Department of Environment and Natural Resources
ATTN: Roberta Hudson
523 East Capitol Ave.
Pierre, SD 57501-3162

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Bobbie:

Please find enclosed a copy of permit, from start to finish.

There are a couple of items missing, but I am in hopes that this will give you most of the items requested.

A copy has been submitted to Hillarie Jackson at the US Forest Service. She has prepared and will sign a letter addressing all issues concerning the Forest Service in your letter of April 2. If it does not cause problems in your office, I will scan and email that letter when received or FAX it to you. If you would prefer the documents mailed that is not a problem.

I am consulting with the Lawrence Co. noxious weed control program and have received their criteria for weed control as shown in the permit. I am still waiting for a signed letter verifying the plan. This item I could also email or FAX when received.

Upon receipt of these two supporting documents and any feedback you might have, I will send copies of the entire permit to government agencies and submit proof of receipt from these agencies.

Please let me know if there are any items I have missed… I really tried to scrutinize the letter and cover everything.

Sincerely,
Teresa Fox
12040 Centennial Estates Loop
Whitewood, SD 57793
(605) 269-2382
Hillshistory1876@gmail.com

United States Department of Agriculture

NRCS
Natural Resources Conservation Service
1837 5th Ave S
Belle Fourche, SD 57717

Helping People
Help the Land

Phone: (605) 892-3368, Ext. 3
Fax: (605) 892-6189

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May 7, 2012

To Whom It May Concern:

I am writing this letter to approve the Forest Service's recommended seeding mix for the mining permit located in Lawrence County at the S1/2 of the SW1/4, Section 23, T5N, R1E.

Please contact me at (605) 892-3368, Ext. 3 if you need further clarification on this matter.

Thank you.

Sincerely,

Sarah Eggebo
District Conservationist
Belle Fourche Field Office

The Natural Resources Conservation Service provides leadership in a partnership effort to help people conserve, maintain, and improve our natural resources and environment.

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Appendix B
Forest Service Required Seed Mix Standards

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Species	North Zone	High Elevation North Zone	Low Elevation North Zone	South Zone	Cost/lbs/pls
annual rye (Lolium multiflorum)	10%	30%	35%	30%	$0.50
slender wheatgrass (Elymus trachycaulus)	25%	25%	25%		$1.80
prairie junegrass (Koeleria macrantha)	5%			5%	$23.25
western wheatgrass (Pascopyrum smithii)	30%			30%	$2.80
Canada wildrye (Elymus canadensis)	30%	10%			$5.15
green needle grass (Nassella viridula)		20%	15%		$2.05
American vetch (Vicia americana) OR purple prairie clover (Dalea purpurea)		5%	5%	5%	$34.50 OR $18.00
Warm season combination*			20%	30%	$4.50
AVERAGE COST/LBS/PLS	$4.05	$2.95	$2.73	$4.40	
*Warm season combination – any of					
blue grama (Bouteloua gracilis)					$8.50
switchgrass (Panicum virgatum)					$4.50
indiangrass (Sorghastrum nutans)					$9.25
sideoats grama (Bouteloua curtipendula)					$4.50
AVERAGE COST/LBS/PLS					$6.69

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Mining will begin with removal of 1 to 1-1/2 acres of topsoil no closer than 25 feet from Iron Creek to the base of the root zone and stockpiled on the north side of disturbance area (+/-200 feet from Iron Creek) for future reclamation. The topsoil piles will be seeded to prevent erosion.

Exposed placer gravels will be mined, hauled and fed to a portable trommel-sluice, with a small rubber-track backhoe/excavator. A small amount of water will be used but all water will be recycled. No water is discharged. Water will be hauled to the site and no water rights are necessary. The gravel in this area is 3-15 feet thick and will be excavated to bedrock. The dip of the bedrock appears to be elevated toward the north and dips to the south, southeast, away from Iron Creek. We do not anticipate in-flow to the pit from Iron Creek as mining will be conducted mainly during the dry season. No live springs have been detected within the Iron Creek boundaries directly adjacent to the disturbance area. If any outflow were to occur, straw bales will be in place to be used as sediment barriers.

Discharged gravels (waste) from the trommel will be stockpiled within designated disturbed area. Most of this stockpile will be used to backfill the pit and the remaining part will be knocked down and reclaimed as is.

Reclamation will include grading as an ongoing part of the mining sequence with final high walls left at no steeper than 3 horizontal to 1 vertical slopes. As pit advances, reclamation will advance at the same rate. The original 1 to 1-1/2 acres will be reclaimed as mining advances. Sufficient waste will be placed in the pit to allow through drainage, slopes and pit bottom graded smooth prior to topsoil placement.

Final pit and stockpile will be graded and stockpiled topsoil will be spread evenly and seeded.

This project is expected to create three seasonal jobs for local employees, contributing to the local economy.

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Mining-Reclamation Plan for Iron Creek Placer Mine

Mining will be conducted in a gulch on the north side of Iron Creek, an intermittent stream *(see attached U.S. Topographic Map)*.

The legal description of area is S1/2 of SW1/4 of Section 23, T5N, R1E, Black Hills Meridian, Lawrence County, South Dakota.

A. Mining Plan

1. Topsoil from the area to be disturbed as mining advances will be stripped no closer than 25 feet from Iron Creek to the base of the root zone with a small backhoe/excavator or small dozer. Topsoil in this area is variable in thickness, the average being 2-1/2 to 3 feet. The topsoil will be stockpiled *(see proposed disturbance map)* on the northern boundary of disturbance for future reclamation. Topsoil will be separated into two piles, labeled topsoil and subsoil. These topsoil piles will be broadcast seeded with a recommended seed mixture and application rate recommended by the U.S. Forest Service. This is done in compliance with SDCL 45-6B40.

2. Exposed placer gravels will be mined, hauled and fed to a self-contained portable trommel-sluice, with a rubber-tracked excavator. No chemicals will be used in the recovery of precious metals. A small amount of water will be used in this operation but all the water is recycled. As no water is discharged, no discharge permit is necessary. The water will be hauled to the site and contained in portable tanks so no water rights are necessary. No lined water pit is necessary; water will be hauled as needed. The gravels in this area are 3 to 15 feet thick, and will be excavated to bedrock. The dip of the bedrock appears to be elevated towards the north, away from Iron Creek. We do not anticipate in-flow to the pit from Iron Creek as mining will be conducted during the dry season. No live springs have been detected within the Iron Creek boundaries directly adjacent to the disturbance area. The U.S. Forest Service has identified two ATP areas which will be avoided with a 100-foot buffer zone. If any out-flow were to occur, straw bales will be in place as sediment barriers. Historic mine spoils are already in place which will act as an additional buffer to avoid any possible chance of outflow during mining. These historic spoils exist on a large percentage of the creek boundary. These spoils are outside of the disturbance area and will not be disturbed.

3. Discharged gravels (waste) from the trommel will be stockpiled *(see proposed disturbance map)*. Most of this stockpile will be used to back fill the pit and the remaining part will be knocked down and reclaimed as is.

B. Reclamation Plan

Reclamation will be done in compliance with 5DCL 45-6B-37 through 46 as follows:

1. 45-6B-37 - Grading. As an ongoing part of the mining sequence final high walls will be left at no steeper than 3 horizontal to 1 vertical slopes. Sufficient waste (discharge gravel) will be placed in the pit to allow for through drainage. Both the slopes and pit bottom will be graded smooth with either a small excavator or small dozer prior to topsoil placement. All stockpiles will be graded smooth with either a small front end loader or small dozer prior to topsoil replacement. All the stockpiles will be graded smooth, with slopes not exceeding 25%.

2. 45-6B~38 - Disposal of Refuse. All refuse resulting from mining operations will be disposed of properly at the Butte County Sanitary Landfill.

3. 45-63-39 – Revegetation. After final pit and stockpile grading, stockpiled topsoil will be spread evenly. The above mentioned seed mixture will be hand broadcast at the recommended rate. The seeds will then be raked in with hand rakes. If large enough areas are prepared, a seed drill may be used. The surface is administered by the U.S. Forest Service, Department of Agriculture and a copy of this application has been sent to their Spearfish S.D. office for approval.

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4. 45-6B-40 – Removal and handling of topsoil

As stated above, the topsoil will be removed as the pit advances. Much of the topsoil will be stockpiled *(see proposed disturbance map)* but as much as possible will be directly placed on graded areas for final reclamation. Topsoil and waste stockpiles will be seeded as soon as possible to provide vegetative cover thereby reducing runoff and erosion.

5. 45-6B-41 - Disturbance to the Hydrologic Balance.

Mining will be conducted above the local groundwater table. No alteration of streams, lakes, ponds or springs will result from proposed mining operations. No disturbance will take place closer than 25 feet from Iron Creek. No spill-over from mining activity will be permitted outside of the disturbance area. Sediment barriers (straw bales) will line the pit on the creek side for every assurance of no out-flow contamination. The gulch where mining will be conducted carries water only in the spring, or during heavy summer rainstorms. Every care will be exercised to avoid spills of fuel or oil. All equipment will be parked on oil resistant tarps when not in use for mining. No other chemicals will be used on the site.

6. 45-6B-42 - Slides, Subsidence or Damage Protection.

All slopes during mining will be maintained at no steeper then 33% slope. Final reclaimed slopes will be no steeper than 25% unless surrounding slopes are steeper. Slides in gravel at these slopes are unlikely to develop.

7. 45-6B-43 - Surface Areas Protected - Waste piles - Weeds.

As stated above, topsoil and waste piles will be seeded as soon as possible to help control erosion. Straw bales will be used as needed to control erosion in site specific cases and all care will be taken to insure that no noxious weeds will develop in the mining area.

8. 45-6B-44 - Consultation with Landowners.

The current surface is forest land and will be reclaimed as such. As stated above the surface is administered by the U.S. Forest Service and copy of this application will be filed with their office.

9. 45-6B-45 - Choices of Reclamation.

The disturbed land will be reclaimed as forest land, although no trees will be planted, only forest grasses. Reclaimed area will be fenced with a one-strand electric fence until seedlings have become established.

10. 45-6B-46. Time for completion of reclamation.

The surface area disturbed each year will be kept to a minimum. It is estimated that less than one acre per year will be disturbed. It is also estimated that reclamation will begin the second year of operation and will proceed at one acre per year for the life of the mine.

C. The "Proposed Disturbance Map" is enclosed and delineates proposed disturbances, roads, crossings, access, trommel location, topsoil and waste stockpiles.

D. Stan Michels, South Dakota Game Fish and Parks, states the wildlife survey conducted by the U.S. Forest Service is acceptable to his office.

E. Attached is a check in the amount of $100 to cover the application fee.

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Mining-Reclamation Plan for Iron Creek Placer Mine

Mining will be conducted in a gulch on the north side of Iron Creek, an intermittent stream *(see Iron Creek Placer -- Robey No. 1).*

The legal description of area is S1/2 of SW1/4 of Section 23, T5N, R1E, Black Hills Meridian, Lawrence County, South Dakota.

Mining Plan

1. Topsoil from the area to be disturbed as mining advances will be stripped no closer than 25 feet from Iron Creek to the base of the root zone with a small backhoe/excavator or small dozer. Topsoil in this area is variable in thickness, the average being 2-1/2 to 3 feet. The topsoil will be stockpiled *(see see Iron Creek Placer -- Robey No. 1)* on the northern boundary of disturbance for future reclamation. In accordance with ARSD 74:29:07:14, these topsoil piles are placed on the northern boundary to allow for a 100-150 foot distance from Iron Creek, preventing any possibility of blockage. In accordance with ARSD 74:29:07:07(7), if items such as large rocks, trees, branches or waste were to be found within the topsoil, they will be separated before stockpiling. Topsoil will be separated into two piles, labeled topsoil and subsoil. These topsoil piles will be broadcast seeded with a recommended interim seed mix and application rate as recommended by the U.S. Forest Service.

Lawrence County Planning and Zoning does not require a Conditional Use Permit for mining on U.S. Forest Service property (*Signed and dated copy mailed to DENR from Law. Co. P&Z).* This is in compliance with SDCL 74:45-6B-32(5) and ARSD 74:29-02.02. The U.S. Forest Service is the only existing adjacent landowner as shown by attached Lawrence County Landowner's Directory of private property holdings. (*see attached Lawrence County Landowner's Directory).*

SDCL 45-6B-8: Description of unreclaimed land disturbance within proposed mine area affected prior to July 1, 1971: Historic spoils piles and trenches occur within the mine area. Mining occurring within the historic disturbance area will consist of trenching, processing and backfilling. These areas will be reclaimed as further described under reclamation. Areas not disturbed by current mining operations will not be reclaimed.

Within the 25-foot buffer between Iron Creek and the proposed mine area, historic spoils piles create a moderate to large berm up to 15-20 feet above the creek. This berm creates a large man-made buffer between the creek and proposed mine area. These historic piles will not be disturbed and therefore will not be reclaimed. The east end of the Robey claim, which falls outside of the proposed mine area, is inundated with pits and spoils piles from historic mining. These piles exist on both sides of the creek and will not be disturbed or reclaimed. *(Please see attached historic disturbance map.)*

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Historic spoils piles create natural creek berm.... May 1 waterflow.

SDCL 45-6B-9 and ARSD 74:29:07:17: No underground mine openings, workings or previously existing underground mine workings intercepted by surface mining activities are visible or have been discovered within the proposed mining area. Outside of the mine area, on the southwest end of the Robey claim exists a collapsed shaft; on the northwest end of the claim exists an open shaft of unknown depth. Both are pre-existing historic workings and will not be disturbed or reclaimed.

SDCL45-6B-12: Instrument of consultation with U.S. Forest Service granting permission to enter and commence mining operations and proof that it received a copy of the operating and reclamation plan (*Please see attached U.S. Foreser Service letter).*

SDCL 45-6B-32(3), (4) and (7): No part of the proposed mining operation is contrary to federal law as referenced in U.S. Forest Service letter *(see attached)*. Applicant Teresa Fox has not previously held any mining permit and is not in violation of SDCL 45-6B with respect to mining operations in South Dakota. The mining operation does exist within the Spearfish Creek Watershed, which has been placed on the preliminary list of special, exceptional, critical and unique lands by the State of South Dakota.

SDCL 45-6B-32(8), SDCL 45-6B-33(3) and SDCL 45-6B-92(10): The Department of Environment and Natural Resources, in a letter dated May 31, 2011, stated, "The department did not note any special, exceptional, critical, or unique features during the on-site inspection and evaluation of the information provided with the Notice of Intent. Also, no nominating petitions pertaining to the lands described in the Notice of

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Intent were filed with the department. However, since the proposed mine site is included within the boundaries of the Spearfish Canyon Watershed that was placed on the Preliminary List of Special, Exceptional, Critical, or Unique Lands on March 5, 1991, the department is required under ARSD 74:29:10:09 to determine that the lands do constitute special, exceptional, critical, or unique lands."

A 25-foot buffer zone has been established for Iron Creek and exists the length of the creek for the entire disturbance area. Existing historic berms from 15-20 feet above Iron Creek protect the watershed. All mining that occurs adjacent to the buffer zone will be back-filled as soon as mining advances to support the historic berm. Erosion control will be in place to ensure no contamination of the watershed occurs.

SDCL 45-6B-33(5): Stan Michels, South Dakota Game Fish and Parks, states the wildlife survey conducted by the U.S. Forest Service is acceptable to his office. *(see attached letter)* The Forest Service map (see *attached U.S. Forest Service map*) does not identify any threatened, endangered or sensitive species within the mine disturbance. The Forest Service map does note a few sensitive species on the SDNHP list, but all occurrences are outside the mining area and will not be disturbed. Self-contained mining will minimize any impact outside the disturbance area. This is in accordance with SDCL 45-6B-54(8).

The U.S. Forest Service map also identifies two ATPs (culverts). No other man-made structures exist within 200 feet of the mine site, but remnants of a cellar, cistern or well do exist adjacent to one of the identified ATPs (culverts). This structure would be protected by the 100-foot buffer prescribed for the ATPs.

2. Exposed placer gravels will be mined, hauled and fed to a self-contained portable trommel-sluice, with a rubber-tracked excavator. No chemicals will be used in the recovery of precious metals. A small amount of water will be used in this operation but all the water is recycled. As no water is discharged, no discharge permit is necessary. Application has made made for a storm water permit in compliance with ARSD 74:29:06:02 . The water will be hauled to the site and contained in portable tanks so no water rights are necessary. No lined water pit is necessary; water will be hauled as needed. The gravels in this area are 3 to 15 feet thick, and will be excavated to bedrock. The dip of the bedrock appears to be elevated towards the north, away from Iron Creek. We do not anticipate in-flow to the pit from Iron Creek as mining will be conducted during the dry season. No live springs have been detected within the Iron Creek boundaries directly adjacent to the disturbance area. The U.S. Forest Service has identified two ATP areas which will be avoided with a 100-foot buffer zone. If any out-flow were to occur, straw bales and/or sediment fence will be in place as sediment barriers. Historic mine spoils are already in place which will act as an additional 15-20 foot buffer to avoid any possible chance of outflow during mining. These historic spoils exist on a large percentage of the creek boundary. These spoils are outside of the disturbance area and will not be disturbed.

3. Discharged gravels (waste) from the trommel will be temporarily stockpiled *(see Iron Creek Placer Mine -- Robey No. 1)*. Most of this stockpile will be used to back fill the pit and the remaining part will be knocked down and reclaimed with topsoil and seed.

ARSD 74:29:07:14: Spoils may be temporarily stockpiled within mining boundary where perennial or intermittent streams do not exist. Spoils material will

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backfill pits and be prepared for reclamation. Most of the rock observed is a limestone alkaline-based rock. No pyrites or rocks containing pyrites have been observed that might be toxic or acid forming.

Reclamation Plan

Reclamation will be done in compliance with SDCL 45-6B-37 through 46 as follows:

1. 45-6B-37 - Grading. As an ongoing part of the mining sequence final high walls will be left at no steeper than 3 horizontal to 1 vertical slopes, blending and contouring to match the original topography with all materials replaced into the pit and a minimum of six inches of topsoil applied. This is consistant with the current topography and will be suitable for post-mine land use as forest grassland. Sufficient waste (discharge gravel) will be placed in the pit to allow for through drainage. Both the slopes and pit bottom will be graded smooth with either a small excavator or small dozer prior to topsoil placement. All stockpiles will be graded smooth with either a small front end loader or small dozer prior to topsoil replacement. All the stockpiles will be graded smooth, with slopes not exceeding 25%. During grading activities straw bales and/or sediment fence will be placed along the perimeters of all disturbance areas as needed to control erosion and sedimentation. All contours will be maintained to preserve existing slopes and drainage.

2. 45-6B~38 - Disposal of Refuse. All refuse resulting from mining operations will be disposed of properly at the Butte County Sanitary Landfill.

3. 45-6B-39 – Revegetation. Topsoil to be removed from disturbance area averages 8-12 inches and will be sufficient to obtain at least six inch minimum cover. After final pit and stockpile grading, stockpiled topsoil will be spread evenly. The approved seed mixture will be hand broadcast at the recommended rate. The seeds will then be raked in with hand rakes. If large enough areas are prepared, a broadcast seeder may be used. A 10'x10' plot will be developed outside the disturbance boundary to simulate topsoil placement and seed germination rates (as recommended by U.S. Forest Service).

4. 45-6B-40 – Removal and handling of topsoil

As stated above, the topsoil will be removed as the pit advances. Much of the topsoil will be stockpiled *(see Iron Creek Placer Mine -- Robey No. 1)* but as much as possible will be directly placed on graded areas for final reclamation. Topsoil and waste will be segregated to prevent any contamination by toxic material or noxious weeds. Topsoil and waste stockpiles will be seeded as soon as possible to provide vegetative cover thereby reducing runoff, erosion and noxious weeds.

5. 45-6B-41 - Disturbance to the Hydrologic Balance.

Mining will be conducted above the local ground water table. Due to the porous nature of the limestone bedrock, all surface water is absorbed and stream bed dries up. Ground water static depth is unknown, but historic shafts in the area reach up to 70 feet, indicating static table below that depth. No alteration of streams, lakes, ponds or springs will result from proposed mining operations. No disturbance will take place closer than 25 feet from Iron Creek, which is protected by a 15-20 foot historic berm. No spill-over from mining activity will be permitted outside of the disturbance area.

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Sediment barriers (straw bales) will line the pit on the creek side for every assurance of no out-flow contamination. The gulch where mining will be conducted carries water only in the spring, or during heavy summer rainstorms. Every care will be exercised to avoid spills of fuel or oil. No fueling will take place outside of the disturbance area to preserve hydrologic balance of Iron Creek. All equipment will be parked on oil resistant tarps when not in use for mining. No other chemicals will be used on the site.

The only surface water resource existing within 1,000 feet of the mine area is an intermittent stream, Iron Creek. A 25-foot buffer is established to protect Iron Creek. No other streams, springs, seeps, ponds, lakes, wetlands or dams exist within 1,000 feet of the mine area as shown by *sediment control map* depicting no hydrologic features; the closest water body being upstream at Iron Creek Lake at a distance of 1,600 feet.

Drainage, erosion and sediment will be controlled by straw bales and/or sediment fence in lower elevation areas as depicted on above mentioned *sediment control map* with existent historic berms portrayed both within and outside of the mining boundary. Historic berms of 15-20 feet in height are estimated to exist on approx. 90% of Iron Creek. After seeding and vegetation has been established, sediment barriers will be removed as necessary to blend into natural terrain if recommended by the U.S. Forest Service.

6. 45-6B-42 - Slides, Subsidence or Damage Protection.

All slopes during mining will be maintained at no steeper then 33% slope. Final reclaimed slopes will be no steeper than 25% unless surrounding slopes are steeper. Slides in consolidated and clay-packed gravel at these slopes are unlikely to develop.

7. 45-6B-43 - Surface Areas Protected - Waste piles - Weeds.

As stated above, topsoil and waste piles will be seeded as soon as possible to help control erosion. Straw bales will be used as needed to control erosion in site specific cases and all care will be taken to insure that no noxious weeds will develop in the mining area.

An active weed control program has been developed to control noxious weeds and exotic plants occurring within the permit boundary in compliance with SDCL 45-6B-43 and ARSD 74:29:07:15. For this program, noxious weeds and exotic plants include those species recognized as such by local, state and federal agencies. Lawrence County Invasive Species Department Supervisor David Heck noted leafy spurge, tansy and thistle as predominant invasive species in the area.

Procedure for weed control includes:

* Assess weed risks within permit boundary:

This will be accomplished by identifying high-risk sites for weed establishment and spread. Preventive measures include removing source of weed and propagules to prevent new weed infestation, and use of chemical spraying if necessary. Application of 6 oz. of Streamline per acre with liberate surfactant in spring and fall is recommended by Heck.

* Conduct a spring and fall property inspection annually

Soil disturbance will be minimized to the extent practical. Stockpiled material will be maintained by application of seed to reestablish vegetation to prevent conditions

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to establish weeds. Preventative measures include removing source of weed and propagules to prevent infestation, and use of chemical spraying if necessary.

Annual spring and fall property inspection will continue through postmine.

It will be a goal to maintain the area disturbed by mining operations in a clean and orderly environment. Consultation with the Lawrence County Invasive Species Management Department during permitting is documented by attached letter *(see attached letter – Heck).*

8. SDCL 45-6B-44 - Consultation with Landowners.

No adjacent landowners exist other than the U.S. Forest Service as seen on attached Lawrence County Landowner's Directory. The current surface is forest grassland and will be reclaimed as such. As stated above the surface is administered by the U.S. Forest Service and copy of this application will be filed with their office.

9. 45-6B-45 - Choices of Reclamation.

The disturbed land will be reclaimed as gradual slopes commensurate with forest grassland easily traversed by livestock. No trees will be planted, only forest grasses. The approved seed mixture will be hand broadcast at the recommended rate. The seeds will then be raked in with hand rakes. If large enough areas are prepared, a broadcast seeder may be used. Reclaimed area will be fenced with a one-strand electric fence until seedlings have become firmly established. The surface is administered by the U.S. Forest Service and copy of this application will be filed with their office.

In accordance with 74:29:06:02, the only land use observed over a 10-year period is livestock grazing both in the meadows directly below and above the disturbance area. Summer livestock grazing in the disturbance area is not at a premium due to intermittent stream and dust created by U.S. Forest Service Road 134.2. The gulch is also quite narrow at area to be permitted, leaving better forage areas below and above the disturbance area Unnatural slopes created by historic mining also deter premium grazing. Livestock is usually observed in transit from lower meadows which sustain water flow and less traffic to the same above the disturbance area.

Reclamation to disturbed land will be as gradual slopes commensurate with forest grassland easily traversed by livestock. Reclaimed area will be fenced with a one-strand electric fence until seedlings have become firmly established.

William R. (Bob) Fox, former large scale mine employee and contract equipment operator in reclamation projects, will supervise operators and equipment during the reclamation process. *(See attached Bob Fox reclamation qualifications)*

10. 45-6B-46. Time for completion of reclamation.

The surface area disturbed each year will be kept to a minimum. It is estimated that less than one acre per year will be disturbed. It is estimated that reclamation will begin the second year of operation and will proceed at one acre per year for the life of the mine. Each phase of reclamation should be completed within five years.

11. 45-6B-91: Postclosure plan for inspection and maintenance.

As a part of reclamation, tailings will be used as backfill in pits, covered with topsoil and seeded. Tailings bear no evidence of being toxic or acid-generating. Postclosure inspection and maintenance will consist of spring and fall inspection of reclamation area for noxious and invasive species in seeded areas, maintenance of

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vegetative cover and effectiveness and/or adjustment of erosion control. In the event of major weather events occurring in the upper Iron Creek area, on-site inspection will occur to address maintenance and adjustment of erosion control.

12. 45-6B-92: (1) Wildlife--Wildlife observed, deer and small birds, on proposed mine area are naturally adapted to withstand a large range of weather fluctuation, moisture, sunlight and wind. Wildlife is typical of that widely spread throughout the Black Hill National Forest. This wildlife will be effected short term since reclamation will be continuous by constantly refilling of pits, subsoil and topsoil to follow. The long term effect will result in wildlife returning to its natural habitat. It is not expected that the proposed mining operation will have a strong influence on the wildlife system.

(2) Aquatic resources--Iron Creek is an intermittent stream, therefore does not sustain fish populations. Mining will occur outside of a buffer zone and not impact the creek. Short and long- term effect would be lack of impact to aquatic resources.

(3) Vegetation--Riparian zones would be primarily in the creek area, which will not be impacted by mining, mountain meadows will be effected short term with continuous reclamation and long term effect being return to a typical mountain meadow which is much more hospitable than the historic mining terrain that exists. No wetlands have been observed and will not be effected by mining. Mitigation with the U.S. Forest avoids mining of any areas which might have threatened, endangered or sensitive species.

(4) Water--Iron Creek will not be disturbed by mining, a buffer zone is in place to protect the intermittent stream.

(5) Visual resources--No visual constraints will occur as mining is performed. Visual resources may be effected short term since reclamation will be continuous by constantly refilling of pits, subsoil, topsoil and seeding to follow. The long term effect will result in visual resources returning to its natural beauty.

(6) Soils--Large quantities of topsoil and subsoil insure successful revegetation. Short term effect would be minimal due to constant reclamation. Sediment barriers will be in place to prevent erosion.

(7) Cultural resources--The U.S. Forest Service has found no cultural resources that are eligible for the national register of historic places within the permit boundaries. The *U.S. Forest Service map* also identifies two ATPs (culverts). No other man-made structures exist within 200 feet of the mine site, but remnants of a cellar, cistern or well do exist adjacent to one of the identified ATPs (culverts). This structure would be protected by the 100-foot buffer prescribed for the ATPs.

(8) Air quality--The wind is prevalently out of the northwest or southwest, which lessen opportunity for dust or noise to effect recreational activities. Mining activity will be a wet screening operation which will in the short-term create minimal dust in the affected gulch. Long-term effect will be return to normal Forest Service road dust levels.

(9) Noise--Short term effect will be moderate noise during daytime hours, impacting primarily the meadow affected by mining. A recreation area, Iron Creek Lake, is located 1600 feet up the gulch with the gulch turning, narrowing and high cliffs buffering noise from the operation. Access to the recreation area does not go through the affected gulch. Long term effect will be restoration of quiet to this mountain meadow.

(10) Lands designated as special, exceptional, critical, or unique pursuant to subdivision 45-6B-33(3) as previously discussed.

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ARSD 74:29:07:02(3), (5) and (9): The south half of the disturbance area is naturally screened by spruce and Ponderosa Pine to effectively minimize public visibility. Natural screening also exists to protect viewing from the south side of Iron Creek although little public traffic uses this trail. The northwest area will be partially screened by placement of seeded topsoil and subsoil stockpiles. The northeast portion is naturally screened by the elevation of the road and amount of trees and existing vegetation. The road turns north, away from the disturbance area and inhibits visibility. The natural screening will not be disturbed by mining activity.

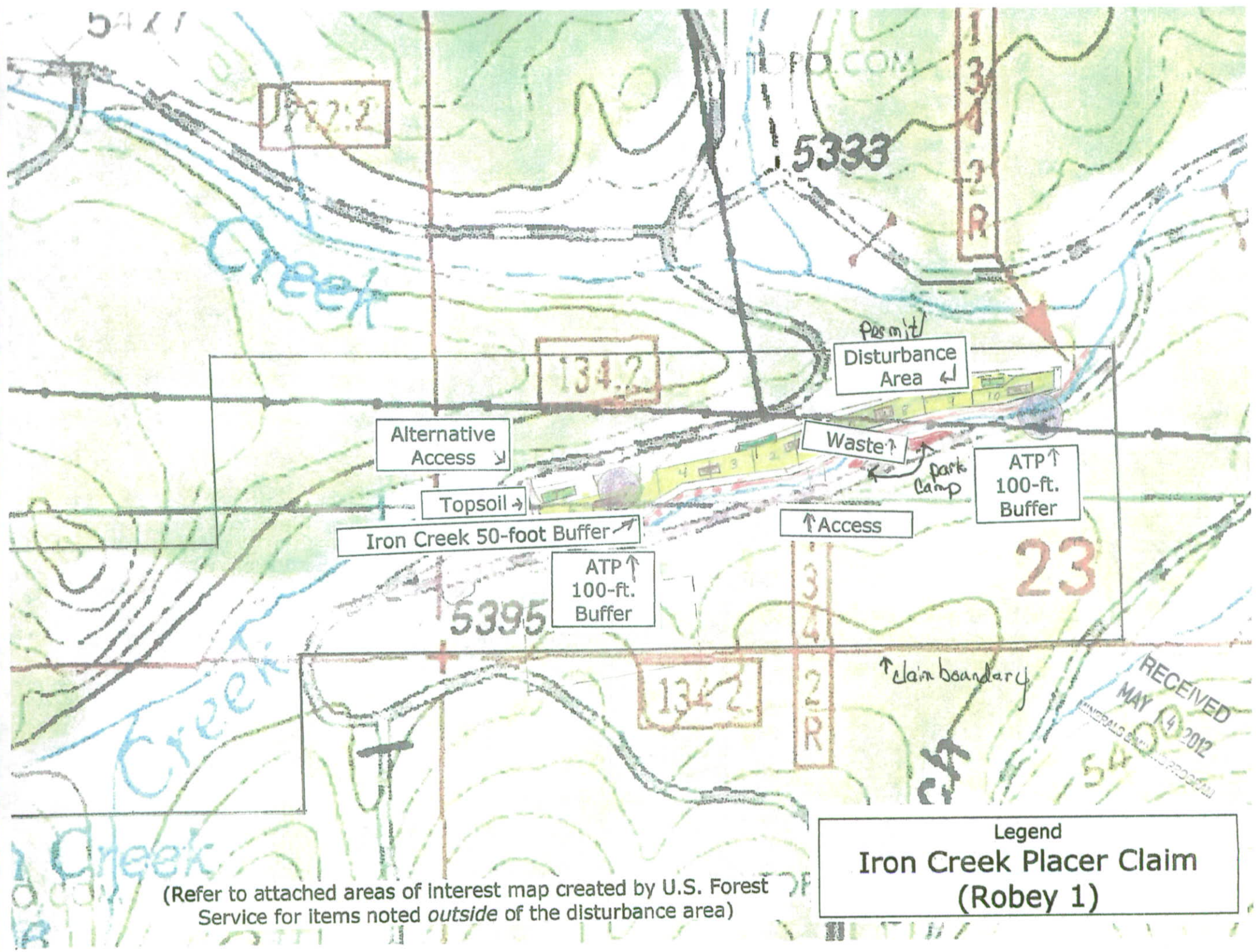
Access to the mining area will be using Forest Service trail 134.2R and an existing creek ford. Limited traffic exists on this trail and we have not observed any usage of the existing ford. Signage as recommended by the U.S. Forest Service will prevent access.

Mining operations, in general, will be naturally screened from view. Limited mining will occur in narrow trenches in the northwest corner due to mediated buffer zones around an existing ATP and historic cellar, cistern or well.

11. ARSD 74:29:07:12(5): *(Please see Sediment Control Map)* The existing ford will cross the stream at a right angle when little or no flow occurs. Vegetation on the south side of the ford will be cleared only to the width necessary to maintain slope stability and to serve traffic needs. Topsoil will be stockpiled in topsoil repository and re-seeded during mining operation. These soils will be replaced and seeded upon completion of project. Placement of gravel from mining spoils will occur on this south side of ford and sediment barriers will be placed to control erosion. This ford is not designated for use by local or state purposes, but is listed as 134.2R by the U.S. Forest Service.

The *see Iron Creek Placer Mine -- Robey No. 1* map is enclosed and delineates proposed disturbances, roads, crossings, access, trommel location, topsoil and waste stockpiles.

The U.S. Forest Service *recommended seed mix is attached, supported by a letter of approval* from Sarah Eggebo, District Conservationist of Natural Resources Conservation Service.



(Refer to attached areas of interest map created by U.S. Forest Service for items noted *outside* of the disturbance area)

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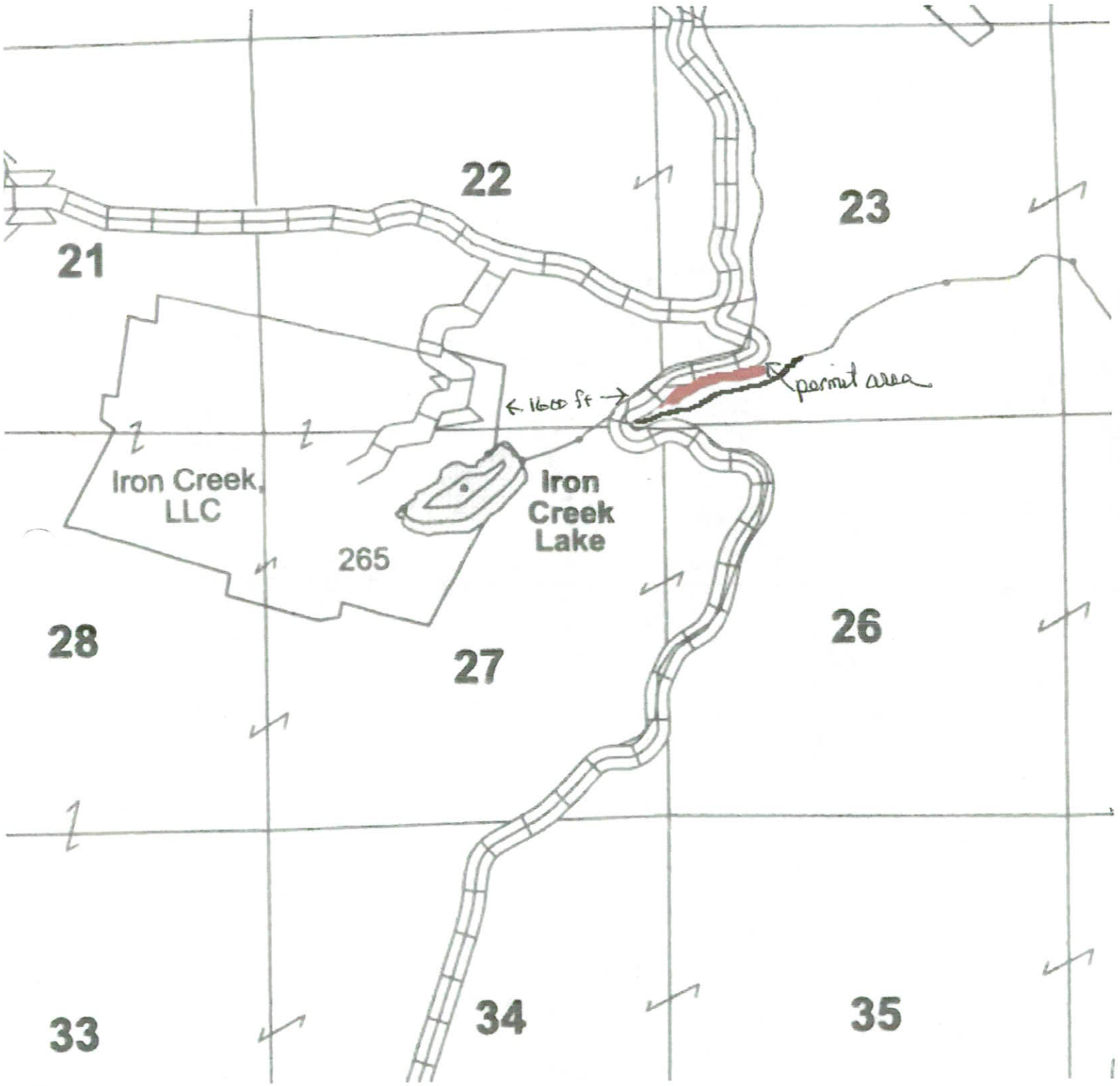
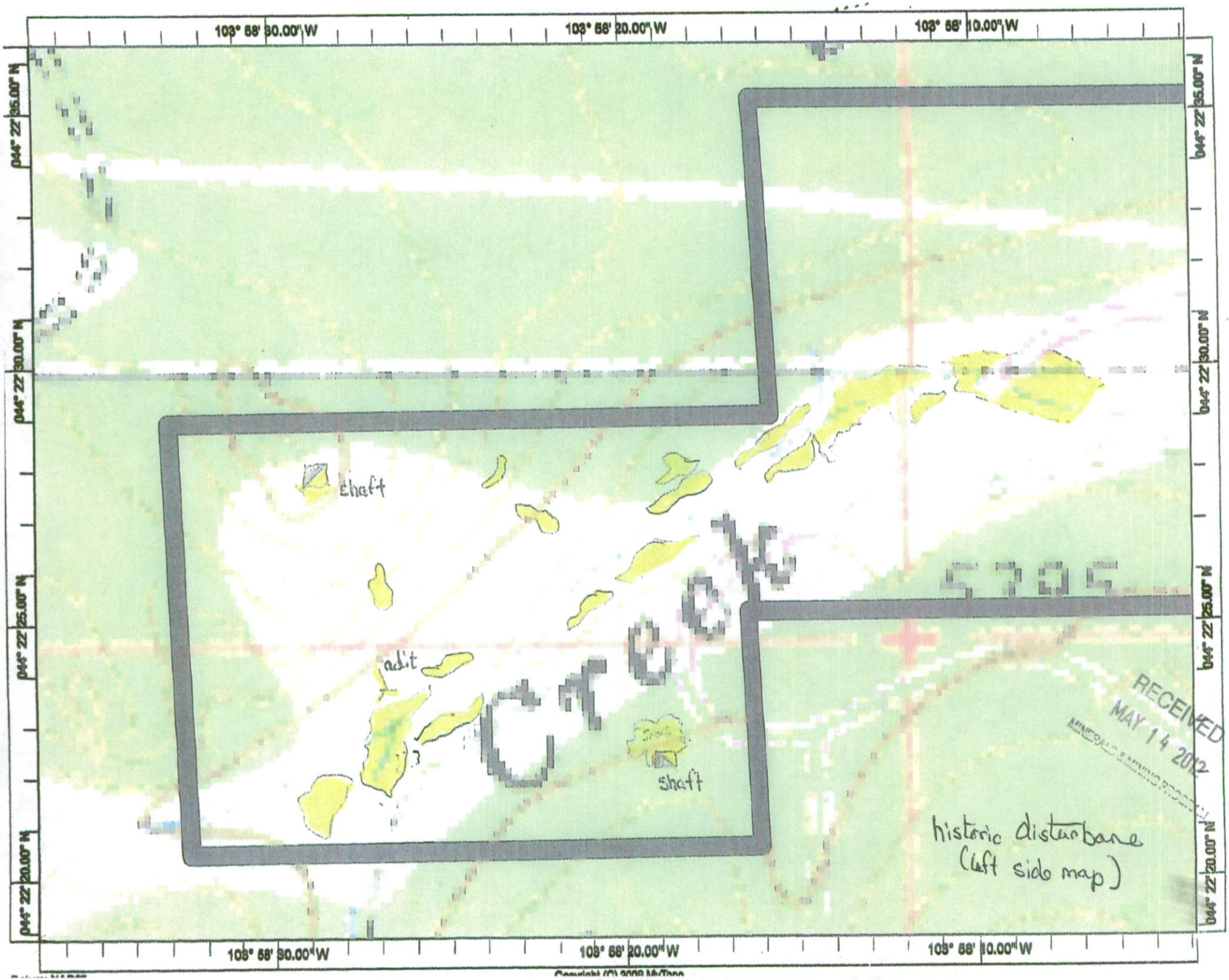


Lawrence County Landowner's Directory


103° 58' 30.00" W
103° 58' 20.00" W
103° 58' 10.00" W
44° 22' 35.00" N
44° 22' 30.00" N
44° 22' 25.00" N
44° 22' 20.00" N
shaft
adit
shaft
historic disturbance
(left side map)
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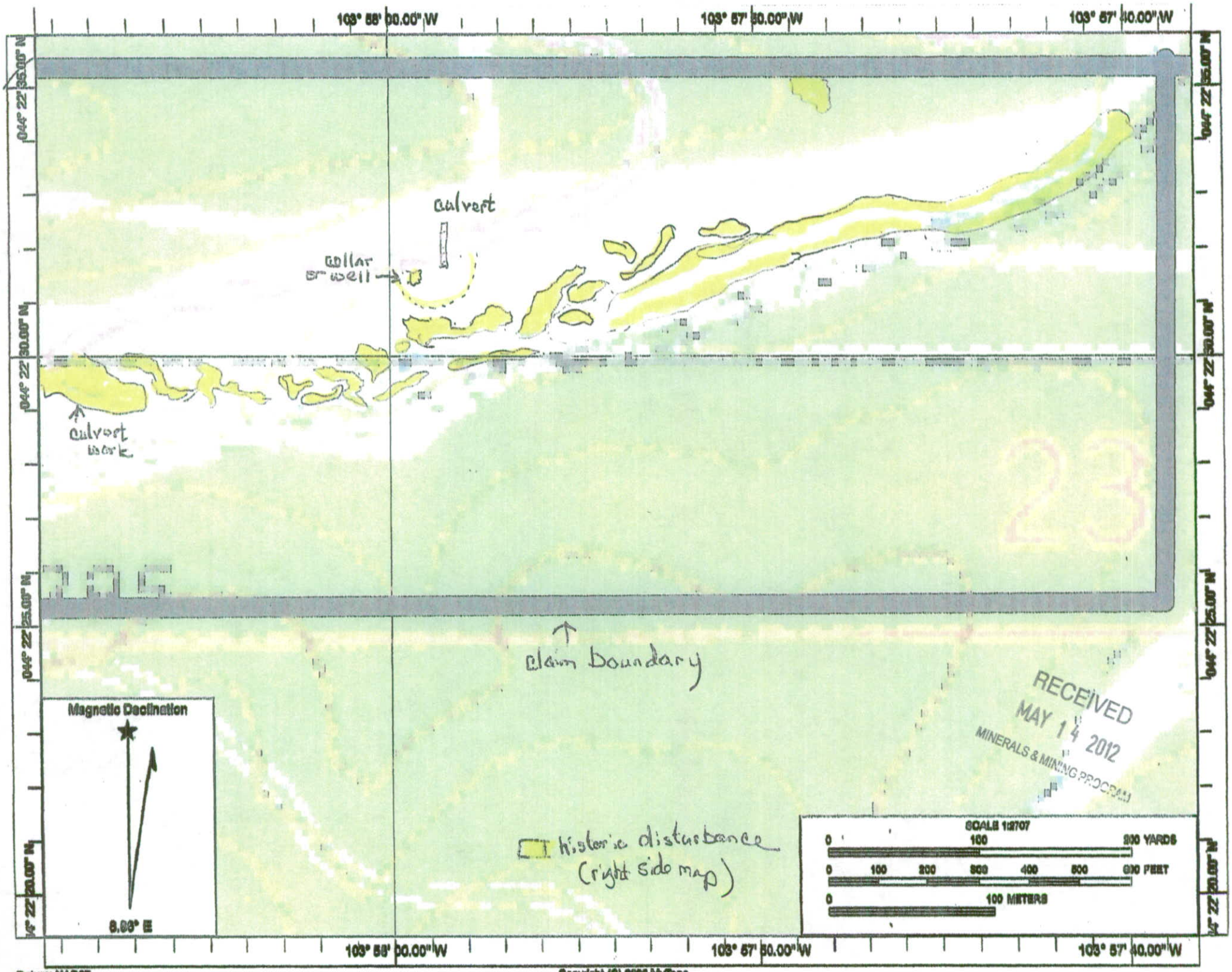
103° 58' 00.00" W
103° 57' 50.00" W
103° 57' 40.00" W
044° 22' 35.00" N
044° 22' 30.00" N
044° 22' 25.00" N
044° 22' 20.00" N
culvert
collar of well
culvert
claim boundary
historic disturbance (right side map)
Magnetic Declination
8.83° E
SCALE 1:2707
0 100 200 YARDS
0 100 200 300 400 500 600 FEET
0 100 METERS
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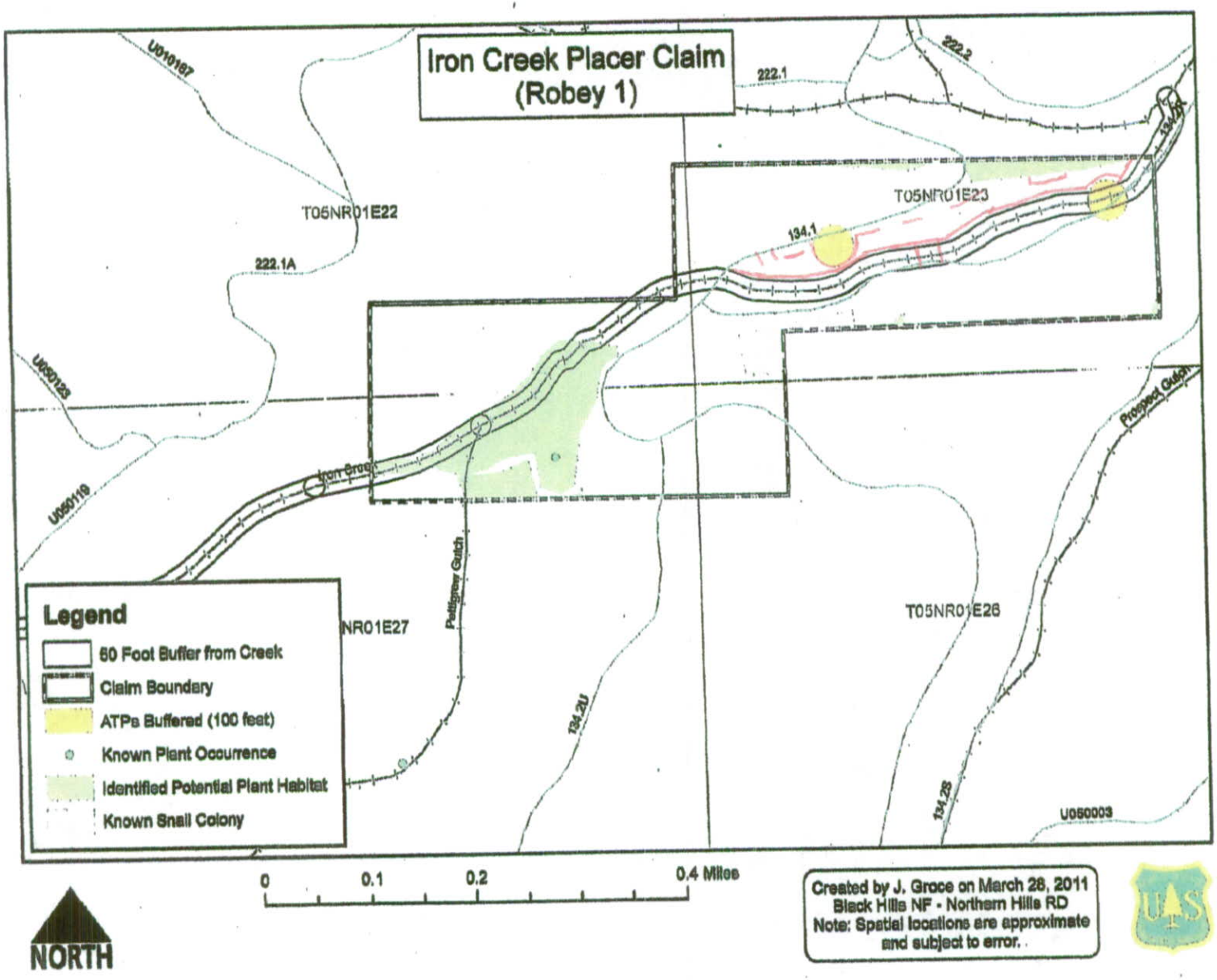

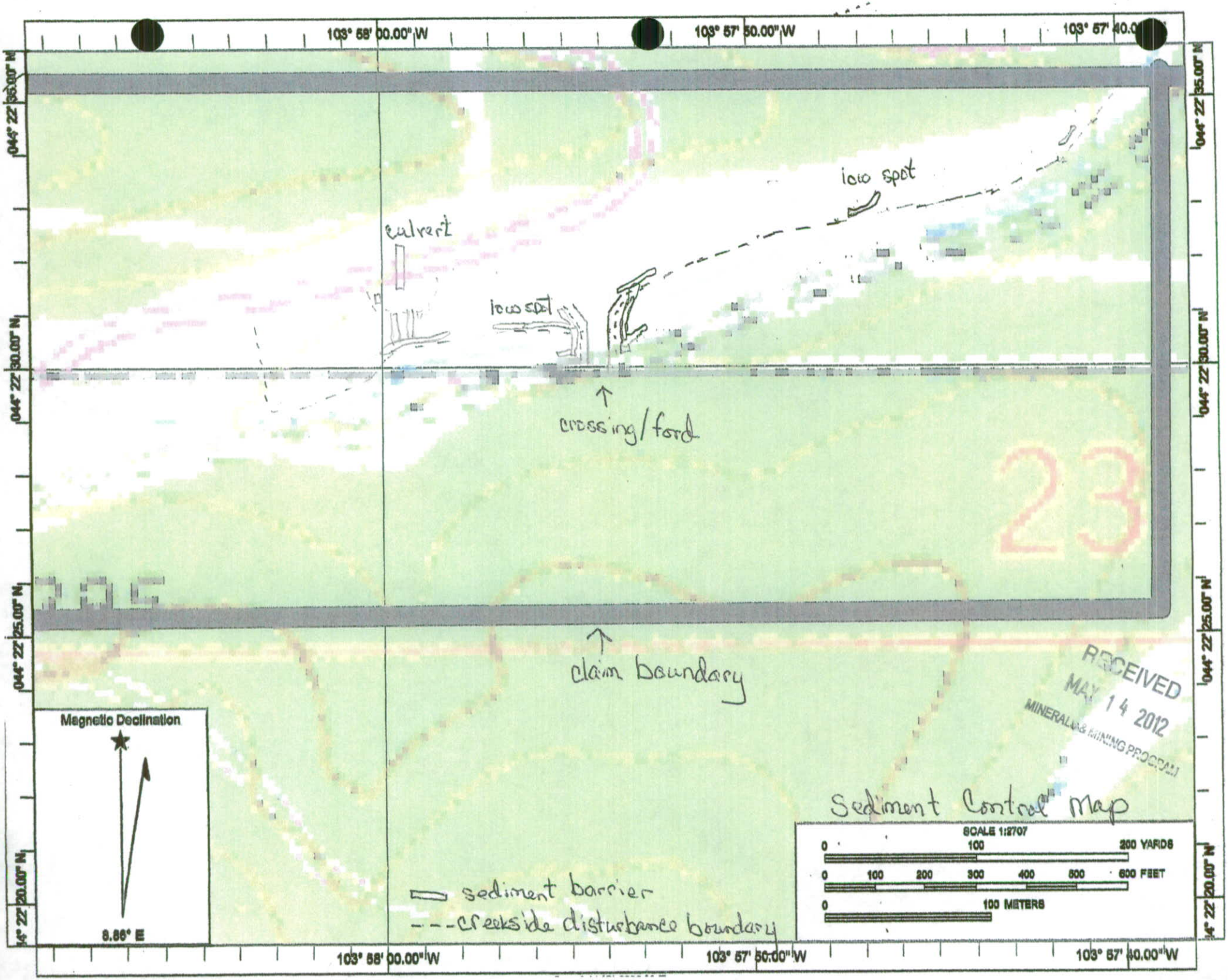

Sediment Control Map

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