

SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT & NATURAL RESOURCES  
SURETY BOND

Bond Number \_\_\_\_\_ Permit/License Number \_\_\_\_\_

Mine License \_\_\_\_\_ Mining/Milling Permit \_\_\_\_\_ Exploration Notice of Intent \_\_\_\_\_ Uranium Exploration Permit \_\_\_\_\_

KNOW ALL MEN BY THESE PRESENTS, That we (I) \_\_\_\_\_

as Principal, and \_\_\_\_\_

a corporation organized and existing under the laws of the state of \_\_\_\_\_ and duly authorized to transact business in the state of South Dakota as surety, are held and firmly bound unto the state of South Dakota, acting through the

South Dakota Board of Minerals and Environment ("Board"), in the sum of \_\_\_\_\_

(\$ \_\_\_\_\_) dollars, we bind ourselves, and each of our legal representatives, heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has received a Permit or License from the South Dakota Board of Minerals and Environment to conduct mining activities on the following described premises:

\_\_\_\_\_ State-wide Mining \_\_\_\_\_ See Attachment listing legal description to be mined

NOW, THEREFORE, The conditions of this obligation are such that if the above bound Principal, in conducting the above described operations complies with the requirements of the permit or license, reclamation plan, operating plan, post closure plan, SDCL Chapter 45-6, 45-6B, 45-6C, and 45-6D relating to mining, exploration, and uranium exploration, as applicable, and the Rules and Regulations adopted pursuant thereto, then this obligation shall be exonerated and discharged and become null and void; otherwise it will remain in full force and effect. This bond is not cancelable by the Surety for any reason including, but not limited to, non-payment of premiums or bankruptcy of the Principal. In the event the Surety becomes unable to fulfill its obligations under the bond for any reason, notice shall be promptly given to the Principal and to the South Dakota Department of Environment and Natural Resources, Minerals and Mining Program.

PROVIDED, However, the Surety shall not be liable under this bond for an amount greater in the aggregate than the sum designated above and provided by SDCL 56-2-12.

The Principal and Surety under this agreement hereby acknowledge that under the provisions of SDCL 34A-10-2.2 and 34A-10-2.3, all right and title in any bond or other security shall be in the state of South Dakota until such time as the Board, by order releases the security. Such bond or other security does not constitute an asset of the person required to provide it, and may not be canceled, assigned, revoked, disbursed, replaced or allowed to terminate without board approval. This bond or security may not be assigned for the benefit of creditors, attached, garnished, levied or executed on, or subject to process issued from any court except for the purpose of enabling the state to effectuate environmental cleanup or remediation.

***I declare and affirm under penalties of perjury that this claim (petition, application, information) has been examined by me, and to the best of my knowledge and belief, is in all things true and correct.***

\_\_\_\_\_  
Principal's Signature

\_\_\_\_\_  
Principal's Mailing Address

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Surety Company

\_\_\_\_\_  
Surety's Mailing Address

\_\_\_\_\_  
Surety Executed By

\_\_\_\_\_  
Signed and Sealed this Date

(SURETY'S SEAL)

**ACCEPTANCE**

The South Dakota Board of Minerals and Environment accepts this surety bond in the amount of \$ \_\_\_\_\_

\_\_\_\_\_  
Chairman, South Dakota Board of Minerals and Environment

\_\_\_\_\_  
Date

