

*cc: Wharf, Law Co. Comm.,  
Intervenors, J.P. Rev  
Agencies, Donna Watson,  
Rebecca Leas, & Allen Faid*

**NOTICE OF HEARING  
WHARF RESOURCES (USA), INC.'S MINE EXPANSION PROJECT  
APPLICATION FOR LARGE SCALE MINING PERMIT**

Notice is hereby given that the South Dakota Department of Environment and Natural Resources has received a large scale mining permit application from Wharf Resources (USA), Inc., 10928 Wharf Road, Lead, South Dakota 57754, for a proposed mine expansion project. Wharf Resources (USA), Inc.'s resident agent is CT Corporation System, 319 South Coteau Street, Pierre, South Dakota 57501. The legal location of the operation is portions of Sections 1, 2, 3, and 12; T4N-R2E, Sections 6 and 7; T4N-R3E, and Sections 33 and 36; T5N-R2E, Lawrence County. The general location is approximately four miles west of Lead, South Dakota. The primary minerals to be mined are gold and silver.

In accordance with SDCL 45-6B and SDCL 1-26, a hearing on the issuance of the permit will take place before the South Dakota Board of Minerals and Environment on November 16, 17, and 18, 2011, beginning at 1:00 p.m. CST on November 16 at the Matthew Environmental Education and Training Center, Joe Foss Building, 523 East Capitol Avenue, Pierre, South Dakota.

The proposed mine expansion project will involve open pit mining and disposal of overburden primarily to the south of the existing Wharf Mine and to the west of the Golden Reward Mine. A portion of the reclaimed Golden Reward Mine will be redisturbed during the project. Ore extracted from the expansion area will be hauled to the existing heap leach facility at the Wharf Mine for processing. As new mine areas are developed, waste rock and overburden will be used to backfill previously mined areas. A portion of State Highway 473 will be relocated during the project. Wharf Resources plans to disturb approximately 308 acres within the 528-acre expansion area, and total production is estimated to be about 175 million tons of ore and overburden. The proposed expansion will extend the total life of the mine from 2012 to 2020. The proposed future land use is a mixture of rangeland (woodland grazing), home sites, recreation, and industrial or commercial development which will include enhancements to the Terry Peak ski area.

The Board's action will be either to approve or disapprove the permit application. This hearing is an adversary proceeding. In accordance with ARSD 74:29:01:09, individuals that have become party to the proceeding have the following rights at the hearing: to be present, to be represented by a lawyer. Individuals may represent themselves at the hearing; organizations must be represented by a lawyer. These and other due process rights will be forfeited if not exercised at the hearing. The decision, based on the hearing, may be appealed to the circuit court and the State Supreme Court as provided by law.

If the amount of controversy exceeds two thousand five hundred dollars or if a property right may be terminated, any party to the contested case may require the agency to use the Office of Hearing Examiners by giving notice of the request to the agency no later than ten days after service of a notice of hearing issued pursuant to SDCL 1-26-17.

Notice is further given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the Department of Environment and Natural Resources at least 48 hours before the public hearing if you have a disability for which special arrangements must be made at the hearing. The telephone number for making special arrangements is (605) 773-4201.

Persons desiring further information regarding this hearing may contact Eric Holm, Minerals and Mining Program, 523 East Capitol Avenue, Pierre, South Dakota 57501, phone (605) 773-4201.

Steven M. Pirner  
Secretary  
Department of Environment and Natural Resources



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

October 26, 2011

Rapid City Journal  
ATTENTION: LEGAL AD DEPARTMENT  
PO Box 450  
Rapid City, SD 57709-0450

Dear Sir:

Please publish the enclosed notice in your paper as "legal notice" for **two** issues on **November 2 and 9, 2011**. If for any reason you are unable to publish this notice on the dates specified, please immediately notify the Minerals and Mining Program at 773-4201.

After publication, submit a statement of billing for publishing the notice along with an Affidavit of Publication. Your billing should be sent to the following:

Minerals and Mining Program  
523 East Capitol Avenue  
Pierre, SD 57501-3182

Sincerely,

\s/

Patty McQuay  
Minerals and Mining Program  
(605) 773-4201

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**DEPARTMENT of ENVIRONMENT  
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October 26, 2011

Black Hills Pioneer  
ATTENTION: LEGAL AD DEPARTMENT  
PO Box 7  
Spearfish, SD 57783-0007

Dear Sir:

Please publish the enclosed notice in your paper as "legal notice" for **two** issues on **November 2 and 9, 2011**. If for any reason you are unable to publish this notice on the dates specified, please immediately notify the Minerals and Mining Program at 773-4201.

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