

Ms. Brannon and Mr. Cunningham;

Thank you in advance for your time and consideration. I am not certain which of the two of you to send this to so I will send to both. It appears that this permit/form should go to Ms. Brannon's office but I know that Mr. Cunningham has had conversations in regard to this matter with Mr. Bill Kazel on several occasions. Mr. Kazel is a retired miner that still owns mines in the area and has been assisting me on this project.

The first several pages are the form and include the information on legal location as well as the parcel number etc. The next pages are the answers to question number 2 through 18. Lastly, is an aerial photo of the property for your convenience.

One question that Mr. Cunningham asked of Mr. Kazel is if this property is in a HOA.

Technically, the HOA is "Daisy Sub" of which my wife and I are the sole owners. There is only our home; there will not be any others built as we own all of the property. There are no HOA covenants.

If you have additional questions, please feel free to contact me via the information below. Again, I appreciate your time and attention.

Kind Regards,
Ken Maschhoff

Ken Maschhoff
Chairman
Maschhoff Family Foods
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COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

Date: 7-10-2020

RE: **Need for State Reclamation Permit: "Is It Mining?"**

Name: Daisy Placer LLC

Mailing Address: 18391 Post Oak Rd City: Carlyle State: IL Zip Code: 62231

Telephone: (618) 791-3562 Cell: (618) 830-7676

Email: Ken.maschoff@pigsrus.net

Enclosed are pertinent sections of the Colorado Mined Land Reclamation Board (Board) Rules governing activities that do not require a reclamation permit. To determine if you need a permit for you proposed activity, first check Rule 1.2 which describes activities the Board has determined do not require state reclamation permits. If you find a match, you can proceed based on your interpretation of the rule, but at your own risk. If you are uncertain how the Rule may apply to your activity, you should answer the list of questions below with as much detail as possible. Please feel free to use additional paper, maps, and attachments to explain your project.

Please include in your determination request answers to the following questions:

1. Please provide the legal location of the proposed project and submit a site map that clearly delineates the location of the proposed extraction site and the location of the nearest city, town, and county location name.
Tax Area Section 28; Township Breck Blue; Range 77; PM _____ County Summit
Or NAD27 GPS X UTM _____ Y UTM _____
Direction and miles to nearest town/city 8 miles north to Breckenridge CO up Rt-9
Parcel / Schedule # 6510665 Lot 1 Daisy Sub
2. Is the site of material extraction on public or privately owned property? Private
3. What type(s) of material or metal is/are proposed to be extracted and describe the physical nature of the site i.e., river terrace, rocky knob, in-stream gravel deposit, etc.?
4. What processing or extraction method(s) will be used on site? Include any equipment or chemical(s) that will be used in the processing and extraction of the materials.
5. Will the extracted material be hauled offsite or used on the same parcel of property where the material is extracted?
6. How will the extracted material be used on site?
7. If the material is hauled offsite, where will it be hauled to and what is the intended use?

Physical Address 0725 Doris Drive
Breckenridge CO 80424



8. What is the approximate areal extent of the proposed extraction in acres?
9. To what approximate depth will the extraction extend?
10. In cubic yards, approximately how much material will be removed?
11. Will material extraction involve the use of explosives?
12. Will site of extraction result in the exposure of tributary ground water?
13. Will either the landowner or the mine site operator receive any type of compensation, i.e., monetary, in-kind, haulage fees, etc., from the proposed material extraction?
14. Please supply a copy of any documents that will ensure that the area of extraction will be reclaimed to some beneficial land use once extraction activities have been completed.
15. Do you have permits for this activity from any other governmental agencies such as building, construction, or grading permits, and if so, what are they?
16. Are there state/federal/local agency participants in terms of funding (yes)-(no), design (yes)-(no). What are the percentages?
17. What *post mining* uses will be made of the site of extraction and why?
(This question helps us determine the intent of the activity)
18. What types and sizes of equipment will be used in the extraction?

Please send the completed questionnaire to the Division at the address above for review. The Board has directed the Division to make a decision based on the information you have supplied. We trust that the activities will be performed as represented. If we receive a complaint, we are required by law to conduct an inspection of the site. Which could result in a violation, a cease and desist order, and other corrective actions including submittal of a permit application.

If you have any question, please contact Wally Erickson for Eastern Colorado sites at (303)866-3567, ext. 8176, or Russ Means for Western Colorado sites at (303)866-3567, ext. 8185. If you are unsure which area your project lies please feel free to contact either for further guidance and assistance. Please feel free to visit our web site at: www.mining.state.co.us for further access to the full Act and Rules governing extraction of metals, non-metals, and construction materials in the State of Colorado.

Sincerely,

Division of Reclamation, Mining and Safety Staff

Enclosure: Rule 1.2.1 for both Hard Rock Metal Mines and Construction Materials

1.2 SCOPE OF RULES AND ACTIVITIES THAT DO NOT REQUIRE A RECLAMATION PERMIT

1.2.1 Specified by Rule

The Board has determined that certain types of activities do not need reclamation permits either because the excavated substance is not a mineral as defined in Section 34-32-103(7), Colorado Revised Statutes 1984, as amended or because the activity is not a mining operation as defined by Section 34-32-103(8), C.R.S. 1984, as amended. Such activities include the following:

- (a) the exploration and extraction of natural petroleum in a liquid or gaseous state by means of wells or pipe;
- (b) the development or extraction of coal (refer to the Colorado Surface Coal Mining Reclamation Act Section 34-33-101, et seq., C.R.S. 1984, as amended);
- (c) smelting, refining, cleaning, preparation, transportation, and other off site operations not conducted on affected land;
- (d)
- (e) a custom mill.

1.2 ACTIVITIES THAT DO NOT REQUIRE A RECLAMATION PERMIT

103(3) and (13)

1.2.1 Specified by Rule

The Board has determined that certain types of activities do not need reclamation permits either because the excavated substance is not a construction material as defined in Section 34-32.5-103(3), Colorado Revised Statutes 1984, as amended or because the activity is not a mining operation as defined by Section 34-32.5-103(13), C.R.S. 1984, as amended. Such activities include the following:

- (a) the exploration and extraction of natural petroleum in a liquid or gaseous state by means of wells or pipe;
- (b) the development or extraction of coal (refer to the Colorado Surface Coal Mining Reclamation Act Section 34-33-101, et seq., C.R.S. 1984, as amended);
- (c) cleaning, preparation, transportation, and other off-site operations not conducted on permitted land; and
- (d) the extraction of geothermal or groundwater resources.

1.2.2 Reserved

1.2.3 Reserved

1.2.4 Extraction or Exploration on Federal Lands

Any person who intends to extract or explore for construction materials on federal lands shall apply for a Mined Land Reclamation Board permit or submit a Notice of Intent to conduct exploration operations unless specifically exempted by the Board according to the provisions of this Subsection 1.2.

Answers to Mining information questions

This is an historic patented placer claim. With minimal disturbance, using onsite water, we have built a sluice box to be used for the prospecting of this placer claim. There was an existing stream running through the property. The water from this stream is what feeds this sluice box, and the water enters and leaves the property at its historic locations. There is a small settling pond at the end of the sluice box to prevent any silt or dirt from leaving the property. The amount of land to be prospected is less than one acre and currently is less than the 1600 sq. ft. that historically has not required a permit by the state. Therefore we do not believe we would be in violation of any regulations.

Answers to questions:

2. Private patented placer claim
3. We are prospecting for placer gold. We are hand digging old gravel deposits and glacial till.
4. The equipment currently in use are shovels, gold pans and a small sluice box. No chemicals or processing of any type is to be used other than hand labor.
5. Nothing will be removed from the site. The gold found will be saved for our private collection and be displayed. When a prospect pit is completed it will be backfilled and seeded if necessary.
6. If any gold is found it will be kept on site for display.
7. Nothing will be removed from the site.
8. The current proposed extraction is less than 1600 sq. ft – only several hand prospect pits.
9. The extraction depth will be about 3 feet or to bedrock.
10. Nothing will be removed and the total of all prospect pits will be less than one yard.
11. No explosives will be used.
12. There is very little groundwater of the side of this hill, and the areas that we are digging in are dry.

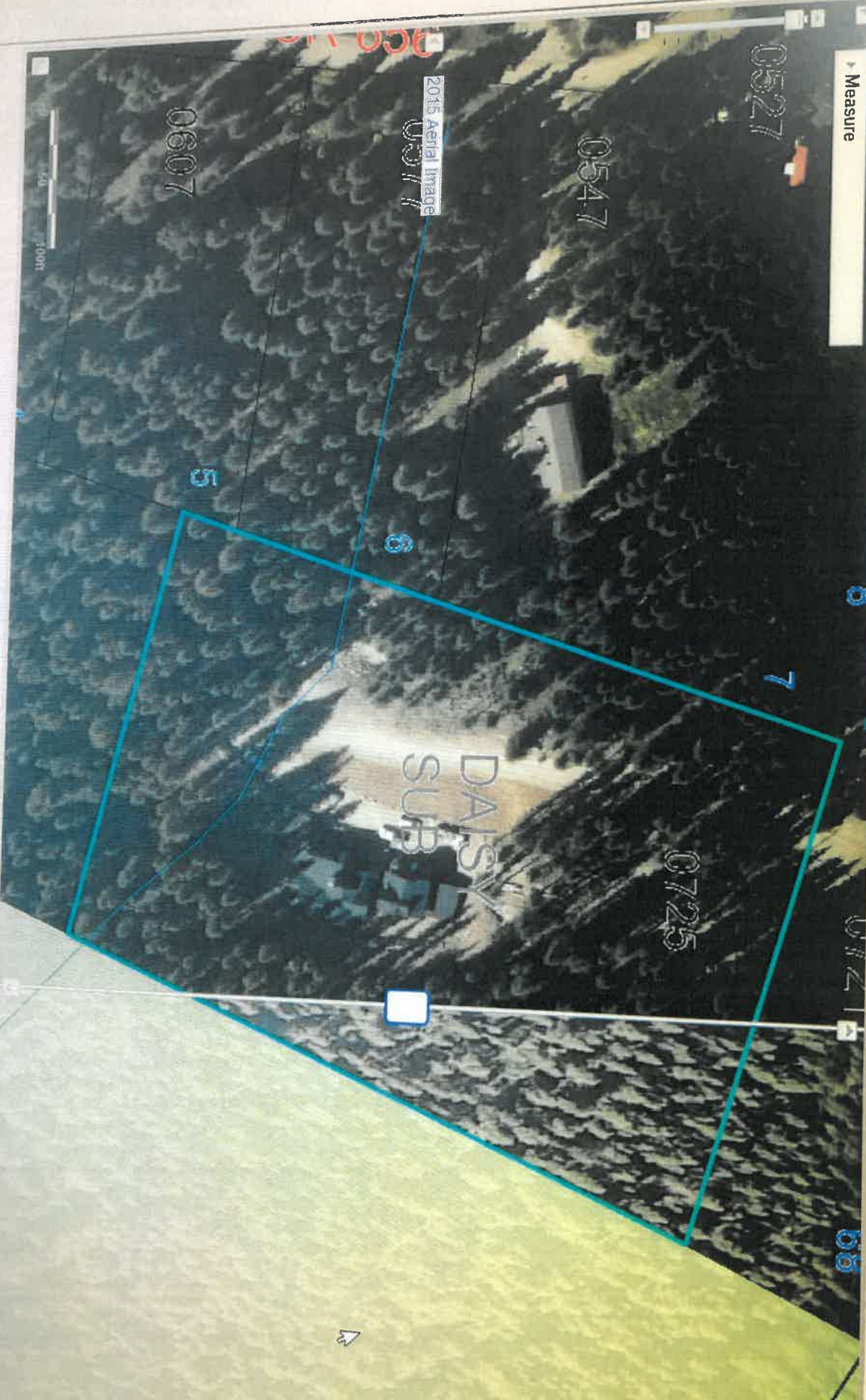
13. This is a personal, family operation. There are currently no hired people. Compensation would be the saving of placer gold.
14. There will not be sufficient disturbance to change the character of the ground. It is currently grass and bushes on the side of the hill. When the holes are backfilled, plants will be replaced.
15. Due to the small area of hand disturbance, government permits are not required.
16. There is no outside funding of any type for this project.
17. Post-mining activity will be the same as today; hiking, picnicking and watching animals.
18. As was mentioned earlier, hand equipment is used for the extraction and processing; picks, shovels, gold pan and small sluice box if colors are found.

Thank You!

Summit County GIS Parcel Query Tool



Measure



2015 Aerial Image

100ft

SCHEDULE: 6610065

Get Detail Data

OWNER: DAISY PLACER LLC
PROP DESC: LOT 1 DAISY SUB

NAME: DAISY PLACER LLC

APP: 2437-062