



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

September 8, 2017

Charles O. Spielman
2705A Sherman Ave
Monte Vista, CO 81144

RE: Notice of Intent to Conduct Prospecting Application; Goldpark King No. 1; File No. P-2017-011; Notice of Deficiencies

Dear Mr. Spielman,

On August 16, 2017, the Division of Reclamation, Mining and Safety (Division) received the Notice of Intent (NOI) to Conduct Prospecting Application for Goldpark King No. 1, File No. P-2017-011. The Application was filed for review on August 16, 2017. Our review indicates the NOI application contains deficiencies as defined by Rule 5.1.3 of the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal, and Designated Mining Operations. The Division requires the information described below before we can approve the NOI application.

1. The Applicant provided a copy of NOI Form 2 (Public), but did not provide a copy of NOI Form 1 (Confidential). Pursuant to Rule 5.1.2(h)(ii), the Applicant is to submit a form containing all information, including both public and confidential information. The complete form will be used by the Office for review and will be held confidential. Please submit a complete copy of Form 1 or provide a waiver of confidentiality which certifies that all information related to the Goldpark King No. 1 NOI is public.
2. As required by Rule 5.2.1(m), please certify the Park County Board of County Commissioners was provided notice of the proposed prospecting activities.
3. The Applicant did not provide a complete mailing address on Page 2 of the NOI Form. Please verify the address provided on Page 3 of the NOI Form is the mailing address which the Division should use for correspondence.
4. The Applicant has stated an access road *may* need to be constructed to reach the prospecting sites. Please note the Division will include the cost to reclaim the proposed access road in the financial warranty calculation. In addition, provide a map which shows the location of the access road which may be constructed.



5. The Applicant has indicated groundwater may be exposed at a depth of 5' to 15'. Pursuant to Rule 3.1.6, disturbances to the prevailing hydrologic balance must be minimized by compliance with applicable Colorado water laws and regulations governing injury to existing water rights. In order to exposed groundwater, the Applicant must obtain a well permit and a temporary substitute water supply plan (SWSP) from the Office of the State Engineer. If the Applicant does not intend to obtain a well permit or SWSP, then the Applicant must provide a commitment to immediately backfill any areas of exposed groundwater to two feet above the static groundwater level.
6. The Applicant has stated the reclaimed trenches will result in either a shallow depression or a low hump. The Applicant should attempt to, as much as possible, evenly replace material in the trenches to achieve approximate original contour of the reclaimed site.
7. Please describe how you will safeguard the open trenches to prevent unauthorized entry, until such time as the trenches are reclaimed.
8. The Division has reviewed the proposed seed mix to be used during final reclamation and has found it to be mostly acceptable. The Division places an emphasis on using native species during reclamation. The proposed seed mix includes the following non-native species: crested wheatgrass, hard fescue, and canada bluegrass. The Division requests these species be removed from the proposed seed mix.
9. The Applicant has stated manufactured green mulch will be applied to the reclaimed site. The Division is not familiar with this type of mulch. Please provide additional information on the nature of this product.
10. The Applicant is proposing to place topsoil stockpiles upstream of the trenches. Topsoil must be protected from loss due to erosion. Even though prospecting will occur within an intermittent stream channel, there is the potential for water to flow through trench sites during prospecting activities. The Division recommends placing the topsoil stockpiles downgradient of the trenches or out of the path of potential water flow. Overburden which is excavated from the trenches could be stockpiled upstream of the trenches to act as a berm to prevent water from entering into the trenches. Please respond.
11. The Applicant has indicated on Page 5 of the Application Form that 1,000 cy of material will be extracted or moved. Please specify if this is the amount of material which will leave the site for bulk sampling.
12. The Applicant has stated the side slopes of the reclaimed trenches will be at 3H:1V if there is not enough material available to completely backfill the pit. Please describe how 3H:1V slopes will be achieved given that the width of the trench is 2.5 ft. It would seem that an area larger than the footprint of the trench would need to be affected in order to achieve 3H:1V side slopes.

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13. The Division will determine the amount of the required financial warranty once all of the adequacy issues have been resolved.

Be advised that if these items have not been addressed within 60 days of the date of this letter (November 7, 2017), the Division may terminate the NOI application in accordance with Rule 5.1.3(c) of the Hard Rock Rules.

Please remember to designate as appropriate those materials in the application that you desire to be made confidential versus those to be made public. Additionally, if you have received any pertinent correspondence from the Bureau of Land Management, please forward copies to the Division.

If you have any questions, please contact me at (303)866-3567 x8116.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike C.", is positioned above the printed name of the sender.

Michael A. Cunningham
Environmental Protection Specialist

EC: Wally Erickson, DRMS
Stephanie Carter, BLM