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NOV 03 2008

Affidavit of Publication

State of South Dakota

ss

County of Fall River

Anne I. Cassens of said county being first duly sworn, on oath says, That she is the publisher of Edgemont Herald Tribune, a weekly newspaper published in the city of Edgemont, in Said County of Fall River, and state of South Dakota; that she has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4 inclusive; that said newspaper has been published within said County of Fall River and State of South Dakota, for at least one year prior to the first publication of the attached public notice, and that the:

Notice of Request

Legal Notice # 2008-152

a printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspapers for 1 successive week (s) to wit:

October 29 2008
_____ 2008
_____ 2008
_____ 2008

That the full amount of the fee charged for the publication of the attached public notice insure to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person whomsoever; that the fees charged for the publication thereof are \$ 26.59

Signed: Anne Cassens

Subscribed and sworn before me this 31 day of October, 2008.

CYNTHIA L. TURNER
NOTARY PUBLIC
State of South Dakota

Notary public, in and for the County of Fall River,
South Dakota.
My commission expires February 28, 2013.

**NOTICE OF REQUEST
POWERTECH
LEGAL NOTICE #2008-152**

NOTICE OF REQUEST FOR DETERMINATION OF SPECIAL, EXCEPTIONAL, CRITICAL, OR UNIQUE LANDS
Notice is hereby given that Powertech (USA) Inc., PO Box 812, Edgemont, South Dakota, 57735, has submitted a Request for Determination of Special, Exceptional, Critical, or Unique Lands and Notice of Intent to Operate to the Department of Environment and Natural Resources. The legal description of the operation is E1/2 NE1/4, E1/2 SE1/4, SW1/4 SE1/4, S1/2 NW1/4 SE1/4, SE1/4 SW1/4, and S1/2 NE1/4 or SW1/4 Section 20, W1/2, W1/2 W1/2 NE1/4, and W1/2 NW1/4 SE1/4 Section 21, S1/2 Section 27, N1/2 NW1/4, SW1/4 NW1/4, and SW1/4 Section 28, Section 29, Section 30, E1/2 Section 31, Section 32, NW1/4, SW1/4, SE1/4, and S1/2 NE1/4 Section 33, Section 34, and Section 35; T6S-R1E, Custer County and Section 1, Section 2, Section 3, W1/2 W1/2 Section 4, Section 5, Section 10, Section 11, Section 12, NW1/4, W1/2 NE1/4, and NE1/4 NE1/4 Section 14, and N1/2 Section 15; T7S-R1E, Fall River County. Powertech (USA) Inc. has submitted the Request for Determination of Special, Exceptional, Critical, or Unique Lands and Notice of Intent to Operate for purposes of determining whether the lands potentially affected by the proposed mining operation are eligible for inclusion on the preliminary list of special, exceptional, critical, or unique lands.

The proposed operation involves an in situ leach mining operation for uranium in an area located 12 to 17 miles northwest of Edgemont, South Dakota. The large scale operation will directly affect approximately 1,600 acres, although a total of 10,580 acres will be included in the permitted boundary. The in situ leach mining process involves injecting carbon dioxide and oxygen into an aquifer containing the uranium. The uranium will be oxidized, dissolved, and pumped out of the aquifer to a central processing plant where the water will be treated to remove the uranium. Reclamation will include restoration of the aquifer to baseline conditions, well plugging which will be conducted concurrently with mining, decommissioning of the processing plant, and removal of pipelines and evaporation ponds. The land will be reclaimed to its present use of grazing and wildlife habitat.

Affidavit of Publication

State of South Dakota)
) ss.
County of Custer)

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MINERALS & MINING PROGRAM

Charles W. Najacht of said county, being duly sworn, on oath says that he is publisher of the Custer County Chronicle, a weekly newspaper printed and published in Custer City, said County of Custer and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein, mentioned, and was and is printed wholly or in part in an office maintained at said place of publication: that the

Minerals & Mining Program
Notice of Request
Powertech

a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once each week for 1 successive week(s), on which said newspaper was regularly published, to wit:

Oct 29, 2008; _____; _____;
_____; _____; _____;
_____; _____; _____;
_____; _____; _____;
_____; _____; _____;

the full amount of the fees for the publication of the annexed notice is \$ 29.02.

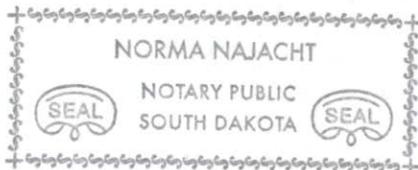
Charles W. Najacht

Subscribed and sworn to me before this 29

of October, 20 08;

Norma Najacht
NOTARY PUBLIC

MY COMMISSION EXPIRES: May 5, 2012



**NOTICE OF REQUEST
FOR DETERMINATION OF SPECIAL,
EXCEPTIONAL, CRITICAL, OR
UNIQUE LANDS**

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The proposed operation involves an in situ leach mining operation for uranium in an area located 12 to 17 miles northwest of Edgemont, South Dakota. The large scale operation will directly affect approximately 1,600 acres, although a total of 10,580 acres will be included in the permitted boundary. The in situ leach mining process involves injecting carbon dioxide and oxygen into an aquifer containing the uranium. The uranium will be oxidized, dissolved, and pumped out of the aquifer to a central processing plant where the water will be treated to remove the uranium. Reclamation will include restoration of the aquifer to baseline conditions, well plugging which will be conducted concurrently with mining, decommissioning of the processing plant, and removal of pipelines and evaporation ponds. The land will be reclaimed to its present use of grazing and wildlife habitat.

A copy of the Request may be reviewed at the Minerals and Mining Program, Joe Foss Building, 523 East Capitol, Pierre, South Dakota, at the Custer County Register of Deeds office in Custer, South Dakota, or at the Fall River Register of Deeds office in Hot Springs, South Dakota.

Any citizen, organization, or agency may nominate lands described in this Request for Determination of Special, Exceptional, Critical, or Unique Lands and Notice of Intent to Operate for inclusion on the preliminary list of special, exceptional, critical, or unique lands by submitting a nominating petition to the Department of Environment and Natural Resources pursuant to the requirements of ARSD 74:29:10:16 no later than December 28, 2008. Persons desiring further information may contact Eric Holm or Roberta Fivecoate, Minerals and Mining Program, at (605) 773-4201.