

**COLORADO MILLING COMPANY, LLC**  
**P.O. Box 1523**  
**Longmont, Colorado 80502**

Colorado Division of Reclamation, Mining and Safety  
Michael Cunningham & Amy Eschberger  
Environmental Protection Specialists  
1313 Sherman Street – Room 215  
Denver, Colorado 80203

June 6, 2019

**RE: Gold Hill Mill, Permit No. M-1994-117, Amendment Application (Revision No. AM 01),  
Adequacy Review No. 4**

Attention: Michael Cunningham & Amy Eschberger:

This is the Colorado Milling Company, LLC's Response Letter to the Amy Eschberger's email letter dated June 5, 2019.

On May 21, 2019, the Colorado Milling Company, LLC (CMC) received Amy Eschberger's Adequacy Review No. 4. This was transmitted to CMC via an email that contained the following statements:

"I'm attaching my 4<sup>th</sup> adequacy review for AM-1. Hard copies were also mailed today to you and Mike Bynum."

"Given that the Board-Ordered decision date was today, 5/21, I strongly recommend you submit an extension request as soon as possible. We would need to set your request for consideration by the Board, most likely the June 26<sup>th</sup> meeting."

The Adequacy Review Letter No. 4 contained the following paragraph near the end of page 4:

"As mentioned above, the application decision date of **May 21, 2019** was set by the Board Order mailed on March 7, 2019. Therefore, if you are unable to address all remaining adequacy items by this date, an extension request must be submitted to our office. Such a request would need to be scheduled for consideration by the Mined Land Reclamation Board at an upcoming meeting."

On May 29, 2019, CMC received an email letter from Amy Eschberger that contained the following statement:

"As you know, we are past the decision date for AM-1 which was set in the Board Order sent on March 7, 2019. Therefore, in order for the Division to continue reviewing your application, you must submit an extension request to the Board."

This communication further stated:

“ However, if you submit an extension request for AM-1 by close of business next Thursday, **June 6, 2019**, we could revise the Board agenda for this matter to consider your extension request rather than failure to comply with a Board Order.”

Accordingly, on June 5, 2019, CMC submitted a request to the Mined Land Reclamation Board for an extension of the review time and decision date for its Application for an Amendment to the Gold Hill Mill Limited Impact Permit 110 (2) Permit No. 1994-117. This was submitted on June 6, 2019, before Amy Eschberger sent her email letter directing CMC to submit its Response Letter to the DRMS “**no later than close of business tomorrow, June 6**, that addresses all remaining adequacy items outlined in the Division’s May 21, 2019 adequacy letter, then we could be in a position to inform the Board (during the June meeting) that AM-1 is in approvable form.”

This June 5, 2019, email letter from Amy Eschberger refers to the adequacy items requiring clarification or additional information in the Adequacy Review Letter No. 4 as only being a “handful of adequacy items remaining, most of which require only a commitment” from CMC to obtain the Division’s approval of CMC’s Permit Amendment Application. However, most of the adequacy review items raised in the May 21, 2019, Adequacy Review Letter No. 4 concern the Times Mine Bulkhead Evaluation prepared by Christop Goss PhD, P. E. of Deere & Ault Consultants, Inc. dated May 15, 2019. CMC has been in communication with Christop Goss since it received the May 21, 2019 Adequacy Review Letter, and he has prepared a plan to test the monitoring and control of the Times and Wynona Mines underground water storage to determine and safely control the quantity of process water that will be stored in these two mines. CMC has been preparing to conduct a pump test of the Times & Wynona Mines to determine how much water is affecting the Times Mine Bulkhead. This pump test will determine if the Wynona Mine’s one-hundred (100) foot level has any influence on the water stored behind the Times Mine Bulkhead. CMC expects that this pump test will be conducted sometime next week once the water flow meter and pressure gauges have been installed according to the test plan. Until this test has been conducted and evaluated by Deere & Ault Consultants, Inc., CMC cannot commit to any of the adequacy items related to the Times & Wynona Mines underground water storage plan.

The request for more information regarding how much water will be used in conjunction with the operation (as proposed in this application – not as may be proposed in a future application) is the same as when the Gold Hill Mill was originally permitted by the Mined Land Reclamation Board on September 26, 1985. The Gold Hill Mill will require four (4) tons of water for every ton of ore that is processed in the mill. The amount of ore that will be processed and the amount of process water that will be used in this application will be determined when the mill is finally back in operation. However, CMC will be using the water from Left Hand Creek it owns the right to consume under the Water Court Decree when it processes ore in the Gold Hill Mill.

With regard to most of the information that was requested to be included on the revised Exhibit E Maps, this was the first time that this information has been requested by the DRMS of this Applicant. All of this information is already on file with the DRMS under the ITEC Environmental Technical Revisions to the Gold Hill Mill Permit No. 1994-117. CMC will forward this information to the DRMS as soon as it is able to access the Laserfiche Weblink.

CMC has requested a survey from Carl Swift, Registered Mineral Surveyor, that includes a Legal Description of the permit boundaries proposed near Left Hand Creek. CMC will forward that to the DRMS as soon as it is received.

CMC accepts the required financial warranty for the proposed operation in the amount of \$77,546.00, which is an increase of \$21,346.00 of the currently held financial warranty.

CMC has requested an additional thirty days extension from the Mined Land Reclamation Board to address the new adequacy review questions that were first raised in the May 21, 2019 Fourth Adequacy Review Letter. CMC is requesting the DRMS's assistance and cooperation with this request while it completes the work outlined above.

Sincerely,

Mark A. Steen  
Colorado Milling Company, LLC

cc. Mike Bynum



STATE OF  
COLORADO

Eschberger - DNR, Amy <amy.eschberger@state.co.us>

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## CMC RESPONSE LETTER TO EMAIL FROM AMY ESCHBERGER

1 message

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**Mark Steen** <goldtontine@gmail.com>

Thu, Jun 6, 2019 at 5:40 PM

To: "michaela.cunningham@state.co.us" <michaela.cunningham@state.co.us>, Amy.Eschberger@state.co.us

Cc: Mike Bynum <mike@bzrez.com>, Mark Steen <goldtontine@gmail.com>

Sent from my iPad



**Document 8.docx**

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