

**SOUTH DAKOTA BOARD OF MINERALS AND ENVIRONMENT
STATE OF SOUTH DAKOTA
IN RE APPLICATION OF POWERTECH FOR A LARGE SCALE MINING PERMIT**

**PETITION OF FALL RIVER COUNTY TO INTERVENE
IN OPPOSITION TO THE APPLICATION**

COMES NOW Fall River County, by and through it's Chairman of the County Commission, Michael P. Ortner, of 906 North River Street, room 301, Hot Springs, South Dakota and makes the following Petition to intervene in the application of Powertech, Inc. for a Large Scale Mining Permit.

1. The Petitioner's interest in the applications are that it is a political subdivision of the State of South Dakota and it's interest in the application is to assure that any permit for a large scale mine will protect contain conditions to protect the environment in Fall River County where any mining operation is permitted by the Board.

2. That the Petitioner does hereby request an automatic delay of the hearing scheduled for May of 2013.

Dated this 19 day of February, 2013.

Fall River County Commission
By: Michael P. Ortner
Michael P. Ortner
Chairman of the Fall River County Commission
906 North River Street, Room 301
Hot Springs, SD 57747

RECEIVED

FEB 21 2013

**DEPT. OF ENVIRONMENT AND
NATURAL RESOURCES,
SECRETARY'S OFFICE**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he mailed a true and correct copy of the *Petition of Fall River County to Intervene in Application of Powertech, Inc. for a Large Scale Mining Permit* to the individuals hereinafter next designated all on the date below shown by depositing the same in the United States mail with first class postage prepaid in envelopes addressed to:

Steven N. Pirner
Secretary of the Department of
Environment and Natural Resources
Foss Building
523 E. Capital Ave.
Pierre, SD 57501

Mike Cepak
Minerals and Mining Program
South Dakota Department of Environment and Natural Resources
523 East Capitol A venue
Joe Foss Building
Pierre, SD 57501-3181

PowerTech (USA) Inc.
C/O Richard Blubaugh
5575 DTC Parkway, Suite 140
Greenwood Village, CO 80111

On the 19 day of ^{February 2013} ~~November~~ 2012.



Patrick M. Ginsbach
Fall River County Deputy State's Attorney
906 N. River Street
Hot Springs, SD 57747
Phone: 605-745-3866