



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources
1313 Sherman Street, Room 215
Denver, Colorado 80203

September 5, 2017

Richard Fretterd
1065 Woodland Ave, #16
Woodland Park, CO 80863

**RE: Technical Revision (TR-01) Adequacy Review,
Godsend Claim- CMC 252626, Permit No. M-2013-040**

Mr. Fretterd,

On August 16, 2017, the Division of Reclamation, Mining and Safety (Division) received Technical Revision No. 1 (TR-01), addressing minor changes to the approved Mining Plan for the Godsend Claim- CMC 252626, Permit No. M-2013-040. Please be advised that on September 15, 2017, the application for TR-01 may be deemed inadequate and denied unless the following adequacy items are addressed to the Division's satisfaction. Subsequent to receipt and review of the Operator's response to these items, the Division may identify additional items. Please respond to this Adequacy Review with a letter summarizing each response, to the numbered items below, in a cover letter titled "Adequacy Review Response TR-01; M-2013-040".

1. The updated Exhibit E maps do not comply with the general requirements for map exhibits outlined in Rule 6.2.1(2). Please ensure that these maps conform to the following criteria:
 - a. Show the name of the applicant.
 - b. Must be prepared and signed by a registered land surveyor, professional engineer, or other qualified person.
 - c. Give the date prepared.
 - d. Identify and outline the area which corresponds with the application.
 - e. Shall include an appropriate legend, map title, date, north arrow, and be prepared at a scale that is appropriate to clearly show all elements that are required to be delineated by the Act and Rules.
2. Please provide the approximate lat/long coordinates for the four corners of the 9.9 acre permit boundary and the four corners of the 1 acre area associated with TR-01.
3. Please provide a description of the maximum slopes of the excavation(s). Please note, if the Applicant wishes to be approved for slopes steeper than 3H:1V (i.e. 2H:1V, near vertical, vertical, etc.), engineering stability analyses for the mining slopes will need to be submitted in accordance with Rule 6.5(2). In lieu of engineering stability analyses for proposed mining slopes, please commit to maintaining a 3H:1V ratio of distance from the permit boundary to depth of excavation (i.e an excavation of 30 feet deep should be no closer to the permit boundary than 90 feet). This commitment will help ensure off-site lands located to the east and south of the one-acre area are not affected by any potential slope failures.

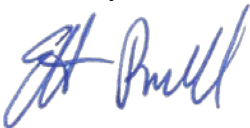


4. The proposed one acre area includes portions of portions of FS273. If excavations occur within close proximity of FS273, please commit to, pursuant to C.R.S. 34-32-102(1), establishing safety measures to protect the public from the potential hazard of an excavation. A physical barrier, such as a berm, between the excavation and FS273 may be needed.
5. The Division has estimated the reclamation cost of TR-01 based on information included in the TR-01 submittal and the previously approved mining and reclamation plans. The Division calculated the total required financial warranty for the site to be \$3,618. This is an increase of \$3,332 from the current financial warranty required; however the Division currently holds \$3,900, therefore, there will be an excess \$282 which will be available to be returned. Attached for the Applicant's review, is a copy of the reclamation cost summary. The Forest Service is also currently reviewing this estimate to determine sufficiency. At this time, upon approval of TR-01, the required financial warranty for the site will be set at \$3,618; please contact me prior to the decision date of TR-01 to discuss any questions regarding the cost estimate or to identify any errors with this calculation.
6. Please note, approval of TR-01 does not mean your revised operation can commence without compliance with laws or regulations of this state or the United States, including but not limited to all federal, state, and local permits, licenses, and approvals. Please commit to revising/updating any other necessary permits, licenses, and approvals for your operation.

This concludes the Division's adequacy review of this Technical Revision. As a reminder, please be advised the Godsend Claim- CMC 252626 Technical Revision may be deemed inadequate, and the request may be denied on September 15, 2017, unless the above mentioned adequacy review items are addressed to the satisfaction of the Division. If more time is needed to complete the reply, the Division can grant a 30-day extension to the decision date. This will be done upon receipt of a written waiver of the Applicant's right to a decision by September 15, 2017. The request must be received no later than the deadline date. Please note, a request for additional time will waive the automatic approval clause within Rule 1.9.1 and the new decision date will no longer have the same clause.

If you need additional information or have any questions, please contact me at Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at **303-866-3567 x8132**, or by email at elliott.russell@state.co.us.

Sincerely,



Elliott R. Russell
Environmental Protection Specialist

Enclosure: Reclamation Cost Estimate TR01 M2013040

Cc: Wally Erickson, Division of Reclamation, Mining & Safety