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Minutes of the
Board of Minerals and Environment
Telephone Conference Call Meeting
Matthew Environmental Education and Training Center
523 East Capitol Avenue
Pierre, South Dakota
and
Department of Environment and Natural Resources
Conference Room
2050 West Main, Suite 1
Rapid City, South Dakota

September 20, 2018
10:00 a.m. CT

CALL TO ORDER: The meeting was called to order by Chairman Rex Hagg. The roll was called and a quorum was present.

Chairman Hagg announced that this meeting was streaming live on SD.net, a service of South Dakota Public Broadcasting.

BOARD MEMBERS PRESENT: Rex Hagg, Dennis Landguth, Daryl Englund, Gregg Greenfield, Glenn Blumhardt, Doyle Karpen, Bob Morris, and John Scheetz.

BOARD MEMBER ABSENT: None.

OTHERS PRESENT: Mark C. Van Norman, attorney from Rapid City; James Picotte, Eagle Butte; Tonia Stands, Oglala; Benjamin Kirven, attorney from Buffalo, WY, Steven Gunn, attorney from St. Louis, MO, Steve Blair, Rich Williams, and Charles McGuigan, Attorney General's Office, Bob Mercer, newspaper; Mike Lees, Mike Cepak, Eric Holm, Lucy Dahl, Brett Graves, Roberta Hudson, Jenny Hegg, and Mark Keenihan, DENR.

APPROVAL OF MINUTES OF AUGUST 16, 2018, MEETING: Motion by Blumhardt, seconded by Karpen, to approve the minutes of the August 16, 2018, Board of Minerals and Environment meeting. A roll call vote was taken, and the motion carried unanimously.

MINING ISSUES

Consent Calendar: Prior to the meeting, the board received a table with the department's recommendation for a transfer of liability and two releases of liability (see attachment).

Brett Graves, DENR Minerals and Mining Program, was available to answer questions. There were no questions from the board or the audience.

Motion by Landguth, seconded by Englund, to accept the department recommendations for the transfer of liability and the two releases of liability, as shown on the consent calendar. A roll call vote was taken, and the motion carried unanimously.

Annual Update on Preliminary List of Special, Exceptional, Critical, or Unique Lands: Eric Holm reported that under ARSD 74:29:10:19, the board is required to annually hold a hearing to consider any petitions received to nominate lands to the Preliminary List of Special, Exceptional, Critical, or Unique Lands. Under ARSD 74:29:10:17(4), DENR publishes an annual notice to solicit petitions to add areas to preliminary list

The notice was published on May 25, 2018, in the Pierre Capitol Journal, Sioux Falls Argus Leader, Black Hills Pioneer, and Rapid City Journal. Affidavits of publication were received from all newspapers, and are on file at the DENR Pierre office.

The deadline for submittal of petitions to nominate areas to preliminary list was August 1, 2018. No nominating petitions were submitted.

Mr. Holm noted that no board action is required.

TRANSFER OF EXPLORATION NOTICES OF INTENT, EXNI-363, EXNI 368, EXNI-418, EXNI-421, AND EXNI-423 FROM MINERAL MOUNTAIN RESOURCES LTD. TO HOLY TERROR MINING COMPANY: Chairman Hagg recused himself from participating in this matter. He turned the gavel over to Vice Chairman Blumhardt.

Eric Holm stated that it was brought to the department's attention that there was an error in the legal description in the public notice that was published in the Rapid City Journal. Since there was an error in the public notice, it does not meet the requirements of the statutes, so the corrected notice will need to be republished, and this matter will need to be postponed until a later date.

Mr. Morris stated that he had discovered the legal description error in the notice the previous evening, and he contacted DENR's counsel, Steve Blair and advised him of the error.

Vice Chairman Blumhardt stated this matter will need be postponed until after proper notice is published.

Motion by Greenfield, seconded by Morris, to postpone the hearing until after proper notice is published. A roll call vote was taken, and the motion carried unanimously.

Vice Chairman Blumhardt turned the gavel back over to Chairman Hagg.

Chairman Hagg asked the board's secretary to read the following letter from former board member, Pete Bullene.

To: Members of the Board of Minerals and Environment

I would like to take this opportunity to thank the past and current Governors for providing a forum for me to serve the great State of South Dakota. A special thanks to Steve Pirner for having the faith in my knowledge and abilities to perform my duties on the Board. During the 10 plus years of being on the Board I have had the opportunity to learn and interact with many of the State's finest employees. The interaction with the State employees provided an opportunity to build special relationships which I will treasure forever. The Board members, both past and present, have been an inspiration and an excellent source of knowledge. I am honored to have been a part of this special group these past years. Not only has the Board widened my horizons but has enabled me to bond and develop personal relationships.

Thank you again,

Peter Bullene

Chairman Hagg thanked Mr. Bullene for his service on the board.

NEXT MEETING: The next meeting is scheduled for October 18, 2018, at the Matthew Training Center, Foss Building, Pierre.

PUBLIC COMMENT PERIOD IN ACCORDANCE WITH SDCL 1-25-1: James Picotte, Cheyenne River Sioux Tribe, Mark Van Norman, attorney from Rapid City, and Tonia Stands, Oglala Sioux Tribe, offered comments regarding the transfer of Exploration Notices of Intent from Mineral Mountain Resources Ltd. to Holy Terror Mining Company.

ADJOURN: Motion by Morris, seconded by Scheetz, to adjourn the meeting. A roll call vote was taken, and the motion carried unanimously.


Secretary _____
Date 10/18/18


Witness _____
Date 10-18-18

South Dakota Board of Minerals & Environment Consent Calendar

						<i>September 20, 2018</i>
<u>License Holder</u>	<u>License No.</u>	<u>Site No.</u>	<u>Surety Amount</u>	<u>Surety No.</u>	<u>Surety Company or Bank</u>	<u>DENR Recommendation</u>
Transfers of Liability:						
Brownlee Construction, Inc. Watertown, SD	89-393		\$20,000	54-40062	United Fire & Casualty Company	Transfer liability.
		393025	Section 27; T118N-R54W, Codington County			
Transfer to:						
Clausen & Sons Construction LLC Watertown, SD	83-15		\$20,000	SD5117645	Merchants Bonding Company	
Mc Cook County Highway Department Salem, SD	83-157		EXEMPT	NA	NA	Transfer liability.
		157015	SE1/4 SW1/4 & SW1/4 SE1/4 Section 2; T103N-R54W, Mc Cook County			
Transfer to:						
Twedt Construction Company, Inc. Montrose, SD	96-594		\$2,500	3254	Security State Bank, Montrose	
			\$1,000	95528	Security State Bank, Montrose	
			\$500	75708	First National Bank, Pierre	

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Releases of Liability:						
Dakota Constructors, Inc. Harrisburg, SD	17-1019		\$3,500	GRSD40292A	Granite Re, Inc.	Release liability.
		1019001	W1/2 W1/2 Section 9; T19N-R30E, Corson County			
Ziebach County Highway Department Dupree, SD	83-246		EXEMPT	NA	NA	Release liability.
		246020	SW1/4 Section 3; T13N-R22E, Dewey County			
Release of Surety:						
Pro Crush, LLC Olivet, SD	14-975		\$1,000	57424	The Farmers & Merchants State Bank, Scotland	Release \$1,000.

South Dakota Board of Minerals & Environment Consent Calendar

September 20, 2018

<u>Permit Holder</u>	<u>Permit No.</u>	<u>Surety Amount</u>	<u>Surety No.</u>	<u>Surety Company or Bank</u>	<u>DENR Recommendation</u>
<u>Transfer of Exploration Notices of Intent EXNI-363, EXNI-368, EXNI-418, EXNI-421, & EXNI-423:</u>					
Mineral Mountain Resources Ltd. Vancouver BC, Canada	EXNI-363 EXNI-368 EXNI-418 EXNI-421 EXNI-423	\$20,000	144240113	Great Western Bank, Rapid City	Transfer EXNI-363, EXNI-368, EXNI-418, EXNI-421, and EXNI- 423 from Mineral Mountain Resources Ltd. to Holy Terror Mining Company. Release Certificate of Deposit No. 144240113, Great Western Bank, Rapid City, South Dakota, in the amount of \$20,000. Accept Irrevocable Letter of Credit No. 128, First Northern Bank of Wyoming, Buffalo, Wyoming, in the amount of \$20,000.
Transfer to:					
Holy Terror Mining Company Buffalo, WY		\$20,000	ILOC No. 128	First Northern Bank of Wyoming, Buffalo	
		Legal:	Portions of Sections 4, 5, & 9; T2S-R6E, Pennington County		