APPENDIX 2.1-A

County Conditional Use Permits
Powertech (USA) Inc.
Dewey-Burdock Operations Office
P.O. Box 812
Edgemont, SD 57735

January 17, 2012

Fall River County
906 N. River Street
Hot Springs, SD 57747

Dear Fall River County:

Powertech (USA) Inc. would appreciate confirmation from you by your signature below that there are no land-use designations in Fall River County outside of municipalities and, therefore, there are no permit requirements for land-use changes on privately held lands located outside of Fall River County municipalities.

Land-use changes on publicly held lands, Powertech (USA) Inc. understands, must be coordinated with the County to comply with Fall River County Policy #2011-01.

I appreciate your assistance and ask that you please contact me at 605-662-8308 if you have any questions.

Sincerely,

Mark J. Hollenbeck, P.E.
Project Manager

Confirmed by:

[Signature]

Title: County Auditor

Date: 1/18/12

Fall River County, South Dakota

Please return by facsimile to 605-662-8368 or email to escheinost@powertechuranium.com.
To Whom It May Concern:

Fall River County does not currently have any planning or zoning regulations in place. Fall River County does not currently require a building permit for new construction that is outside of the corporate limits of the municipalities.

If you have any questions regarding this matter, contact me at the above telephone number.

Terri Halls
Director of Equalization
Fall River/Shannon Counties
Lisa,
You are correct in that we do not have a conditional use permit for mining operations at this time. We do have one for wireless communication towers though. As far as the necessary permits that you may need to perform your mining operations, they may include a grading permit, building permit and wastewater permit. In addition, if there is any work to be done in or near a FEMA designated floodplain, then a permit will be necessary for that as well. Prior to any construction there will need to take place a coordination meeting to discuss issues such as road access, emergency management and security issues. Thank you for keeping me informed as to the progress of this project.

David J. Green, Director  
Custer County Planning and Economic Department
October 24, 2012

Mark Hollenbeck
Powertech Uranium Corp
310 2nd Avenue
Edgemont, SD 57735

Mr. Hollenbeck

This communication is in response to your inquiry about county issued permits relating to your proposed mining operations. After an on-site visit and a review of local ordinances, it appears that this venture may be subject to Custer County’s land use regulations. Ordinance 2 is the document that regulates land uses in Custer County. Specifically, Article V, Section 2 relates to industrial uses such as mining operations. Proposed industrial uses and associated structures require the approval of the Board of County Commissioners. The Board will evaluate the land use application and base its decision on a number of factors including but not limited to, access and impact to county road network, accessibility of emergency management staff and vehicles, and the impact to the local economy and environment. In addition, grading, on-site wastewater disposal and building permits may be necessary. If any construction, grading, fill or mining operations are to take place in a FEMA designated flood hazard area then a floodplain development permit will be necessary.

At this time you are in substantial compliance with applicable county ordinances and standards. Therefore, the acquisition of permits is not necessary. However, you will need to acquire your permits in advance of any construction activities.

Based upon information submitted in reference to your mining operation plan, neither the Planning Department nor the Board currently has objection to the proposed land use. When the time arrives to schedule a public hearing on the proposed land use and to secure the grading, building and floodplain permits, the planning office will be available to assist you.

David J. Green,  
Custer County Planning and Economic Development, Director

Travis Bies, Chairman  
Custer County Board of Commissioners