STATE OF SOUTH DAKOTA

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August 30, 2013

Michael M. Hickey
Bangs McCullen Law Firm
P.O. Box 2670
Rapid City, SD 57709

Bruce H. Ellison
Ellison Law Office
P.O. Box 2508
Rapid City, SD 57709

Max Main
Bennett, Main & Gubbrud, P.C.
618 State Street
Belle Fourche, SD 57717

Mike Cepak
Minerals and Mining Program
Foss Building
523 East Capitol Ave.
Pierre, SD 57501

Re: *Powertech (USA) Inc., Application for Large Scale Mine Permit*

Gentlemen:

Enclosed please find the Department's supplemental response to Wild Horse Sanctuary, *et al*'s First Set of Interrogatories and Requests for Production.

As per the Board's Procedural and Scheduling Order, the originals of these pleadings are being filed with the Department. Also, copies of these documents have been sent to each individual who has elected option "A" participation in this matter.

Sincerely,

Steven R. Blair
Assistant Attorney General

Enclosures
Cc/encl: All Parties of Record Noted in Certificate of Service

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STATE OF SOUTH DAKOTA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

BOARD OF MINERALS AND ENVIRONMENT

IN THE MATTER OF POWERTECH (USA), INC. APPLICATION FOR LARGE SCALE MINING PERMIT PERMIT NO. 480 (Dewey-Burdock Project)	DENR'S **SUPPLEMENTAL** RESPONSE TO WILD HORSE SANCTUARY, SUSAN WATT, & DAYTON HYDE'S FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION

The Minerals and Mining Program ("M&MP"), of the South Dakota Department of Environment and Natural Resources ("DENR"), is the only DENR party to this proceeding. M&MP hereby provides its First Set of Responses to the Wild Horse Sanctuary, Susan Watt, and Dayton Hyde's First Set of Interrogatories and Requests for Production dated July 3, 2013 ("First Set of Interrogatories and Requests for Production"). The M&MP reserves the right to supplement these disclosures for any reason, including, but not limited to (a) ongoing factual discovery including any depositions of witnesses identified by all parties, and (b) ongoing investigation by attorneys and the parties.

PRELIMINARY STATEMENT

Definitions: Words used in the M&MP's Responses herein carry the same meaning as the definitions in the Interrogatories and Requests for Production, except as specifically noted herein.

Federal Agency Acronyms: These responses refer to the Nuclear Regulatory Commission as "NRC," the United States Geological Survey as "USGS," and the Environmental Protection Agency as "EPA."

Relevancy: By making these Responses, the M&MP does not concede that the information sought is relevant to the subject matter of this action or is reasonably calculated to lead to the discovery of admissible evidence.

Preservation of Objections: M&MP's responses are made without in any way intending to waive, but on the contrary, intending to preserve: (a) the right to raise, in any subsequent proceeding in or the trial of this or any other action, all questions of foundation, relevancy, materiality, privilege, hearsay and evidentiary admissibility of any responses provided herein; (b) the right to object on any ground to the use or introduction into evidence of said responses in any subsequent proceeding in or the trial of this or any other action, on any grounds; and (c) the right to object on any ground at any time to other interrogatories, requests for production, requests for admissions or other discovery involving said responses or the subject matter thereof.

GENERAL OBJECTIONS

1. To the extent the Interrogatories and Requests for Production are intended to elicit information protected by the attorney-client privilege or the work product rule or which contain or reflect the impressions, conclusions, opinions, legal research or theories of the M&MP's attorneys, the M&MP objects and asserts these privileges to the fullest extent permitted by law.

2. The M&MP objects to each Interrogatory and Request for Production to the extent it seeks to require the M&MP provide information on behalf of any individual or entity other than the M&MP.

3. The M&MP objects to each Interrogatory and Request for Production to the extent that it seeks information with respect to entities or individuals other than the parties involved in this litigation. Such requests are overly broad, unduly burdensome and oppressive, and not reasonably calculated to lead to the discovery of admissible evidence.

4. The M&MP objects to each Interrogatory and Request for Production to the extent that it seeks information, the disclosure of which would violate constitutional, statutory, or common law privacy rights of others, contract or confidentiality agreements between the M&MP and third parties, confidential settlement discussions or agreements, or court orders restricting disclosure.

5. The M&MP objects to each Interrogatory and Request for Production to the extent it demands information that is already in the possession of or has been previously produced to, offered for review, inspection and copying by any party during the course of the above entitled proceeding or demands information which is as readily available to any other party to the pending proceeding as the M&MP on the grounds that such a request is unduly burdensome, harassing and cumulative.

6. The M&MP objects to each Interrogatory and Request for Production to the extent that it seeks the disclosure of information or data which is beyond the permissible scope of the South Dakota Rules of Civil Procedure, in that it is

irrelevant to the subject matter of this action and not reasonably calculated to lead to the discovery of admissible evidence.

7. The M&MP objects to each Interrogatory and Request for Production to the extent it purports to obligate the M&MP to supplement answers beyond that which is contemplated or mandated by the South Dakota Rules of Civil Procedure.

8. The M&MP objects to each Interrogatory and Request for Production that is so broad, vague, ambiguous, uncertain, and unintelligible that the DENR cannot determine the nature of the answers sought, and to which the DENR is therefore unable to respond.

9. The M&MP has not completed its preparation for hearing. Therefore, the M&MP Responses are given subject to the DENR's right to produce evidence of any subsequently discovered facts.

10. The M&MP objects to each Interrogatory and Request for Production to the extent that it demands information for which the required good cause or substantial need, as dictated by applicable statutes, court rules, and case law, has not been shown.

11. The M&MP objects to Interrogatories and Requests for Production using the term "you" as overly broad, unduly burdensome and oppressive, M&MP does not act or purport to act on behalf of any *Applicant or Petitioner* in this matter and cannot answer Interrogatories and Requests for Production on behalf of any *Applicant or Petitioner.* Notwithstanding this objection, the M&MP

will respond to the Interrogatories and Requests for Production as though they seek information within the custody or control of the M&MP.

12. The M&MP objects to each Interrogatory and Request for Production to the extent it seeks "all" or "every" fact, event or other item on the grounds that the requests using these terms are overly broad, unduly burdensome and oppressive, and are not reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, the M&MP will construe these terms to encompass information, the contents of which constitute or can reasonably be determined to refer to the matter requested and which are in the custody or control of the M&MP.

13. The M&MP objects to each Interrogatory and Request for Production to the extent it seeks information from the "DENR", "the State" or "the State of South Dakota" rather than the Minerals and Mining Program of DENR. Requesting that the M&MP search for information from all programs, agencies, departments, subdivisions, and employees of DENR or the state is oppressive and creates an undue burden upon the M&MP. The M&MP will respond to the requests as though they are made to the Minerals and Mining Program of DENR, the only entity with jurisdiction over the review of applications pending before the Board of Minerals and Environment.

14. The M&MP incorporates fully the above stated Preliminary Statement and General Objections into each of the following specific objections and responses, and no specific objection or response shall be construed to waive any of the General Objections.

WRITTEN INTERROGATORIES

1. **What methods and calculations were used to reach the proposed first year state bonding level of $395,000.**

A copy of the final bond calculations are attached. *See* Bates Nos. 00165-00220.

The draft first year state bond calculations provided in the M&MP's initial response to this interrogatory have been adjusted and finalized. The M&MP met with representatives of the Nuclear Regulatory Commission ("NRC") on July 15, 2013. At this meeting it was determined that the State will only have bonding authority over primary and secondary access roads, sediment control structures, and well field fence removal. The NRC will include the entire land application area and diversions under its portion of the bond since it will have primary regulatory authority for these facilities. Due to these limitations the first year state bonding level has been recalculated to $339,800. These calculations now represent the reclamation costs for the first year of the project for those portions of the project the M&MP believes would be covered under state authority. NRC bond calculations are not included.

SIGNATURE AS TO OBJECTIONS:

Dated this 30 day of August, 2013

Steven R. Blair
Richard M. Williams
Assistants Attorney General
Mickelson Criminal Justice Center
1302 East Highway 14, Suite 1
Pierre, South Dakota 57501
Telephone: (605) 773-3215

Counsel for Minerals and Mining Program, DENR

SIGNATURE AS TO ALL ANSWERS:

Dated this 30 day of August, 2013.

Eric Holm

Eric Holm
Department of Env. and Natural Resources
523 E. Capitol Ave.
Pierre, SD 57501

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF ~~MINNEHAHA~~ Hughes)

On this 30th day of August 2013, before me, the undersigned officer, personally appeared Eric Holm, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument, and acknowledged that he, as such representative/officer so authorized to do, executed the same for the purposes therein contained.

IN WITNESS WHEREOF I have hereunto set my hand and official seal.

Janet Waldron

Notary Public - South Dakota

My Commission Expires:

June 18-2015

(SEAL)

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POWERTECH PERMIT 480
BOND CALCULATION SUMMARY

Sediment Control	$10,600
Primary Access Roads	$74,879
Secondary Access Roads	$102,254
Well Field Fence Removal	$37,322
Total for Reclamation	$225,055
Mobilization (5%)	$11,253
Performance Bond (1%)	$2,251
Contractor Overhead (8%)	$18,004
State Excise Tax (2%)	$4,501
Contractor Profit (10%)	$22,506
Contingency (10%)	$22,506
Engineering & Consulting (5%)	$11,253
Insp., Adm., & Maint. (5%)	$11,253
Scope and Bid Contingency (5%)	$11,253
TOTAL	$339,835
ROUND TO:	$339,800

CONSTRUCTION COST INDEX (CCI) FOR AUGUST 2013 = 9545.33

FORMULA FOR COMPUTING FUTURE CONSTRUCTION COST:

FUTURE COSTS = (FUTURE CCI/ORIGINAL CCI)*ORIGINAL CONSTRUCTION COSTS

CURRENT CCI	9545.33
ORIGINAL CCI	9545.33
ORIG. CONSTRUCTION COST	$339,800
FUTURE COST	$339,800

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POWERTECH (USA) INC
MINE PERMIT NO. 480 FIRST YEAR BOND CALCULATION
GENERAL INFORMATION & ASSUMPTIONS

1. The bond calculation covers the costs of removing and reclaiming the primary and secondary access roads and removing sediment control structures which are the facilities that the state has regulatory authority. This does not include roads on BLM land which will be bonded by BLM. The bond for the remaining mine facilities will be calculated by NRC and EPA.

2. The land application option was used in the bond calculation since it has the greatest disturbance from the primary and secondary access roads.

3. The calculations are based on the cost for a third party contractor to reclaim the primary and secondary access roads and remove sediment control structures.

4. The calculations are based on the approved reclamation plan which is based on the postmining land use of rangeland for the access road areas.

5. 24,934 cy of gravel will be removed from the primary and secondary access roads during final reclamation and stockpile for use by Custer and Fall River Counties. A haul distance of 7,500 feet was assumed.

6. The following equipment and equipment costs were used in the calculation:

Cat D8 Dozer	$107.95/hr.
Cat 980 Loader	$79.55/hr.
35 Ton Truck	$93.75/hr.
637E Scraper	$181.82/hr.
Cat 16H Grader	$102.27hr.

These rates were obtained from Caterpillar dealers in the Black Hills area and do not include fuel or operator costs. Operator costs are $26.50/hr, including benefits. Fuel costs of $3.95/gal are accounted for separately.

7. All equipment will run at 80 percent efficiency. This is obtained from the Cat Handbook and other bond calculation references.

8. An average distance of 1,000 feet was used from the topsoil stockpile to the regraded road areas. Fertilizer will be added to the topsoil.

9. The following indirect costs were added to the direct cost:

Mobilization	5%
Performance Bond	1%
Contractor Overhead	8%

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State Excise Tax	2%
Contractor Profit	10%
Contingency	10%
Engineering/Consulting	5%
Administration	5%
Bid and Scope	5%
Total	51%

10. A cost of $500/acre was used for hydroseeding costs and $200/acre was used for mulch.

11. The seed types and rates included in the approved reclamation plan were used. Seed costs were determined by averaging seed costs from three vendors.

11. A cost of $1,000 each was assumed for erosion control along the reclaimed primary and secondary access roads.

12. 22 culverts will be removed at a cost of $137.83/20-foot section (Wyoming DEQ – Guideline No. 12, Standardized Performance Bond Format and Cost Calculation Methods). The culvert length for primary roads is 45 feet and the culvert length for secondary roads is 30 feet.

13. Powertech's sediment control removal cost of $10,600 was used in the calculation.

14. 30,592 linear feet of three-strand barbed wire fence was removed from the first year well fields at a cost of $1.22/lf. The unit cost is from RS Means Cost Works 2012.

15 Power lines will be removed during the postclosure period and will be covered under the postclosure bond.

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Sediment Control Measures

Assumptions:

1) Sediment control structures are shown on Plate 5.3-7 (land application option).
2) For the 1st year of construction disturbance, one wire-bound rock check dam will be required at Dewey and two single-fence rock check dams and one reinforced silt fence will be required at Burdock.
3) A disturbance area of 50' x 100' was estimated for each structure

Quantity Calculations

Item	Value
Number of wire-bound rock check dams	1
Number of single-fence rock check dams	2
Number of reinforced silt fences	1
Disturbance area per sediment control measure (ac)	0.11

Cost Estimate

Cost Item	No. Units	Unit	Unit Cost	Est. Cost
Remove rock check dams	3	ea	$2,635.92	$7,907.76
Remove reinforced silt fences	1	ea	$2,635.92	$2,635.92
Revegetation	0.5	ac	$1,500.00	$750.00
Total				$10,543.68
For estimate				**$10,600.00**

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RIPPING ROADS

Dozer Type:	Cat D8T
Ripper Spacing (ft):	3
Avg. Speed (mph):	2
Avg. Pass (ft):	100
Man. Time (min):	0.25
Acreage (acres):	12.3
Cost for Dozer ($/hr):	$107.95
Cost for Oper. ($/hr):	$26.50
Travel Distance =	178596 ft
Number of Passes =	1786 passes
Total Time @ 80% eff =	30.4 hrs
Cost =	$4,087

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MATERIAL MOVING (Truck & Front End Loader)
(Remove Road Gravel from Site)

Unit Wt. Mat. (lb/cu ft):	105	
Vol. of Material (cy):	13240	
Loader Type(1:980,2:988)	1	
Bucket Capacity (cy):	5.55	
Load-Dump-Man. Time(min):	0.55	
Cost for Loader ($/hr):	$79.55	
Cost for Oper. ($/hr):	$26.50	
Truck Type (1:35T,2:50T):	1	
Truck Capacity (cy):	24.7	
Avg. Truck Speed (mph):	15	
Man. & Dump Time (min):	2	
Avg. Haul Dist. (ft):	7500	
Cost for Truck ($/hr):	$93.75	
Cost for Oper. ($/hr):	$26.50	
# Buckets to Fill Truck =	4	buckets
Loader Time/Truckload =	2.2	min/truck
No. of Truckloads =	536	loads
Time per Truckload =	15.6	min
Optimum No. of Trucks =	7	trucks
Time/Truck @ 80% Eff. =	24.9	hrs/truck
F.E.L. Time @ 80% Eff. =	24.9	hrs
Cost =	$23,600	

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TOPSOIL REAPPL - SCRAPER (Replace Topsoil)

Scraper Type:	Cat 637G	
Scraper Capacity (cy):	62	
Avg. Haul Dist. (ft):	1000	
Total Resistance (%):	5	
Vol. of Material (cy):	23832	
Cost for Scraper ($/hr):	$181.82	
Cost for Oper. ($/hr):	$26.50	
Time to Load =	1.00	mins/trip
Time to Man. & Spread =	0.60	mins/trip
Time to Travel Loaded =	1.40	mins/trip
Time to Travel Empty =	0.90	mins/trip
Total Cycle Time =	3.90	mins/trip
No. of Trips =	384	trips
Total Time @ 80% Eff. =	62.4	hrs
Cost =	$12,999	

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GRADING FLATS

Grader Type:	Cat 16H
Blade Width (ft):	10.2
Man. Time (min):	0.35
Avg. Pass (ft):	500
Avg. Speed (mph):	3
# of passes over area:	2
Acreage (acres):	15.3
Cost for Grader ($/hr):	$102.27
Cost for Oper. ($/hr):	$26.50
Travel Distance =	130680 ft
Number of Passes =	261 passes
Total Time @ 80% eff =	12.2 hrs
Cost =	$1,571

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SEED COSTS (MIXTURE #1)

SEED TYPE	APPL. RATE	COST
Western Wheatgrass	4.85 lbs/acre	$4.19 /lb
Sideoats Grama	3.63 lbs/acre	$13.47 /lb
Slender Wheatgrass	3.53 lbs/acre	$3.57 /lb
Green Needlegrass	3.63 lbs/acre	$3.66 /lb
Little Bluestem	2.28 lbs/acre	$13.58 /lb

Acreage (acres): 15.3 acres

Cost = $1,929

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SEEDING COSTS

Acreage (acres):	15.3
Cost ($/acre):	500
Total Cost =	$7,650

HYDOMULCH (WOOD FIBER)

Acreage (acres):	15.3
Cost ($/acres):	200
Total Cost =	$3,060

FERTILIZER

N Appl. Rate (lbs/acre):	18
P Appl. Rate (lbs/acre):	46
K Appl. Rate (lbs/acre):	0
N Cost ($/lb):	$0.22
P Cost ($/lb):	$0.30
K Cost ($/lb):	$0.15
Acreage (acres):	15.3
Total Cost =	$272

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FUEL COSTS

Cost of fuel ($/gal):		$3.95 /gal	
EQUIPMENT	HOURS		CONSUMP
Cat D9N Dozer		30.4	14.0 gal/hr
Cat 637E Scraper		62.4	11.5 gal/hr
Cat 16G Grader		12.2	9.0 gal/hr
Cat 988 Loader		24.9	16 gal/hr
Cat 992 Loader		0.0	21.5 gal/hr
Cat 777 Truck		0.0	19.5 gal/hr
Cat 773 Truck		174.3	14.5 gal/hr
Total Cost =		$16,506	

MISC. COSTS

Culvert Removal (315 feet @ $137.83/20-ft section)	$2,205
Erosion Control	$1,000

TOTAL COST = $74,879

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RIPPING ROADS

Dozer Type:	Cat D8T	
Ripper Spacing (ft):	3	
Avg. Speed (mph):	2	
Avg. Pass (ft):	100	
Man. Time (min):	0.25	
Acreage (acres):	27	
Cost for Dozer ($/hr):	$107.95	
Cost for Oper. ($/hr):	$26.50	
Travel Distance =	392040	ft
Number of Passes =	3920	passes
Total Time @ 80% eff =	66.8	hrs
Cost =	$8,981	

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MATERIAL MOVING (Truck & Front End Loader)
(Remove Road Gravel from Site)

Unit Wt. Mat. (lb/cu ft):	105	
Vol. of Material (cy):	11694	
Loader Type(1:980,2:988)	1	
Bucket Capacity (cy):	5.55	
Load-Dump-Man. Time(min):	0.55	
Cost for Loader ($/hr):	$79.55	
Cost for Oper. ($/hr):	$26.50	
Truck Type (1:35T,2:50T):	1	
Truck Capacity (cy):	24.7	
Avg. Truck Speed (mph):	15	
Man. & Dump Time (min):	2	
Avg. Haul Dist. (ft):	7500	
Cost for Truck ($/hr):	$93.75	
Cost for Oper. ($/hr):	$26.50	
# Buckets to Fill Truck =	4	buckets
Loader Time/Truckload =	2.2	min/truck
No. of Truckloads =	473	loads
Time per Truckload =	15.6	min
Optimum No. of Trucks =	7	trucks
Time/Truck @ 80% Eff. =	22	hrs/truck
F.E.L. Time @ 80% Eff. =	22	hrs
Cost =	$20,852	

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TOPSOIL REAPPL - SCRAPER (Replace Topsoil)

Scraper Type:	Cat 637G	
Scraper Capacity (cy):	62	
Avg. Haul Dist. (ft):	1000	
Total Resistance (%):	5	
Vol. of Material (cy):	42097	
Cost for Scraper ($/hr):	$181.82	
Cost for Oper. ($/hr):	$26.50	
Time to Load =	1.00	mins/trip
Time to Man. & Spread =	0.60	mins/trip
Time to Travel Loaded =	1.40	mins/trip
Time to Travel Empty =	0.90	mins/trip
Total Cycle Time =	3.90	mins/trip
No. of Trips =	679	trips
Total Time @ 80% Eff. =	110.4	hrs
Cost =	$22,999	

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GRADING FLATS

Grader Type:	Cat 16H
Blade Width (ft):	10.2
Man. Time (min):	0.35
Avg. Pass (ft):	500
Avg. Speed (mph):	3
# of passes over area:	2
Acreage (acres):	27
Cost for Grader ($/hr):	$102.27
Cost for Oper. ($/hr):	$26.50
Travel Distance =	230612 ft
Number of Passes =	461 passes
Total Time @ 80% eff =	21.6 hrs
Cost =	$2,781

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SEED COSTS (MIXTURE #1)

SEED TYPE	APPL. RATE	COST
Western Wheatgrass	4.85 lbs/acre	$4.19 /lb
Sideoats Grama	3.63 lbs/acre	$13.47 /lb
Slender Wheatgrass	3.53 lbs/acre	$3.57 /lb
Green Needlegrass	3.63 lbs/acre	$3.66 /lb
Little Bluestem	2.28 lbs/acre	$13.58 /lb

Acreage (acres): 27 acres

Cost = $3,404

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SEEDING COSTS	
Acreage (acres):	27
Cost ($/acre):	500
Total Cost =	$13,500

HYDOMULCH (WOOD FIBER)	
Acreage (acres):	27
Cost ($/acres):	200
Total Cost =	$5,400

FERTILIZER	
N Appl. Rate (lbs/acre):	18
P Appl. Rate (lbs/acre):	46
K Appl. Rate (lbs/acre):	0
N Cost ($/lb):	$0.22
P Cost ($/lb):	$0.30
K Cost ($/lb):	$0.15
Acreage (acres):	27
Total Cost =	$480

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FUEL COSTS

Cost of fuel ($/gal):		$3.95 /gal	
EQUIPMENT	HOURS		CONSUMP.
Cat D9N Dozer		66.8	14.0 gal/hr
Cat 637E Scraper		110.4	11.5 gal/hr
Cat 16G Grader		21.6	9.0 gal/hr
Cat 988 Loader		22.0	16 gal/hr
Cat 992 Loader		0.0	21.5 gal/hr
Cat 777 Truck		0.0	19.5 gal/hr
Cat 773 Truck		154.0	14.5 gal/hr
Total Cost =		$19,688	

MISC. COSTS

Culvert Removal (450feet @ $137.83/20-ft section)	$3,170
Erosion Control	$1,000

TOTAL COST = $102,254

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Access Roads

Assumptions:

1) Average top width of primary access roads will be 30 feet (LSM application p. 5-76). Average primary access road disturbance width (including shoulders and ditches) will be 45 feet.

2) Average top width of secondary access roads will be 20 feet (LSM application p. 5-76). Average secondary access road disturbance width will be 30 feet.

3) Light use roads will be unconstructed, two-track trails. Due to limited use during the first year after permit issuance, it is assumed that no scarification or revegetation will be required for light use roads.

4) Gravel thickness will be 12 inches on primary access roads and 6 inches on secondary.

5) Gravel volume will be based upon top width.

6) Road gravel will be moved 5,000 feet to off-site stockpile area and made available to counties.

6) Scarification, topsoil distribution and reseeding will be based upon average disturbance width.

7) The assumed topsoil stripping depth is 0.8 foot in the Dewey area and 1.2 feet in Burdock area (see response to completeness comment #25).

8) The average topsoil stockpile height will be 10 feet.

9) Roads on BLM Lands and secondary road around ponds (NRC) not included in DENR calculation. This includes 4,653' on Burdock access road and 1,059' of Burdock secondary roads.

Quantity Calculations

Item	Value
Dewey Area - Primary Access Roads	
Length (ft)	5,977
Top width (ft)	30
Disturbance width (ft)	45
Gravel thickness (ft)	1.0
Area of gravel removed (ac)	4.1
Volume of gravel removed (cy)	6,641
Scarification area (ac)	6.2
Topsoil replacement depth (ft)	0.8
Topsoil replacement volume (cy)	7,969

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Topsoil stockpile area (ac)	1.0
Revegetation area (ac)	7.2
Dewey Area - Secondary Access Roads	
Length (ft)	14,986
Top width (ft)	20
Disturbance width (ft)	30
Gravel thickness (ft)	0.5
Area of gravel removed (ac)	6.9
Volume of gravel removed (cy)	5,550
Scarification area (ac)	10.3
Topsoil replacement depth (ft)	0.8
Topsoil replacement volume (cy)	13,321
Topsoil stockpile area (ac)	1.7
Revegetation area (ac)	12.0

Item	Value
Burdock Area - Primary Access Roads	
Length (ft)	5,939
Top width (ft)	30
Disturbance width (ft)	45
Gravel thickness (ft)	1.0
Area of gravel removed (ac)	4.1
Volume of gravel removed (cy)	6,599
Scarification area (ac)	6.1
Topsoil replacement depth (ft)	1.2
Topsoil replacement volume (cy)	11,878
Topsoil stockpile area (ac)	1.5
Revegetation area (ac)	7.6
Burdock Area - Secondary Access Roads	
Length (ft)	16,587
Top width (ft)	20
Disturbance width (ft)	30
Gravel thickness (ft)	0.5
Area of gravel removed (ac)	7.6
Volume of gravel removed (cy)	6,143
Scarification area (ac)	11.4
Topsoil replacement depth (ft)	1.2
Topsoil replacement volume (cy)	22,116

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Topsoil stockpile area (ac)	2.7
Revegetation area (ac)	14.2

Item	Value
Burdock and Dewey Areas - Primary Access Roads	
Length (ft)	11,916
Top width (ft)	30
Disturbance width (ft)	45
Gravel thickness (ft)	1.0
Area of gravel removed (ac)	8.2
Volume of gravel removed (cy)	13,240
Scarification area (ac)	12.3
Topsoil replacement depth (ft)	1.2
Topsoil replacement volume (cy)	23,832
Topsoil stockpile area (ac)	3.0
Revegetation area (ac)	15.3
Burdock AND Dewey Areas - Secondary Access Roads	
Length (ft)	31,573
Top width (ft)	20
Disturbance width (ft)	30
Gravel thickness (ft)	0.5
Area of gravel removed (ac)	14.5
Volume of gravel removed (cy)	11,694
Scarification area (ac)	21.7
Topsoil replacement depth (ft)	1.2
Topsoil replacement volume (cy)	42,097
Topsoil stockpile area (ac)	5.2
Revegetation area (ac)	27.0

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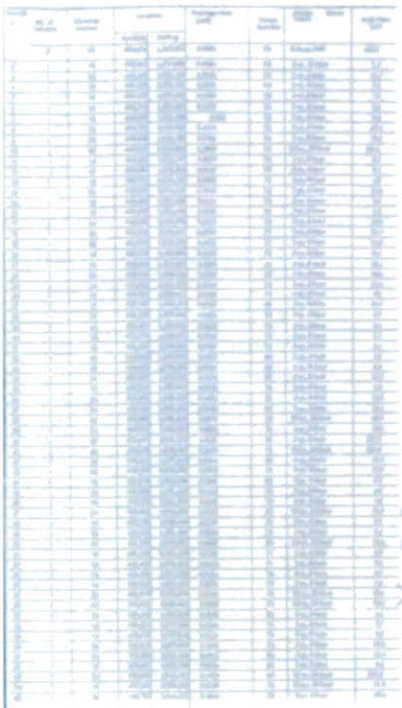

Primary Culvert Length - 45'
Secondary Culvert Length - 30'

Total Primary ~~Length~~ Culverts 7 x 45' = 315 Feet/20 = 16 x 137.83 =
Total Secondary Culverts 15 x 30' = 450 Feet/20 = 23 x 137.83 =

Total 765 Feet/20 = 38.25 20 Foot culvert lengths

~~38.25~~
~~765~~ x $137.83 = $5,375
39

Found to 34 20-foot culvert length

BLM
BLM
BLM

Total DENR Culverts 22 Avg. diameter 24 inches
Total BLM culverts 4 $137.83/20 Foot length
~~[illegible]~~ Wyoming DEQ Guideline #12

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Description	Quantity	UOM	Contractor	DirectCost	SubCMU	CostToPrime	PrimeCMU	ContractCost	C/O
USR HC-DEM-HDP2 Miscellaneous Piping Demo	1,100.00	LF	Demolition Subcontractor	9,288	2,175	11,463	1,120	12,583	
(Note: Crew Output - RS Means CostWorks 2012; Source Tag - 02 41 1340 0170)									
002-01-02 Demolish Retaining Wall and Concrete Foundations	**1.00**	**LS**	**Demolition Subcontractor**	**177,374**	**41,541**	**218,914**	**21,389**	**240,303**	
(Note: Includes demolition of retaining wall along western side of HLP, and at CWD wing walls. Also includes demolition of various concrete foundations at Process Plant and Surge Pond area.)									
				26.17		*32.30*		*35.45*	
USR HC-DEM-RTW Retaining Wall Demolition	900.00	LF	Demolition Subcontractor	23,551	5,516	29,066	2,840	31,906	
(Note: Crew Output - RS Means CostWorks 2012; Source Tag - 02 41 1390 0100)									
				8.50		*10.49*		*11.51*	
USR HC-DEM-FON Concrete Foundation	7,700.00	SF	Demolition Subcontractor	65,438	15,326	80,764	7,891	88,655	
(Note: Crew Output - RS Means CostWorks 2012; Source Tag - 02 41 1617 0440)									
				8.50		*10.49*		*11.51*	
USR HC-DEM-FON Concrete Foundation - Process Plant	10,400.00	SF	Demolition Subcontractor	88,384	20,700	109,084	10,658	119,742	
(Note: Crew Output - RS Means CostWorks 2012; Source Tag - 02 41 1617 0440)									
				305.00		*376.43*		*413.21*	
002-01-03 Demolish Utility Poles	**52.00**	**EA**	**Demolition Subcontractor**	**15,860**	**3,714**	**19,574**	**1,912**	**21,487**	
				305.00		*376.43*		*413.21*	
USR HC-DEM-UTP Utility Pole Demolition	52.00	EA	Demolition Subcontractor	15,860	3,714	19,574	1,912	21,487	
(Note: Crew Output - RS Means CostWorks 2012; Source Tag - 02 41 1380 0100)									
				1.22		*1.51*		*1.66*	
002-01-04 Demolish Fence Lines 3 strand	**7,000.00**	**LF**	**Demolition Subcontractor** 30,592 LF	**8,552**	**2,003**	**10,555**	**1,031**	**11,587**	
				1.22		*1.51*		*1.66*	
USR HC-DEM-CFEN Fence Demolition	7,000.00	LF	Demolition Subcontractor	8,552	2,003	10,555	1,031	11,587	
(Note: Crew Output - RS Means CostWorks 2012; Source Tag - 02 41 1362 0600)									
002-01-05 Demolish Existing Site Office	**1.00**	**LS**	**Demolition Subcontractor**	**10,207**	**2,390**	**12,598**	**1,231**	**13,828**	
				10,207.07		*12,597.57*		*13,828.59*	
USR HC-DEM-OFF Structure Demolition - Site Office	1.00	EA	Demolition Subcontractor	10,207	2,390	12,598	1,231	13,828	
(Note: Crew Output - RS Means CostWorks 2012; Source Tag - 02 41 1613 1020)									
002-01-06 Demolish Existing Process Plant Building (Super-Structure Only)	**1.00**	**LS**	**Demolition Subcontractor**	**56,340**	**13,195**	**69,535**	**6,794**	**76,329**	
(Note: Includes demolition of super structure.)									
				5.42		*6.69*		*7.34*	

$37,322

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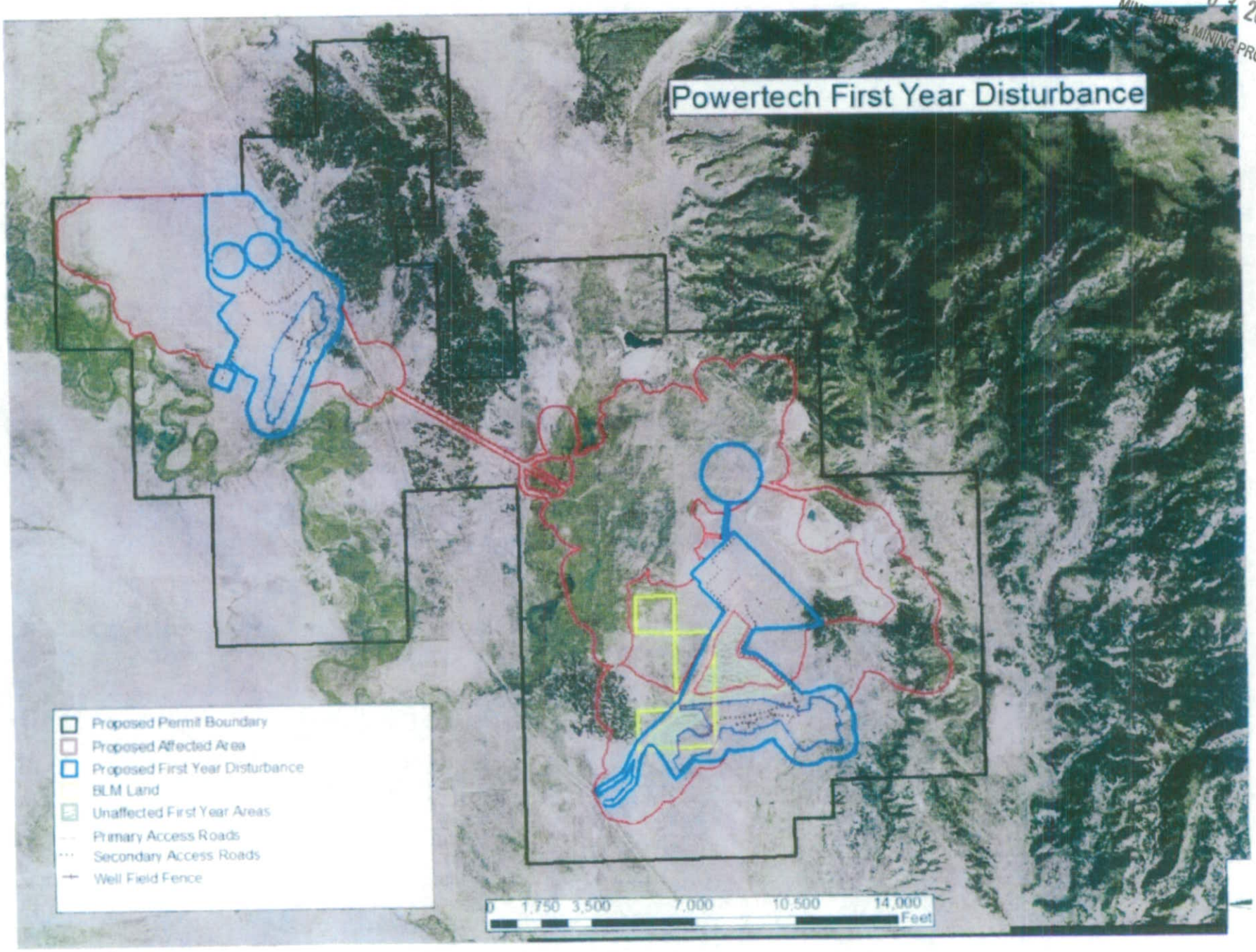

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STATE OF SOUTH DAKOTA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

BOARD OF MINERALS AND ENVIRONMENT

IN THE MATTER OF POWERTECH (USA), INC. APPLICATION FOR LARGE SCALE MINING PERMIT PERMIT NO. 480 (Dewey-Burdock Project)	CERTIFICATE OF SERVICE

The undersigned hereby certifies that true and correct copies of the Department's supplemental response to Wild Horse Sanctuary, *et al*'s First Set of Interrogatories and Requests for Production in the above entitled matter were served upon the following by enclosing the same in envelopes with first class postage prepaid and affixed thereto, and depositing said envelopes in the United States mail, at Pierre, South Dakota, on this 30th day of August, 2013:

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WILD HORSE SANCTUARY
BANGS, MCCULLEN LAW FIRM
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RAPID CITY SD 57709-2670

SUSAN W WATT
PO BOX 790
HOT SPRINGS SD 57747-0790

DAYTON O HYDE
PO BOX 932
HOT SPRINGS SD 57747-0932

MAX MAIN
BENNETT, MAIN & GUBBRUD, P.C.
618 STATE STREET
BELLE FOURCHE SD 57717

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MIKE CEPAK
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RAPID CITY, SD 57701

ATTN: MICHELLE MAY
WOKSAPE TIPI
OGLALA LAKOTA COLLEGE
P.O. BOX 310
KYLE, SD 57752

And the original of the same was filed on the same date with Michael Cepak,

Joe Foss Building, 523 E. Capitol Ave, Pierre, SD 57501

Steven R. Blair
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Telephone: (605) 773-3215