



STATE OF
COLORADO

Russell - DNR, Elliott <elliott.russell@state.co.us>

New Application for 110 (1) - 2nd Generation Mining, LLC for JJ Colleting Project #1

Williams, Dan <WilliamsD@co.teller.co.us>

Wed, Dec 5, 2018 at 9:00 AM

To: "Russell - DNR, Elliott" <elliott.russell@state.co.us>, "Titterington, Amy J -FS" <amyjtitterington@fs.fed.us>

Cc: "Krochta, Camille" <KrochtaC@co.teller.co.us>, "Morgan, Lynda" <MorganL@co.teller.co.us>

Good Morning all

Teller County received a notice of intent to mine and a copy of the DRMS Limited Impact Operation 110 (1) Reclamation Permit for '2nd Generation Mining LLC [Jim Schimel and Jim Reed].

Appears they intend to mine for smokey quartz, amazonite and fluorite among other gems and the mining will occur on USFS land in Teller County.

I did not see an email address on the application. Please pass that they will be required to apply for an obtain a Special Use Permit for Mining from Teller County once DRMS has issued all permits, bond has been paid and the USFS has issued an approved plan of mining operations.

Have a wonderful holiday season and a merry Christmas

R/ Dan

Dan Williams

The Teller County Planning Official

Teller County

P O Box 1886, Woodland Park, CO 80866

719-686-5414

719-687-5256 - Fax

WilliamsD@co.teller.co.us

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COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203



LIMITED IMPACT OPERATION (110(1)) RECLAMATION PERMIT APPLICATION FORM

CHECK ONE:



New Application



Conversion Application (Rule 1.11)

Permit # M- _____ - _____ (provide for conversions of existing permits)

The application for a Limited Impact 110(1) Mining Operation Reclamation Permit contains three major parts: (1) the application form; (2) Exhibits A-J, any required sections of Exhibit S and Geotechnical Stability Exhibit, as required by the Office, and outlined in Rules 6.1, 6.2, 6.3, and 6.5; and (3) the application fee. When you submit your application, be sure to include one (1) signed and notarized original and one (1) copy of the application form, two (2) copies of Exhibits A-J, and 6.5 (Geotechnical Stability Exhibit), as required, and a check for the application fee described under (4) below. Exhibits should not be bound or in a 3-ring binder; maps should be folded to 8 1/2" X 11" or 8 1/2" X 14" size. To expedite processing, please provide the information in the format and order described in this form.

GENERAL OPERATION INFORMATION

Type or print clearly, in the space provided, all information described below

1. Applicant/operator or company name (name to be used on the permit): 2nd Generation Mining, LLC
 - 1.1 Type of organization (corporation, partnership, etc.): _____
2. Operation name (pit, mine or site name): JJ Collecting Project #1
3. Permitted acreage (must be 5 acres or less): 2 permitted acres
4. Fees:

4.1 New Application	<u>\$288.00</u> application fee
4.2 Amendment Application	<u>\$661.00</u> amendment fee
4.3 Conversion Fee (from 110(2) to 110(1), (Rule 1.11.2(2)))	<u>\$288.00</u> conversion fee
5. Primary commodity(ies) to be mined: Mineral specimens (e.g., smoky quartz, amazonite, fluorite)
6. Name of owner to the surface of affected land: U.S. Forest Service
7. Name of owner to the subsurface rights of affected land: Jeff Schimel and Jim Reed
8. Type of mining operation: ☒ Surface ☐ Underground ☐ Placer



9. **Correspondence Information:**

APPLICANT/OPERATOR (name, address, and phone of name to be used on permit):

Contact's Name: Jeff Schimel; Jim Reed Title: Owners/operators
Company Name: 2nd Generation Mining, LLC
Street: 10174 87 Street; 14454 Cottage Grove P.O. Box: _____
City: Edmonton; Baxter
State: Alberta; Minnesota Zip Code: T5H1N5; 56425
Telephone Number: (780) - 655-9205; Jim Reed (218) 330-5697
Fax Number: () -

PERMITTING CONTACT (if different from applicant/operator above):

Contact's Name: Same as above Title: _____
Company Name: _____
Street: _____ P.O. Box: _____
City: _____
State: _____ Zip Code: _____
Telephone Number: () -
Fax Number: () -

INSPECTION CONTACT:

Contact's Name: Same as above Title: _____
Company Name: _____
Street: _____ P.O. Box: _____
City: _____
State: _____ Zip Code: _____
Telephone Number: () -
Fax Number: () -

CC: STATE OR FEDERAL LANDOWNER (if any):

Agency: USDA Forest Service - South Park Ranger District
Street: 320 Highway 285
City: Fairplay
State: Colorado Zip Code: 80440
Telephone Number: (719) - 836-2031

CC: STATE OR FEDERAL LANDOWNER (if any):

Agency: _____
Street: _____
City: _____
State: _____ Zip Code: _____
Telephone Number: () -

10. **Location information:** The center of the area where the majority of mining will occur lies in:

COUNTY: Teller

PRINCIPAL MERIDIAN (check one): ☒ 6th (Colorado) ☐ 10th (New Mexico) ☐ Ute

SECTION (write number): S 10

TOWNSHIP (write number and check direction): T 12 ☐ North ☒ South

RANGE (write number and check direction): R 71 ☐ East ☒ West

QUARTER SECTION (check one): ☐ NE ☐ NW ☐ SE ☒ SW

QUARTER/QUARTER SECTION (check one): ☐ NE ☐ NW ☐ SE ☐ SW

GENERAL DESCRIPTION (miles and direction from nearest town and approximate elevation):

The New Hawk mine is located about 3 miles NE of Lake George and is at an elevation of about 8600 feet.

11. **Primary Mine Entrance Location** (report in either Latitude/Longitude OR UTM):

Latitude/Longitude:

Example: (N) 39° 44' 12.98"
(W) 104° 59' 3.87"

Latitude (N): deg 39 min 00 sec 54 .07 (2 decimal places)

Longitude (W): deg 105 min 19 sec 4 .80 (2 decimal places)

OR

Example: (N) 39.73691°
(W) -104.98449°

Latitude (N) (5 decimal places)

Longitude (W) - (5 decimal places)

OR

Universal Transverse Mercator (UTM)

Example: 201336.3 E NAD27 Zone 13
4398351.2 N

UTM Datum (specify NAD27, NAD83 or WGS 84) NAD27 Zone 13

Easting

Northing

12. **Primary future (Post-mining) land use (check one):**

<input type="checkbox"/> Cropland(CR)	<input type="checkbox"/> Pastureland(PL)	<input type="checkbox"/> General Agriculture(GA)
<input type="checkbox"/> Rangeland(RL)	<input checked="" type="checkbox"/> Forestry(FR)	<input type="checkbox"/> Wildlife Habitat(WL)
<input type="checkbox"/> Residential(RS)	<input type="checkbox"/> Recreation(RC)	<input type="checkbox"/> Industrial/Commercial(IC)
<input type="checkbox"/> Developed Water Resources(WR)		<input type="checkbox"/> Solid Waste Disposal(WD)

13. **Primary present land use (check one):**

<input type="checkbox"/> Cropland(CR)	<input type="checkbox"/> Pastureland(PL)	<input type="checkbox"/> General Agriculture(GA)
<input type="checkbox"/> Rangeland(RL)	<input checked="" type="checkbox"/> Forestry(FR)	<input type="checkbox"/> Wildlife Habitat(WL)
<input type="checkbox"/> Residential(RS)	<input type="checkbox"/> Recreation(RC)	<input type="checkbox"/> Industrial/Commercial(IC)
<input type="checkbox"/> Developed Water Resources(WR)		<input type="checkbox"/> Mining(MN)

14. If this operation will use designated chemicals, or will result, or presently has acid mine drainage - you cannot use this application form. You must submit either a 110d or 112d application form for Designated Mining Operations. In either case, you must list any acidic or toxic-forming materials, exposed or disturbed as a result of the mining operation, and whether the operation will result in or presently has acid mine drainage:

No chemicals or acid/toxic forming materials will be used, exposed or distributed as a result of this mining operation.

15. **Description of Conversion:** If you are converting an existing operation, provide a brief narrative describing the proposed change(s):


N/A


16. **Maps & Exhibits:** Submit **two (2) complete, unbound copies** of the following application exhibits:


- 6.3.1 EXHIBIT A - Legal Description and Location Map
 - 6.3.2 EXHIBIT B - Site Description
 - 6.3.3 EXHIBIT C - Mining Plan
 - 6.3.4 EXHIBIT D - Reclamation Plan
 - 6.3.5 EXHIBIT E - Map
 - 6.3.6 EXHIBIT F - List of Other Permits and Licenses Required
 - 6.3.7 EXHIBIT G - Source of Legal Right-to-Enter
 - 6.3.8 EXHIBIT H - Municipalities Within a Two-mile Radius
 - 6.3.9 EXHIBIT I - Proof of Filing with County Clerk
 - 6.3.10 EXHIBIT J - Proof of Mailing Notices of Permit Application
 - 6.3.12 EXHIBIT L - Permanent Man-Made Structures
- 6.5 Geotechnical Stability Exhibit (as required)


Responsibilities as a Permittee:


Upon application approval and permit issuance, this application becomes a legally binding document. Therefore, there are a number of important requirements which you, as a permittee, should fully understand. These requirements are listed below. Please read and initial each requirement, in the space provided, to acknowledge that you understand your obligations. If you do not understand these obligations then please contact this Office for a full explanation.


 1. Your obligation to reclaim the site is not limited to the amount of the financial warranty. You assume legal liability for all reasonable expenses which the Board or the Office may incur to reclaim the affected lands associated with your mining operation in the event your permit is revoked and financial warranty is forfeited;

 2. The Board may suspend or revoke this permit, or assess a civil penalty, upon a finding that the permittee violated the terms or conditions of this permit, the Act, the Mineral Rules and Regulations, or that information contained in the application or your permit misrepresent important material facts;


 3. If your mining and reclamation operations affect areas beyond the boundaries of an approved permit boundary, substantial civil penalties, to you as permittee can result;


 4. Any modification to the approved mining and reclamation plan from those described in your approved application requires you to submit a permit modification and obtain approval from the Board or Office;


 5. It is your responsibility to notify the Office of any changes in your address or phone number;

 6. Upon permit issuance and prior to beginning on-site mining activity, you must post a sign at the entrance of the mine site, which shall be clearly visible from the access road, with the following information (Rule 3.1.12):


- a. the name of the operator;
- b. a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and,
- c. the permit number.

 7. The boundaries of the permit boundary area must be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries prior to site disturbance;

 8. It is a provision of this permit that the operations will be conducted in accordance with the terms and conditions listed in your application, as well as with the provisions of the Act and the Mineral Rules and Regulations in effect at the time the permit is issued.



9. Annually, on the anniversary date of permit issuance, you must submit an annual fee (\$172), and an annual report which includes a map describing the acreage affected and the acreage reclaimed to date (if there are changes from the previous year), any monitoring required by the Reclamation or Environmental Protection Plans to be submitted annually on the anniversary date of the permit approval. Annual fees are for the previous year a permit is held. For example, a permit with the anniversary date of July 1, 1995, the annual fee is for the period of July 1, 1994 through June 30, 1995. Failure to submit your annual fee and report by the permit anniversary date may result in a civil penalty, revocation of your permit, and forfeiture of your financial warranty. It is your responsibility, as an operator, to continue to pay your annual fee to the Office until the Board releases you from your total reclamation responsibility.



10. For joint venture/partnership operators: the signing representative is authorized to sign this document and a power of attorney (provided by the partner(s)) authorizing the signature of the representative is attached to this application.

NOTE TO COMMENTORS/OBJECTORS:

It is likely there will be additions, changes, and deletions to this document prior to final decision by the Office. Therefore, if you have any comments or concerns you must contact the applicant or the Office prior to the decision date so that you will know what changes may have been made to the application document.

The Office is not allowed to consider comments, unless they are written, and received prior to the end of the public comment period. You should contact the applicant for the final date of the public comment period.

If you have questions about the Mined Land Reclamation Board and Office review and decision or appeals process, you may contact the Office at (303) 866-3567.

Certification:

As an authorized representative of the applicant, I hereby certify that the operation described has met the minimum requirements of the following terms and conditions:

1. All necessary approvals from local government have been applied for (Rule 1.6.2(1) and (2));
2. This entire mining operation will not extract more than 70,000 tons of mineral, overburden, or combination thereof in any calendar year (defined in C.R.S. 34-32-110(2)(a));
3. This mining operation will not adversely affect the stability of any significant, valuable and permanent man-made structure(s) located within two hundred (200) feet of the affected lands. (However, where there is an agreement between the applicant/operator and the persons having an interest in the structure that damage to the structure is to be compensated for by the applicant/operator (Section 34-32-115(4)(d), C.R.S. 1984, as amended), then mining may occur within 200 feet. Proof of an agreement must be submitted to the Office prior to the decision date.)
4. No mining operation will be located on lands where such operations are prohibited by law (Section 34-32-115(4)(f), C.R.S. 1984, as amended);
5. As the applicant/operator, I do not have any mining/prospecting operations in this state of Colorado currently in violation of the provisions of the Mined Land Reclamation Act (Section 34-32-120, C.R.S. 1984, as amended) as determined through a Board finding.
6. I understand that statements in the application are being made under penalty of perjury and that false statements made herein are punishable as a Class 1 misdemeanor pursuant to Section 18-8-503, C.R.S. 1984, as amended.

This form has been approved by the Mined Land Reclamation Board pursuant to section 34-32-110(1), C.R.S., of the Mined Land Reclamation Act. Any alteration or modification of this form shall result in voiding any permit issued on the altered or modified form and subject the operator to cease and desist orders and civil penalties for operating without a permit pursuant to section 34-32-123, C.R.S.

Signed and dated this 28 day of November, 2018.

2nd Generation Mining, LLC

Applicant/Operator

By: Jim Reed

Partner

Title: _____

If Corporation Attest (Seal)

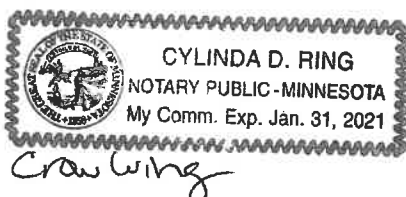
N/A

By: _____

Corporate Secretary or Equivalent
Town/City/County Clerk

State of Minnesota
County of Crow Wing) ss.

The foregoing instrument was acknowledged before me this 28 day of November, 2018
by Jim Reed as partner of 2nd Generation Mining, LLC



SIGNATURES MUST BE IN BLUE INK

Cy Linda D. Ring
Notary Public

My Commission expires: Jan 31, 2021