

RECEIVED
FEB 17 2009

MINERALS & MINING PROGRAM

Affidavit of Publication

STATE OF SOUTH DAKOTA:
COUNTY OF LAWRENCE:

Stewart Huntington of said County and State being first duly sworn, on his oath says: That the BLACK HILLS PIONEER is a legal daily newspaper of general circulation, printed and published in the City of Spearfish, in said County and State by Stewart Huntington, and has been such a newspaper during the times hereinafter mentioned; and that said newspaper has a bonafide circulation of at least 200 copies weekly, and has been published within said County in the English language for at least one year prior to the first publication of the notice herein mentioned, and is printed in whole or in part in an office maintained at the place of publication; and that I, Stewart Huntington, the undersigned, am the Publisher of said newspaper and have personal knowledge of all the facts stated in this affidavit; and that the advertisement headed:

Notice of Hearing

a printed copy of which is hereto attached, was printed and published in said newspaper for 2 successive and consecutive weeks, the first publication being made on the 5th day of Feb, 2009, and the last publication on the 12th day of Feb, 2009, that the full amount of fees charged for publishing same, to-wit: The sum of \$ 78.14, insures solely to the benefit of the publisher of the BLACK HILLS PIONEER, that no agreement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any other person whomsoever.



Subscribed and sworn to before me this 13th day of Feb, 2009



Notary Public, Lawrence County, South Dakota
My commission expires: 10-24-2010

NOTICE OF HEARING

NOMINATION OF LANDS TO THE PRELIMINARY LIST OF SPECIAL, EXCEPTIONAL, CRITICAL, OR UNIQUE LANDS

Notice is hereby given that the South Dakota Department of Environment and Natural Resources has received three petitions to nominate lands for inclusion on the preliminary list of special, exceptional, critical, or unique lands. These petitions were received from Charmaine White Face and the Defenders of the Black Hills, PO Box 2003, Rapid City, SD 57709-2003, Debra White Plume, PO Box 71, Manderson, SD 57756-0071, and the Oglala Sioux Tribe, through its attorney, Elizabeth Lorina, Gonzalez Law Firm, 522 7th Street, Suite 202, Rapid City, SD 57701. The nominated area includes land 12 to 17 miles northwest of Edgemont, South Dakota.

These nominating petitions pertain to a "Request for Determination of Special, Exceptional, Critical, or Unique Lands and Notice of Intent to Operate" submitted by Powertech (USA), Inc., PO Box 812, Edgemont, SD 57735-0812. The Notice of Intent to Operate involves a proposed in situ