



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

December 17, 2021

Gerald Aberle  
Dakota Territory Resources Corp  
106 Glendale Drive  
Suite A  
Lead, SD 57754

**Re: EXNI 439 for Dakota Territory Resources Exploration Drilling in Sections 18; T5N-R3E  
and Section 13; T5N-R2E, Lawrence County**

Dear Mr. Aberle:

The department is in receipt of the Exploration Notice of Intent (EXNI) that you filed with our office on November 3, 2021. The department has determined the Notice of Intent to be procedurally complete. Based on our review of your Notice, we determined the following restrictions are required:

1. This project shall be conducted and reclaimed in such a manner as to prevent any violation of the beneficial uses of specified water quality criteria of any water resources in the area. In accordance with Chapter 74:51, False Bottom Creek has been assigned the following beneficial uses:
  - 3) Coldwater marginal fish life propagation waters;
  - 8) Limited-contact recreation waters;
  - 9) Wildlife propagation, recreation, and stock watering waters; and
  - 10) Irrigation waters.
2. Any discharge from the site will be directed to a settling pond or flat vegetated area to allow suspended solids to settle out. For any discharge into a dry draw or gulch a South Dakota Surface Water Discharge permit may be required prior to discharge.
3. To ensure optimal soil erosion protection, all affected lands shall have adequate sedimentation and erosion control measures applied pursuant to SDCL 45-6C-32 and according to Best Mineral Management Practices. These measures shall be in the form of waterbar construction on access roads where appropriate; revegetation of roads; road embankment slopes; and the installation of straw bale or silt fence type sediment filters wherever necessary. Dakota Territory shall inspect, clean out, repair, or upgrade the sediment controls as necessary to prevent degradation of surface waters of the state.

4. All topsoil shall be salvaged and stockpiled whenever possible for use in reclamation.
5. When drilling fluids are used and/or when ground water is encountered during drilling, the drilling fluids shall be sufficiently contained to prevent overland flow or discharge to any waters of the state. If water tanks area used in lieu of mud pits, they shall also be sufficiently contained.
6. When mud pits are being utilized in drilling a hole, where possible, these pits shall be constructed on the uphill side of the drill pad.
7. Dakota Territory shall spray weeds in all disturbed areas and surrounding areas, up to 50 feet from disturbed areas, including along access roads within the exploration permit boundary.
8. During periods of active exploration drilling, Dakota Territory shall provide, via email, a weekly schedule outlining when and where holes will be drilled so the department can plan inspections and witness plugging activities.
9. All test holes shall be capped, sealed and plugged according to ARSD 74:11:08 (Plugging Standards) immediately following drilling and probing.
10. If surface casing is used in exploration holes, the following requirement shall be met:
  - a) Prior to removal of surface casing, the hole shall be plugged in accordance with ARSD 74:11:08 to a level just below the bottom of the surface casing.
  - b) Following step a), the casing will be removed (when possible) or cut off at least one foot below the ground surface.
  - c) The remainder of the hole will be plugged in accordance with ARSD 74:11:08.
11. Dakota Territory shall notify the department, in writing, when exploration drilling penetrates an aquifer. Notification shall be provided as soon as possible, but not more than 90 days after penetration of the aquifer. Notification shall include the location of the test hole penetrating the aquifer.
12. Where affected roads and drill pad areas are no longer necessary for further exploration purposes, reclamation must be completed on these disturbed areas within 12 months. If Dakota Territory plans to continue exploration in disturbed areas but must temporarily cease exploration activities, reclamation must be completed within 24 months. Dakota Territory may submit a request to extend these deadlines as necessary to the department.
13. Reclamation must be completed on all affected acreages within 12 months following completion of all exploration activities allowed under this Notice.
14. The following seed mix shall be used for reclamation of the affected areas:

Western wheatgrass	8.02 PLS/acre
Big bluestem	1.67 PLS/acre
Sideoats grama	0.54 PLS/acre
Slender wheatgrass	2.11 PLS/acre

Green needlegrass	0.54 PLS/acre
Little bluestem	0.21 PLS/acre
Western yarrow	0.01 PLS/acre
Purple prairie clover	0.06 PLS/acre

15. Dakota Territory shall avoid identified sites 39LA1743 and 39LA0458 and any associated materials with these sites as indicated in the letter from the Archaeological Research Center dated November 22, 2021.
16. Any surface clearing or grading work for access roads should be archaeologically surveyed prior to work starting.
17. During the conduct of its exploration activities, Dakota Territory shall avoid bones, artifacts, foundation remains, or other evidence of previously unrecorded past human use. For specific direction regarding avoidance of these sites, please contact the SD Archaeological Research Center.
18. If any artifacts or other archaeological or cultural resources are discovered during exploration activities, the activities shall be halted and the state archaeologist notified at once.

Please note that we have assigned your Notice of Intent the following number: **EXNI-439**. This Notice allows you to conduct only the type and amount of work which is hereby being approved. Any additional work must be covered by the submission of a new Notice to our office. Dakota Territory Resources may commence with the operation contingent upon compliance with the above restrictions.

Thank you for your interest in and consideration for the natural resources of South Dakota.

Sincerely,

\s/

Roberta Hudson  
Engineering Manager I  
Minerals and Mining Program  
Telephone: (605) 773-4201  
E-mail: roberta.hudson@state.sd.us

cc: Stan Michals, Department of Game, Fish and Parks  
Lisa Liang, Archaeological Research Center  
Mark Keenihan, Rapid City Office

**NOTICE OF FILING**  
**EXPLORATION NOTICE OF INTENT**  
**DAKOTA TERRITORY RESOURCE CORP**

Notice is hereby given that the South Dakota Department of Agriculture and Natural Resources has received a Notice of Intent to conduct exploration for gold and associated minerals from Dakota Territory Resource Corp, 106 Glendale Drive, Suite A, Lead, South Dakota 57754. The resident agent is Gerald Aberle, PO Box 568, Lead, South Dakota 57754.

The exploration area is generally located two miles northwest of Central City, South Dakota, within portions of Section 18; T5N-R3E and portions of Section 13; T5N-R2E, Lawrence County

Operations are anticipated to begin upon issuance of written restrictions pertaining to the Notice of Intent. The exploration project will consist of drilling up to 70 exploration holes to a maximum depth or length of 10,000 feet. There may be up to seven drill pads with a maximum of 10 exploration holes per pad. Each pad will have a maximum disturbance of one acre. Access to the site will be by existing trails, although one trail approximately 1,237 feet in length will require removal of vegetation and widening.

The Notice of Intent is available for review at the Minerals and Mining Program, 523 East Capitol Avenue, Pierre, South Dakota, or on the Minerals and Mining web page at <https://danr.sd.gov/Environment/MineralsMining/Exploration/NewEXNIS.aspx>. Persons desiring further information may contact Roberta Hudson, Minerals and Mining Program, at (605) 773-4201.

Hunter Roberts  
Secretary  
Department of Environment and Natural Resources

Published once at total approximate cost of \$\_\_\_\_\_.