

AMENDMENT TO
TEMPORARY LAND ACCESS AUTHORIZATION

This Agreement, made this 12th day of May, 2021, pursuant to Minnesota Statutes, sec. 84.027, subd. 2, by and between the State of Minnesota, Department of Natural Resources, 500 Lafayette Road, St. Paul, Minnesota 55155-4045 (hereinafter referred to as the “State”), and Twin Metals Minnesota LLC, 380 Saint Peter Street, Suite 705, St. Paul, Minnesota 55102, a Minnesota limited liability company (hereinafter referred to as “Twin Metals”);

WITNESSETH

Twin Metals currently holds a Temporary Land Access Authorization dated August 18, 2020 (“Authorization”), to conduct certain archaeological resource surveys, architectural history survey and evaluations (for purposes of this amendment, collectively referred to as “cultural resource surveys”) on State-owned lands in Lake County, Minnesota, located within the 1854 Ceded Territory.

Based upon the work conducted in the fall of 2020 under the Authorization, Twin Metals has requested additional lands upon which to conduct cultural resource surveys and an additional year to complete the cultural resource surveys.

NOW, THEREFORE, IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES HERETO, as follows:

1. Paragraph 1. is amended to read as follows:

1. The State in consideration of the terms, conditions, and agreements contained herein, and the payment of \$100.00 by Twin Metals, hereby authorizes Twin Metals, including its employees, agents, and contractors, the non-exclusive right to use for the activities described below in paragraph 2, the following described premises (hereinafter referred to as the “Premises”):

Southeast Quarter of the Northwest Quarter (SE 1/4-NW 1/4) and East Half of Southwest Quarter (E1/2-SW1/4) in Section 3;

Southwest Quarter of the Southwest Quarter (SW 1/4-SW 1/4) in Section 15;

all of Section 16;

all in Township 61 North, Range 11 West, in Lake County, Minnesota.

And

Government Lot 17 in Section 6, Township 60 North, Range 11 West, in Lake County Minnesota.

2. Paragraph 3 is amended to read as follows:

3. Twin Metals will invite the Fond du Lac Band of Lake Superior Chippewa, the Bois Forte Band of Chippewa, the Grand Portage Band of Lake Superior Chippewa, and all 6 Federally-recognized, Non-Minnesota Indian Bands that signed the 1854 Treaty (hereinafter referred to as the “Bands”) to join Twin Metals during execution of work described in paragraph 2 as monitors. The purpose of the monitors is to provide the opportunity for 1) additional observations regarding potential cultural resources, 2) assist in the interpretation of archaeological and cultural finds, and 3) to observe and provide input to the field survey crew. The Bands will have 15 calendar days to respond to the invitation. The invitation may specify the following:

- a. The types of activity to be performed and its location including a map.
- b. The approximate number of personnel (both in-house and contracted) to be carrying out the activities, as well as the name(s) of any contractor companies performing the work.
- c. The approximate beginning and ending dates of the proposed activities.

Monitors are not required to execute the work. If responses to invitations are not received within 15 calendar days or monitors are not made available by the Bands during the approximate survey dates, Twin Metals may proceed with the surveys.

Each occurrence of survey work conducted in calendar year 2021, 2022 and 2023 shall follow the same procedure as noted above in regards to inviting the Bands as monitors of the work. The Bands shall have 15 calendar days to respond to the invitation.

3. Extension.

The Temporary Land Access Authorization is extended to be in effect for three years from the effective date of August 18, 2020.

All other terms and conditions of the Authorization remain unchanged.

IN TESTIMONY WHEREOF, the parties hereto have hereunto set their hands.

TWIN METALS MINNESOTA LLC

By  _____

Title: Chief Regulatory Officer

Dated: May 12, 2021

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

By Joseph Henderson Digitally signed by Joseph
Henderson
Date: 2021.05.12 16:28:09 -05'00'

Joseph Henderson, Director

Division of Lands and Minerals

Dated: _____