice of Violation issued 3/20/2008. Reason: Wharf exceeded the Surface Water Discharge and Mining Permits standards 26 times between March 2005 and March 2008.
9. Notice of Violation issued 10/23/2024. Reason: Wharf violated conditions of its Mine Permit Nos 356, 434, 435, 464, 476, and 490 relating to topsoil management.

SEEDING PLAN

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DEC 29 2025

MLRA

62

Producer Wharf Mine Conservation District: LawrenceProgram CTA Practice No. 342 Practice Name: Critical Area SeedingCI or Referral No. Contract #

Resource Concern (CPPE Impact)

Purpose:

342- Stabilize areas with existing or expected high rates of soil erosion by wind or water

PLANNED

Tract		Seedbed Preparation
Field		Clean, smooth, weed free seedbed will be prepared
Acres	15.00	
Group or Site	Critical Area Group	
Site	Loamy or Silty Texture	Have the past 3 years of Herbicide Carryover been considered?
Date to be Planted	Early Spring Prior to 5/15	Yes
Alternative planting dates	Dormant 11/1 to Spring Thaw	Protection Provided
Alternative planting dates		
Seeding Equipment	Hydroseeding	Clip weeds before they compete for moisture and light
Companion Crop	Spring Wheat 15 lbs/ac	

PLANNED

Species * **	1/ Select Improved Variety (recommended) or select common seed (see note below)	Percent in Mixture	Pure Live Seeds (PLS) per square foot	Pure Live Seed (PLS) LBS/Acres Needed	Acres to be Seeded	Pure Live Seed (PLS) LBS Required
			58.00	14.11		211.63
Alsike clover		5.0	5.00	0.32	15.00	4.80
Slender wheatgrass		10.0	5.00	1.41	15.00	21.08
Western wheatgrass		20.0	10.00	3.89	15.00	58.34
Thickspike wheatgrass		5.0	3.00	0.84	15.00	12.65
Hard fescue		10.0	10.00	0.77	15.00	11.56
Pubescent wheatgrass		10.0	4.00	1.98	15.00	29.70
Big bluestem		20.0	12.00	2.97	15.00	44.55
Canada wildrye		10.0	4.00	1.52	15.00	22.73
Western yarrow		5.0	2.50	0.04	15.00	0.58
Purple prairie clover		5.0	2.50	0.38	15.00	5.63

To meet SD NRCS

Standards Please Note:

1/ Improved varieties recommended above have no restrictions on their origin.

1/ Origin of Common grass seed must be ND, SD, NE, MT, WY, MN, or IA. Exception: Smooth Bromegrass any locale.

1/ Common Native forbs and legumes will originate or be grown in

(USA): ND, SD, NE, MT, IA, WY, ID, WA, OR, MN, WI, and (CAN): AB, BC, MB, ON, SK.

- Seed test must be completed according to SD Seed laws (see link below) and no more than 9 months prior to the date planted.

- All legumes must be pre-inoculated. Producer will provide all seed tags to NRCS

[Legume inoculants](#)

- Tetrazolium (TZ) tests may be used as a substitute for germination tests ONLY for Green Needlegrass

- For Alfalfa Salinity tolerance use F or G from the web site link -->

[Alfalfa Variety Ratings](#)

* Pubescent wheatgrass and Intermediate wheatgrass are the same species and can be substituted for one another at any time.

** Thickspike wheatgrass may be substituted for western wheatgrass if the later is not available but only west of the Missouri River.

To calculate the amount needed multiply the western wheatgrass seeding rate by .72

SD Seed Laws [Codified Laws Statute 38-12A](#)Seed testing [SD state seed-lab](#)

LOCATION MAP



Tract

Planning Assistance By:

Andrea Westlake

12/18/2025

Name

Date)

Plan Meets SD Standards (if no explain)

Yes ☒ No ☐

SEEDING PLAN

MLRA

Producer Wharf Mine Conservation District: Lawrence 62Program CTA Practice No. 342 Practice Name: Critical Area SeedingCI or Referral No. Contract #

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Purpose:

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PLANNED

Tract		Seedbed Preparation
Field		Clean, smooth, weed free seedbed will be prepared
Acres	15.00	
Group or Site	Critical Area Group	
Site	Loamy or Silty Texture	Have the past 3 years of Herbicide Carryover been considered?
Date to be Planted	Early Spring Prior to 5/15	Yes
Alternative planting dates	Dormant 11/1 to Spring Thaw	Protection Provided
Alternative planting dates		Clip weeds before they compete for moisture and light
Seeding Equipment	No Till Grass Drill	
Companion Crop	Spring Wheat 15 lbs/ac	

PLANNED

Species * **	1/ Select Improved Variety (recommended) or select common seed (see note below)	Percent in Mixture	Pure Live Seeds (PLS) per square foot	Pure Live Seed (PLS) LBS/Acres Needed	Acres to be Seeded	Pure Live Seed (PLS) LBS Required
		100	43.50	10.58		158.72
Alsike clover		5.0	3.75	0.24	15.00	3.60
Slender wheatgrass		10.0	3.75	1.05	15.00	15.81
Western wheatgrass		20.0	7.50	2.92	15.00	43.75
Thickspike wheatgrass		5.0	2.25	0.63	15.00	9.48
Hard fescue		10.0	7.50	0.58	15.00	8.67
Pubescent wheatgrass		10.0	3.00	1.49	15.00	22.28
Big bluestem		20.0	9.00	2.23	15.00	33.41
Canada wildrye		10.0	3.00	1.14	15.00	17.05
Western yarrow		5.0	1.88	0.03	15.00	0.44
Purple prairie clover		5.0	1.88	0.28	15.00	4.22

To meet SD NRCS

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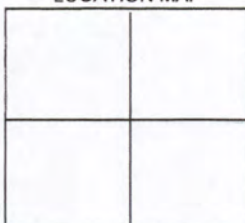
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To calculate the amount needed multiply the western wheatgrass seeding rate by .72

SD Seed Laws [Codified Laws Statute 38-12A](#)Seed testing [SD state seed-lab](#)

LOCATION MAP



Tract

N

S.

T.

R.

Planning Assistance By:

Andrea Westlake

12/18/2025

Name

Date)

Plan Meets SD Standards (if no explain)

Yes ☒ No ☐