



PERMITTING & RECLAMATION DEPARTMENT
P.O. Box 2010 • Belle Fourche, South Dakota 57717
PH. (605) 892-6950 • FAX (605) 892-6979

April 7, 2014

Mr. Eric Holm
SD DENR
Minerals and Mining Program
523 East Capitol
Pierre, SD 57501

RECEIVED
APR 10 2014
MINERALS & MINING PROGRAM

CERTIFIED MAIL: 7013 0600 0000 5271 9254

**RE: Temporary Cessation of Mine Permit 475
Response to Comments**

Dear Eric,

I received your letter of March 31 requiring more information for our Temporary Cessation for Permit 475. I offer the following to address your request.

1. ARSD 74:29:09:02(9): Please submit the certified mail return receipt as proof that the surface owner consultation letter was received by Davis Ranch, Inc

The certified mail return receipt was mailed to you by Melody Smith under a separate cover.

2. ARSD 74:29:09:02(I, 3, 5, 8, 9, II, and 12): Please address the following subsections of this regulation:

- (1) Please describe how American Colloid plans to control site drainage and erosion and how it will maintain the reclaimed area during the temporary cessation period.

The site has been fully reclaimed through seeding including drainage reconstruction. Revegetation of the site is the primary erosion control measure. While vegetation is becoming established ACC will monitor the site in the second and third quarters of each year for development of erosion locations and seeding success. Reseeding will be completed on locations where seeding has failed or where ground disturbing activities are required to repair any erosion locations.

- (3) Please describe how American Colloid plans to remove debris which may accumulate at the site during the temporary cessation period.

There is no equipment or facilities remaining at the site. It is reclaimed to native prairie. No debris will collect at the site.

- (5) Please discuss whether all petroleum products and chemicals have been removed from the reclaimed mine site.

All petroleum products and chemicals have been removed from the mine site.

- (8) Please describe how American Colloid plans to maintain fire protection around the mine site during the temporary cessation period.

ACC has no plans to maintain fire protection. The site is reclaimed to native prairie. We have no equipment, no facilities, and no human presence on site.

- (9) Please describe the available equipment, tools, and power at the mine to conduct maintenance activities.

No equipment or tools remain at the site. If maintenance is needed (e.g. erosion mitigation, re-seeding, fencing) the necessary equipment will be mobilized at that time.

- (11) Please state that sampling of the Davis Reservoir in Section 3 has been waived until conditions warrant the resumption of sampling.

Water sampling of the Davis Reservoir in Section 3 has been waived until such time as conditions would warrant resumption of sampling.

- (12) Please describe any other activities, other than those described above, that will be required to minimize environmental damage during the period of temporary cessation and to maintain the reclaimed mine site.

ACC will fence the reclaimed site to protect the site from grazing the first few years after seeding. ACC will communicate with the landowner, Davis Ranches, Inc. who will also monitor the site for potential environmental damage.

If you have any questions regarding this submittal you may contact myself or Melody Smith.

Sincerely,



Lyndon Bucher
Environmental Manager
American Colloid Company

Cc: Melody Smith, ACC



AMERICAN COLLOID COMPANY

PERMITTING & RECLAMATION DEPARTMENT
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March 31, 2014

Mr. Eric Holm
Natural Resources Engineer III
Minerals and Mining Program
Dept. of Environment and Natural Resources
Joe Foss Building, 523 E. Capitol
Pierre, SD 57501-3182

RECEIVED
APR 03 2014
MINERALS & MINING PROGRAM

RE: Certified Return Receipt for Landowner Contact for Davis South Temporary Cessation

Dear Mr. Holm:

Please find enclosed the certified mail return receipt for the letter to the landowner (Mr. Davis) presenting American Colloid's intent to place the Davis South permit under Temporary Cessation.

Please contact me at (605) 892-7178 or melody.smith@colloid.com if you have any questions or outstanding needs regarding the temporary cessation request.

Sincerely,

Melody Smith

Melody Smith
Environmental Permitting Specialist

Enclosure (1)

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> <i>Tom C Davis</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Tom C Davis</i> C. Date of Delivery <i>3/28/14</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p>
<p>1. Article Addressed to: <i>Tom Davis 11022 Davis Rd. Belle Fourche, SD 57717</i></p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7013 0600 0000 5271 9209</p>
<p>PS Form 3811, February 2004</p>	<p>Domestic Return Receipt 102595-02-M-1540</p>



AMERICAN COLLOID COMPANY

PERMITTING & RECLAMATION DEPARTMENT
P.O. Box 2010 • Belle Fourche, South Dakota 57717
(605) 892-6371 • FAX (605) 892-3178

March 26, 2014

Mr. Eric Holm
SD DENR
Minerals and Mining Program
523 East Capitol
Pierre, SD 57501

RECEIVED
MAR 28 2014
MINERALS & MINING PROGRAM

CERTIFIED MAIL: 7013 0600 0000 5271 9216

RE: Temporary Cessation of Mine Permit 475

Dear Eric,

Enclosed is the Temporary Cessation form for Permit 475 along with several additional documents for supporting information.

If you have any questions regarding this submittal you may contact myself or Melody Smith.

Sincerely,

A handwritten signature in blue ink that reads "Lyndon Bucher". The signature is fluid and cursive, with the first name being more prominent.

Lyndon Bucher
Environmental Manager
American Colloid Company

Cc: Melody Smith, ACC

Department of Environment and Natural Resources
Minerals and Mining Program
523 East Capitol
Pierre, SD 57501-3182
Telephone: (605) 773-4201 Fax: (605) 773-5286

TEMPORARY CESSATION OF MINING PERMIT

Pursuant to SDCL 45-6B and ARSD 74:29:09 relating to mining operations in a state of temporary cessation in which 180 days have elapsed during which no production occurred.

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Mine permit number: 475
Operator: AMERICAN COLLOID COMPANY
Address: PO BOX 2010
BELLE FOURCHE SD 57717-5010
Telephone number: (605) 892-6950
Township/Range: T11N-R2E
Legal description: Portions of Sections 3, 4, 9, & 10; T11N-R2E

Name and address of Resident Agent
if you are an out-of-state corporation:

County: Butte

Name and address of surface owner:

Davis Ranch, Inc.
11022 Davis Rd.
Belle Fourche, SD 57717

Name and address of mineral owner:

Private and BLM: see attached

Date of cessation of production:

April 2012

Reasons for non-production:

Current economics and market demand for clay type.

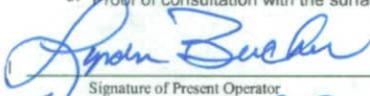
Evidence that shows mineral reserves remain:

See attached map: CONFIDENTIAL

INSTRUCTIONS:

This temporary cessation must be accompanied by:

1. A plan for the resumption of mining activities.
2. A narrative description of measures to be taken to comply with the concurrent, interim, and final reclamation requirements of ARSD 74:29:08.
3. A narrative description of measures to be taken to maintain the site and limit access during the period of temporary cessation as required by ARSD 74:29:09:03.
4. A statement concerning the existing condition of the affected land and reclamation activities which have already been completed.
5. Proof of consultation with the surface landowner if different from the mineral owner.



Signature of Present Operator

request temporary cessation of mining permit 475 for the reasons stated above.

Environmental Spvr

Title

Date: 3-25-14

STATE OF

South Dakota

COUNTY OF

Butte

On this 25 day of March before me personally appeared



Present Operator

who acknowledged that he is authorized to execute the temporary cessation of this mining permit.

Legal Descriptions - Davis South Permit

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rev. 3/3/10

Butte County, South Dakota
 Township 11 North, Range 2 East

Acres
 to Permit Surface
 Ownership Mineral
 Ownership

Section	Legal Description	Acres to Permit	Surface Ownership	Mineral Ownership
Section 4	SW4NW4	43.3	Davis Ranch, Inc.	co-owners: ACC, Ivan Davis, James Davis, & Davis Ranches, Inc. (BLM unpatented mining claim DC #16)
	SW4SE4NW4	10.8	Davis Ranch, Inc.	co-owners: ACC, Ivan Davis, James Davis, & Davis Ranches, Inc. (BLM unpatented mining claim DC #17)
	NW4SW4	40.0	Davis Ranch, Inc.	co-owners: ACC, Ivan Davis, James Davis, & Davis Ranches, Inc. (BLM unpatented mining claim DC #16)
	NE4SW4	40.0	Davis Ranch, Inc.	co-owners: ACC, Ivan Davis, James Davis, & Davis Ranches, Inc. (BLM unpatented mining claim DC #15)
	N 3/4 SE4SW4	30.0	Davis Ranch, Inc.	co-owners: ACC, Ivan Davis, James Davis, & Davis Ranches, Inc. (BLM unpatented mining claim DC #15)
	W2NW4SE4 & SE4NW4SE4	30.0	Davis Ranch, Inc.	co-owners: ACC, Ivan Davis, James Davis, & Davis Ranches, Inc. (BLM unpatented mining claim DC #14)
	SW4SE4	40.0	Davis Ranch, Inc.	co-owners: ACC, Ivan Davis, James Davis, & Davis Ranches, Inc. (BLM unpatented mining claim DC #14)
	SE4SE4	40.0	Davis Ranch, Inc.	co-owners: ACC, Ivan Davis, James Davis, & Davis Ranches, Inc. (BLM unpatented mining claim DC #13)
	<i>Subtotal</i>	274.1		
Section 9	N2NW4NE4	20.0	Davis Ranch, Inc.	BLM - no mining claim
	N2NE4NE4	20.0	Davis Ranch, Inc.	co-owners: ACC, Ivan Davis, James Davis, & Davis Ranches, Inc. (BLM unpatented mining claim DC #13)
		<i>Subtotal</i>	40.0	
Section 3	SW4SW4	40.0	Davis Ranch, Inc.	co-owners: ACC, Ivan Davis, James Davis, & Davis Ranches, Inc. (BLM unpatented mining claim DC #12)
	200'-wide road corridor in SE4SW4	6.1	Davis Ranch, Inc.	Davis Ranch, Inc. (75%) the following share in 25%: Chance Davis Patsy Jo Schaefer Teade Davis
	200'-wide road corridor in SW4SW4SW4SE4	1.5	Davis Ranch, Inc.	BLM - no mining claim
		<i>Subtotal</i>	47.6	
Section 10	200'-wide road corridor through NE4 N2NE4NE4SE4	16.8	Davis Ranch, Inc.	BLM - no mining claim
		5.0	Davis Ranch, Inc.	Davis Ranch, Inc. (75%) the following share in 25%: Chance Davis Patsy Jo Schaefer Teade Davis
		<i>Subtotal</i>	21.8	
	Davis South Total	383.5		

*Davis South-Legals&Ownership

revised 3/3/10

ADDRESSES:

Davis Ranch, Inc.
11022 Davis Road
Belle Fourche, SD 57717

Chance Davis
17441 Owl Basin Road
Belle Fourche, SD 57717

Patsy Jo Schaefer
17340 MCR Road U
Fort Morgan, CO 80701

Teade Davis
C/O Davis Ranch, Inc.
11022 Davis Road
Belle Fourche, SD 57717

Davis Ranches, Inc.
11022 Davis Road
Belle Fourche, SD 57717

Ivan Davis
17999 US Highway 85
Belle Fourche, SD 57717

James Davis
17153 Camp Crook Road
Belle Fourche, SD 57717

American Colloid Company (ACC)
P. O. Box 2010
Belle Fourche, SD 57717

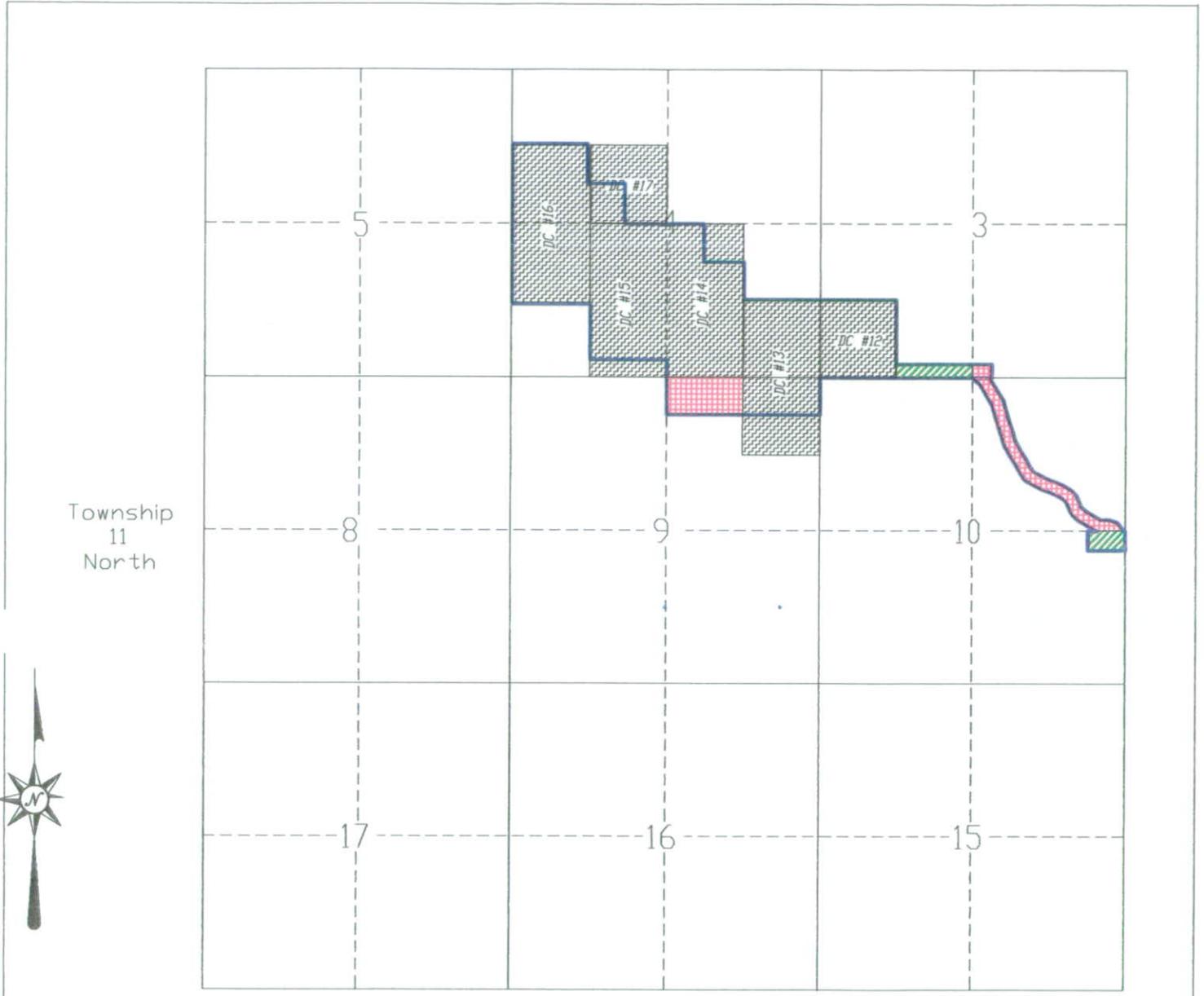
U. S. Dept. of the Interior
Bureau of Land Management (BLM)
South Dakota Field Office
310 Roundup St.
Belle Fourche, SD 57717

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Township
 11
 North

Range 2 East

Large Scale Mining Permit

Davis South Permit boundary

co-owners:

American Colloid Company, Ivan Davis,
 James Davis, and Davis Ranches, Inc.
 (BLM unpatented mining claims)

Mineral Owners:



Davis Ranch, Inc. (75%)



BLM

the following share in 25%:

Chance Davis
 Patsy Jo Schaefer
 Teade Davis

MINERAL OWNERSHIP

AMERICAN COLLOID COMPANY
 P. O. Box 2010
 Belle Fourche, SD 57717

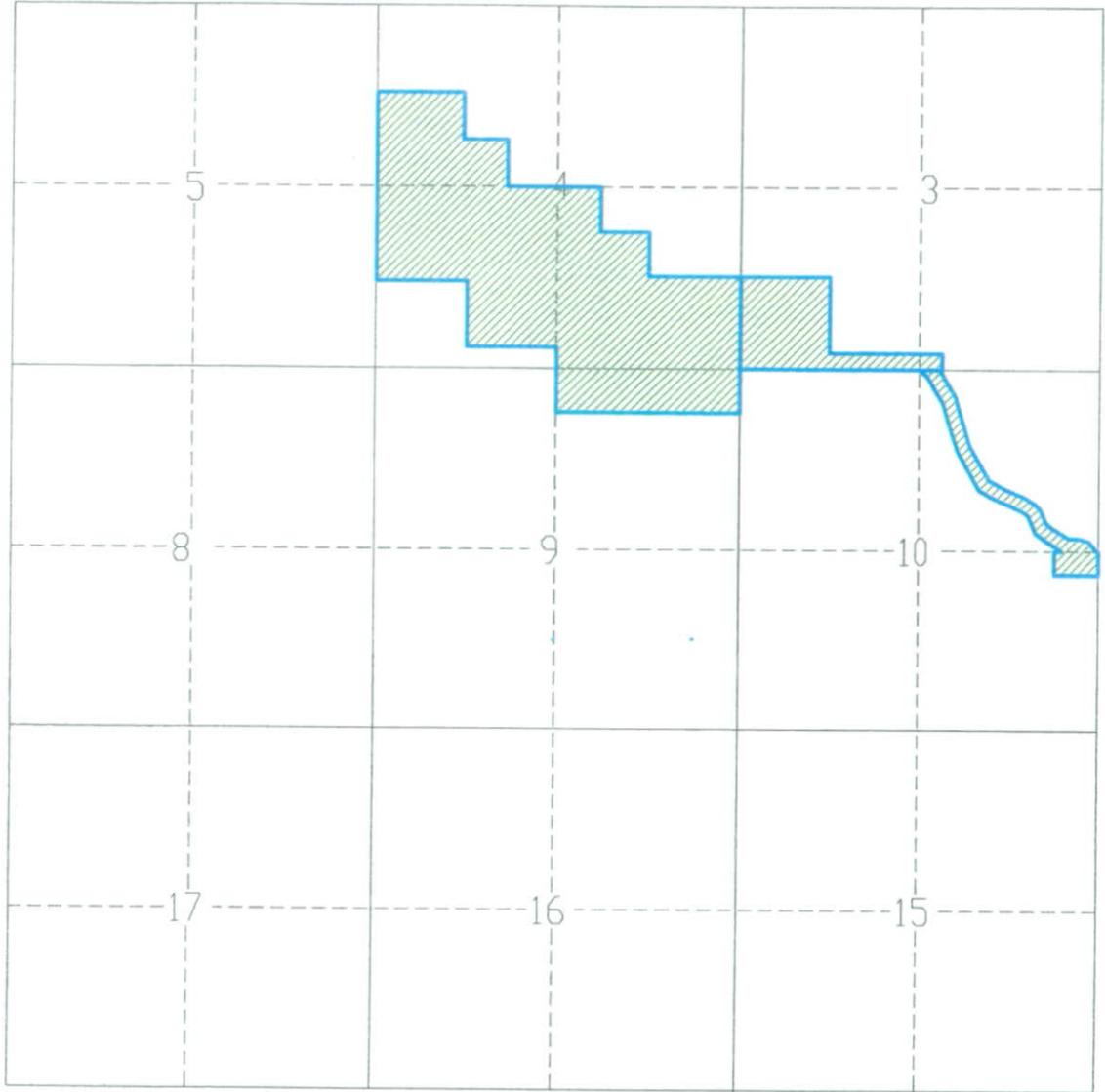
Davis South Permit

Butte County, South Dakota
 Scale 1" = 1/2 Mile
 3/11/10

map prepared by: Jan Pharr, ACC

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Township
11
North



Range 2 East

Large Scale Mining Permit

— Davis South Permit boundary

Surface Owner:



Davis Ranch, Inc.

SURFACE OWNERSHIP

AMERICAN COLLOID COMPANY
P. O. Box 2010
Belle Fourche, SD 57717

Davis South Permit

Butte County, South Dakota
Scale 1" = 1/2 Mile
Date: 6/8/09

map prepared by: *Jan Pham*

Temporary Cessation of Mining Permit
Large Scale Mine Permit 475 - Davis South

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1. Plan for resumption of mining activities.

The date mining will resume is unknown; mining will be re-initiated when supported by demand for the specific clay grade and associated economics. Mining would resume by following the existing approved mine and reclamation plan. If changes to the existing mine plan are necessary at that time, ACC will submit a Technical Revision for approval of any proposed modifications.

2. Description of measures taken to comply with concurrent, interim, and final reclamation.

All disturbance that has taken place under this permit has been fully reclaimed through seeding.

3. Measures taken to maintain the site include the seeding that has already taken place, fencing the reclaimed area this spring, monitoring for erosion and spraying weeds as necessary.

4. Existing condition of affected land.

Reclaimed

5. Proof of Consultation with Surface Owner.

See enclosed certified letter to Tom Davis



AMERICAN COLLOID COMPANY

PERMITTING & RECLAMATION DEPARTMENT
P.O. Box 2010 • Belle Fourche, South Dakota 57717
(605) 892-6371 • FAX (605) 892-3178

March 25, 2014

Davis Ranch, Inc.
Tom Davis
11022 Davis Rd.
Belle Fourche, SD 57717

CERTIFIED MAIL: 7013 0600 0000 5271 9209

RE: Temporary Cessation of Mine Permit 475

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Dear Tom,

As you know, our mining operation on your ranch did not turn out as we had planned and the site has been reclaimed. We must still hold a reclamation bond on the site until the vegetation is established and will continue to monitor the reclamation.

We want to maintain the existing permits in the event that the market demand for this clay returns. The State of South Dakota requires ACC to submit a form indicating that there is a Temporary Cessation of the Mining Permit and we are required to notify you as the surface owner.

At this time, there is an inspection of the site scheduled with the State on April 22, weather permitting. Melody Smith will be contacting you prior to the inspection as the date gets closer.

If you have any questions regarding this process, please don't hesitate to give me a call.

Sincerely,

A handwritten signature in blue ink that reads "Lyndon Bucher".

Lyndon Bucher
Environmental Manager
American Colloid Company

Cc: Melody Smith, ACC
Sara Vetter, ACC