




MINERALS PROGRAM INSPECTION REPORT
PHONE: (303) 866-3567

The Division of Reclamation, Mining and Safety has conducted an inspection of the mining operation noted below. This report documents observations concerning compliance with the terms of the permit and applicable rules and regulations of the Mined Land Reclamation Board.

MINE NAME: Cross Gold Mine	MINE/PROSPECTING ID#: M-1977-410	MINERAL: Gold, copper, silver, zinc, lead	COUNTY: Boulder
INSPECTION TYPE: Monitoring	INSPECTOR(S): Amy Eschberger, Michael Cunningham	INSP. DATE: September 15, 2020	INSP. TIME: 10:15
OPERATOR: Calais Resources Colorado, Inc.	OPERATOR REPRESENTATIVE: Richard Mittasch	TYPE OF OPERATION: 110(2) - Hard Rock Limited Impact	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: None	BOND AMOUNT: \$31,500.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: October 9, 2020

The following inspection topics were identified as having Problems or Possible Violations. OPERATORS SHOULD READ THE FOLLOWING PAGES CAREFULLY IN ORDER TO ASSURE COMPLIANCE WITH THE TERMS OF THE PERMIT AND APPLICABLE RULES AND REGULATIONS. If a Possible Violation is indicated, you will be notified under separate cover as to when the Mined Land Reclamation Board will consider possible enforcement action.

INSPECTION TOPIC: Slides & Other Damage

PROBLEM: Land has been affected outside of the approved permit boundary, specifically in the Idaho Tunnel portal area, the area of settling Ponds 3A-3C, the oil shed area, and the Pond 2 area. This is a problem at this time pursuant to C.R.S. 34-32-116(7)(h) and Rule 3.1.5(3) for failure to protect areas outside of the affected land from slides or damage occurring during the mining operation and reclamation.

CORRECTIVE ACTIONS: By the corrective action due date, the operator shall submit an Amendment application [see enclosed Hard Rock 110(2) application], with the appropriate fee, to include, at a minimum, all areas currently affected outside the approved permit boundary. The operator should be advised, a failure to comply with this corrective action by the deadline below will result in a Possible Violation which will require a hearing before the Mined Land Reclamation Board.

CORRECTIVE ACTION DUE DATE: January 7, 2021

OBSERVATIONS

This inspection of the Cross Gold Mine (Permit No. M-1977-410) was conducted by Amy Eschberger and Michael Cunningham of the Division of Reclamation, Mining and Safety (Division) primarily to assess work completed at the Idaho Tunnel per Technical Revision No. 5 (TR-5), evaluate settling Ponds 3A-C with respect to Technical Revision No. 8 (TR-8), and to have an on-site meeting to discuss future plans for the site. The operator was represented by Richard Mittasch during the inspection. The site is located approximately 4 miles northwest of Nederland, CO in Boulder County, at an elevation of approximately 9,760 feet. Access to the site is off of Caribou Road. A separate entrance exists for each of the two mines at the site, the Cross Mine (to the south) and Caribou Mine (to the north). **Photos 1-52** taken during the inspection are included with this report.

In its last inspection report sent on April 7, 2020, the Division cited four problems which have since been abated. However, two of the revisions submitted as corrective actions for Problem #1 (Succession of Operators No. 2; SO-2) and Problem # 4 (Technical Revision No. 7; TR-7) are still under review. To approve SO-2, the Division is waiting for the additional financial warranty of \$16,100.00 to be posted by the successor operator, Grand Island Resources, LLC to cover the full existing financial warranty of \$31,500.00. For TR-7, the Division is waiting on a response from the operator to its June 29, 2020 adequacy review letter. The decision date for TR-7 is currently set for November 19, 2020.

The Division approved TR-5 on June 22, 2020 which authorizes the operator to rehabilitate the Idaho Tunnel portal to provide safe entry into the Caribou Mine and allow the flow of mine water to be re-established in order to meet permit discharge requirements (under the NPDES permit with CDPHE). It is important that flows from the Caribou Mine are maintained as this water (which does not require treatment to meet the discharge standards for the NPDES permit) must be mixed with water from the Cross Mine (which does require daily addition of lime in Pond 1 to meet discharge standards) prior to the combined water in Pond 2 being discharged to Coon Track Creek under the NPDES permit. Due to collapses in the Idaho Tunnel and associated rehabilitation work that occurred in the tunnel in November of 2019, flows from this mine were temporarily cut off from Pond 2. This caused the effluent at the discharge point to exceed water quality standards for the NPDES permit (for cadmium and zinc). The operator repaired the connection in January of 2020, which resulted in substantial water quality improvement and compliance at the NPDES discharge point. The operator must notify the Division immediately of any change in these conditions.

During the inspection, the Division observed the slope above the Idaho Tunnel portal from Caribou Road above. The slope face surrounding the portal has been stabilized with shotcrete (as observed during the last inspection), and weep holes have been drilled into the shotcrete facing to prevent buildup of water pressure in the slope behind the shotcrete. Additionally, since the last inspection, the small "glory hole" that had opened up in the slope above the portal due to collapses that occurred inside the tunnel has been stabilized with pervious cellular concrete per TR-5. After the cellular concrete placed in the subsidence area cured for several weeks, the operator began placing an additional 3 or 4 staggered layers of this material to partially fill in the saddle over the tunnel for long-term stability of the portal. Each lift was approximately 4-5 feet thick placed in a setback or stair step fashion. Individual lifts were secured to the preceding lift with rebar anchors on one foot center-to-center spacing. 8 inch x 3 inch x 8 foot long Douglas Fir lagging was used as formwork and left in place as facing. This entire mass was anchored into the slope using grouted threadbar to serve as a slope-retaining structure. Through TR-7, the operator will provide final as-built information on this slope stabilization project and updated stability analyses to demonstrate the slope meets long-term stability requirements per the Mined Land Reclamation Board's (MLRB's) policy.

The slope above the portal and Caribou Road (located above the Idaho Tunnel) appeared to be stable at this time. The operator inspects the slope and the road daily for any changes or signs of distress. As an additional

safety measure, the operator has placed concrete jersey barriers along the edge of the road above the portal. During the inspection, the operator discussed plans to further stabilize the Idaho Tunnel portal area by adding two 40-foot long high bay shipping conex containers with a 12 foot x 12 foot portal between the conexes. Both the hill ground support and the conexes would be covered by dirt and revegetated with grasses to allow the new slope on the hillside to blend in with the surrounding undisturbed slopes. Because the new portal area and disturbed portions of the slope above the portal are currently located outside the approved permit boundary, the Division advised the operator to conduct no additional work on the slope until this area has been incorporated into the permit area through the Amendment process. Any plans for additional stabilization and/or rehabilitation efforts must be proposed to the Division through a revision submittal and approved prior to implementation.

The Division also observed the three settling Ponds 3A-C which are located adjacent to the Caribou Mine. The Division is currently reviewing TR-8 (submitted on August 25, 2020) to provide a detailed plan for the rehabilitation and replacement of the liners of these ponds as well as additional improvements to the water treatment system. The Division issued a preliminary adequacy letter for TR-8 on September 1, 2020. The operator has not yet submitted a response to address the items identified in the Division's adequacy letter. The decision date for TR-8 is currently set for October 24, 2020. One of the Division's concerns identified in its adequacy letter is regarding the closeness of the ponds, particularly Pond 3A, to the approved permit boundary in that area, which may not allow sufficient space within the permit area for the operator to complete the work proposed. The Division also requested the operator conduct further testing on the existing sludge in the ponds prior to removing this material to determine whether it is considered hazardous waste. The Division recommended representative samples of the sludge be collected and sent to a laboratory for TCLP metals testing.

During the inspection, the Division observed the operator had already replaced the liners in settling Ponds 3A-C as proposed in TR-8, and a trench was being hand dug at the eastern edge of Pond 3A for the new water monitoring and lime feed shed also proposed in TR-8. Additionally, the sludge that was removed from Ponds 3B and 3C had been placed in a total of nine super sacks which were currently being stored on top of the existing waste rock pile in the Caribou Mine area. The operator explained this work was completed due to the emergency situation of needing to maintain flows from the Caribou Mine and comply with surface water quality standards for the NPDES permit. The existing settling ponds were not functional and required new liners (and an expansion of Pond 3C) to meet the immediate water management needs. The operator is advised to communicate to the Division any future emergency situations which require immediate action, especially if it requires activities not covered by the approved mining and/or reclamation plan. Failure to do so may result in a Possible Violation. Despite some of the work proposed in TR-8 having already been completed at the site, the operator will still need to address the Division's adequacy items identified in its September 1, 2020 adequacy letter. For example, even though the sludge has been removed from the ponds, the Division will still require the operator to collect representative samples (from the super sacks) and perform TCLP metals testing on these samples to determine whether the material must be disposed of in a hazardous waste facility.

Given the age of the Cross Gold Mine permit and the existing historic features in the area, there has been some uncertainty in recent years regarding the location of the approved permit boundary in particular areas. To address this issue, the operator conducted a recent survey of the site, placing survey laths with green flagging at the corners of the surveyed permit boundary. The operator informally shared the results of this survey with the Division, showing areas where disturbed land is currently located outside of the approved permit boundary (see enclosed Mining Plan Map and Google Earth image of site showing approximate locations of "off-site" affected lands) as well as areas where the permit area will need to be expanded to cover planned disturbances. The Division observed the "off-site" areas during the inspection, including the Idaho Tunnel portal area, the area of settling Ponds 3A-C, the oil shed area and disturbed land located west/northwest of this shed, and the Pond 2 area where the Caribou water pipeline and a portion of the northwestern corner of the pond is located outside

the approved permit boundary. All of these "off-site" areas (other than Pond 2) are located in the Caribou Mine area, and have been disturbed for many years (except for the Idaho Tunnel area, which was recently disturbed to rehabilitate the portal and stabilize the slope). The operator also has plans to expand the western permit boundary to accommodate construction of a new 23-foot wide road that connects the Cross Mine area to the Caribou Mine area so the operation will no longer be required to use the publicly used Caribou Road for going back and forth between these mines. The Division informed the operator the permit area can only be increased through the Amendment process. Additionally, all currently affected lands must be included within the approved permit area.

The Division is citing a problem in this report (see page 1) for the affected lands outside the approved permit boundary, and requires an Amendment application be submitted within 90 days from the date of this report to address these areas. This Amendment will need to include, at a minimum, all areas currently affected outside the approved permit boundary, and provide updated mining and reclamation plans and maps to address the utilization of these areas by the operation and their reclamation. The operator should be advised, the Division will not approve an extension to the corrective action due date given. An Amendment application (or Conversion application if the proposed permit area will exceed 9.9 acres) must be submitted to our office within 90 days, or a Possible Violation will be issued, and a hearing before the MLRB will be scheduled for consideration of this matter.

The Division observed Ponds 1 and 2 during the inspection, which appeared to be functioning properly. However, it should be noted, there was some sediment buildup and vegetation growing along the lined slopes of the ponds, particularly on Pond 1. The Division recommends the operator remove this sediment and vegetation (especially any woody vegetation) from the lined pond slopes so that proper freeboard can be maintained in the ponds and the integrity of the liners is protected. As part of the pond maintenance program, pond outlet areas should be cleared of any sediment or debris which might prevent the outlet pipes from functioning properly. The Division also observed the new water monitoring shed located south of Pond 2. This station collects weather data and measures the flowrate of water passing through the pipeline from Pond 2 to the discharge point on Coon Track Creek. The Pond 2 discharge rate was 106.5 gal/min during the inspection.

During the on-site meeting, the operator laid out a series of plans for the site, some more immediate than others. These plans include additional stabilization measures in the Idaho Tunnel, a slight expansion to the existing Caribou offices and dryroom building, construction of a new road to connect the two mine areas (as mentioned above), installation of additional water treatment/management infrastructure, installation of additional equipment storage and repair facilities, construction of a new 12,000 square foot mill building at the Cross Mine, installation of a crushing circuit in the existing Cross ore warehouse building, installation of a new high speed hoist for the Cross Mine, and construction of a new leach field. The Division informed the operator that some of these proposals may be submitted in a Technical Revision, unless they will affect lands outside the approved affected land boundary, in which case, they must be proposed in an Amendment application. The proposal to construct a mill on site would require the permit be converted to a Designated Mining Operation (DMO).

The operator should be advised, additional agencies and/or local authorities may require notification and/or approval for some or all of the proposals. For example, the Division recommends the operator contact Boulder County prior to constructing any additional buildings or roads on site. Also, the Division recommends the operator contact the county and the U.S. Army Corps of Engineers (USACE) to determine whether any permits or approvals are required from their office prior to doing any work in Coon Track Creek or in the adjacent wetlands for which a Jurisdictional Determination was approved by USACE on February 7, 2008 (according to AM-1, approved in 2012).

During the inspection, the operator inquired about potentially releasing undisturbed lands located in the

southern portion of the permit area, along the Cross Mine access road. The Division observed these lands during the inspection (see **Photos 49-52**) and agreed they could be released from the permit. To request a partial release of the permit area, the operator must submit an Acreage Reduction form (see enclosed) to our office via Certified Mail separate from all other correspondence. Since the inspection, the operator inquired about whether the mine access roads off of Caribou Road must be included in the permit area. Per C.R.S. 34-32-103(1.5), affected lands shall not include off-site roads which existed prior to the date on which the permit application was submitted to our office and which were constructed for purposes unrelated to the proposed mining operation and which will not be substantially upgraded to support the mining operation or off-site groundwater monitoring wells. It should be added, even if the roads existed prior to permitting, if they will accommodate haul trucks or other heavy equipment for the operation, they should be included in the permit area.

This concludes the report.

Any questions or comments regarding this inspection report should be forwarded to Amy Eschberger at the Colorado Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, via telephone at 303-866-3567, ext. 8129, or via email at amy.eschberger@state.co.us.

PHOTOGRAPHS



Photo 1. View looking northwest toward Cross Mine area from access road. Cross ore warehouse visible at left and Cross offices and dryroom building visible in background.



Photo 2. View looking south at Cross ore warehouse.



Photo 3. View of floor inside northern end of Cross ore warehouse where operator has permanently sealed floor drain with concrete per TR-6.



Photo 4. View looking northwest at new Cross Mine Decline portal approved in AM-1. Development of portal was not completed as operator has determined it will not be used by the operation.



Photo 5. View looking southeast at waste rock from development of new Cross Mine Decline portal temporarily stored near excavation area per AM-1.



Photo 6. View looking west across southwestern portion of Pond 1 where Cross Mine water is discharged (inlet pipe circled) and treated with 5-15 lbs of lime per day. Operator has plans to add automatic lime feed system in near future.



Photo 7. View looking northwest across Pond 1 where Cross Mine water is discharged and treated with 5-15 lbs of lime per day. Water from this pond gravity drains to Pond 2 where it combines with Caribou Mine water prior to being discharged into Coon Track Creek under NPDES permit.



Photo 8. View looking east at drainage pipe which conveys treated Cross Mine water from Pond 1 to Pond 2 where it combines with Caribou Mine water prior to being discharged into Coon Track Creek under NPDES permit.



Photo 9. View looking southeast across northeastern corner of Pond 1, showing outlet pipe at left (circled). Operator should remove any sediment and vegetation from pond liner to maintain freeboard and protect liner integrity.



Photo 10. View looking northeast at Pond 2 where treated Cross Mine water and untreated Caribou Mine water is combined prior to being discharged into Coon Track Creek under NPDES permit.



Photo 11. View looking southeast showing discharge pipeline (indicated) from southern corner of Pond 2 to Coon Track Creek where combined mine water is discharged under NPDES permit. Note two discharge sheds located south of pond, newer shed in front.



Photo 12. View looking northeast along northwestern edge of Pond 2, showing Cross Mine pipeline (white) and Caribou Mine pipeline (black) discharging into pond.



Photo 13. Closer view of northern corner of Pond 2 where Cross Mine pipeline (white) and Caribou Mine pipeline (black) discharge into pond. Laths with green flagging (indicated) mark approved permit boundary. Recent surveying shows portions of Caribou pipeline and northwestern corner of pond are located outside approved boundary.



Photo 14. View looking southeast across Pond 2 in which treated Cross Mine water and untreated Caribou Mine water is combined prior to being discharged to Coon Track Creek under NPDES permit.



Photo 15. View looking northeast across southeastern edge of Pond 2 in which treated Cross Mine water and untreated Caribou Mine water is combined prior to being discharged to Coon Track Creek under NPDES permit.



Photo 16. View looking northwest across Pond 2 in which treated Cross Mine water and untreated Caribou Mine water is combined prior to being discharged to Coon Track Creek under NPDES permit.

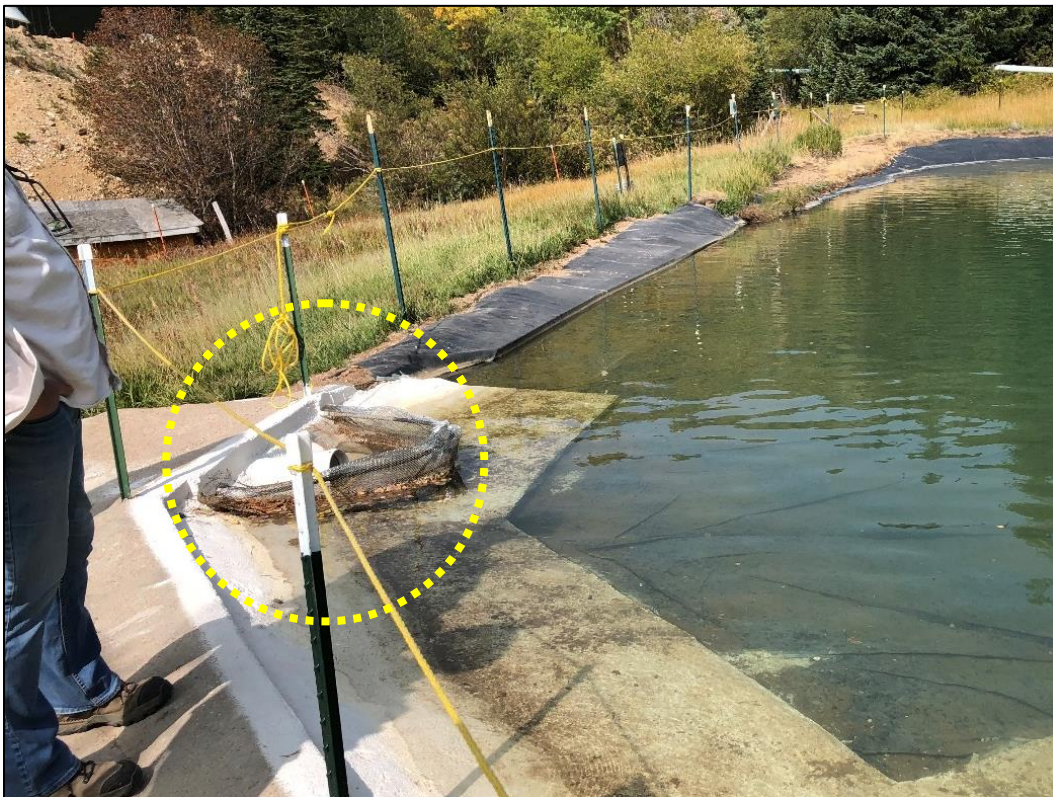


Photo 17. View looking west across southwestern edge of Pond 2 in which treated Cross Mine water and untreated Caribou Mine water is combined prior to being discharged to Coon Track Creek under NPDES permit. Note outlet pipe with trash rack (circled) at southern corner of pond.



Photo 18. View looking southeast at old discharge shed located south of Pond 2.



Photo 19. View looking south at new discharge shed located south of Pond 2 through which discharge from pond flows prior to discharging into Coon Track Creek under NPDES permit. Weather data and flowrate of discharge is measured at this station.



Photo 20. View inside new discharge shed through which discharge water from Pond 2 flows prior to discharging into Coon Track Creek under NPDES permit. Weather data and flowrate of discharge is measured at this station. Pond 2 discharge rate was 106.5 gal/min during inspection.



Photo 21. View of discharge point where Pond 2 water is discharged into Coon Track Creek under NPDES permit. Pond 2 discharge rate was 106.5 gal/min during inspection.



Photo 22. View looking southeast at historic cabin present adjacent to Cross Mine access road. This building will remain for final reclamation.

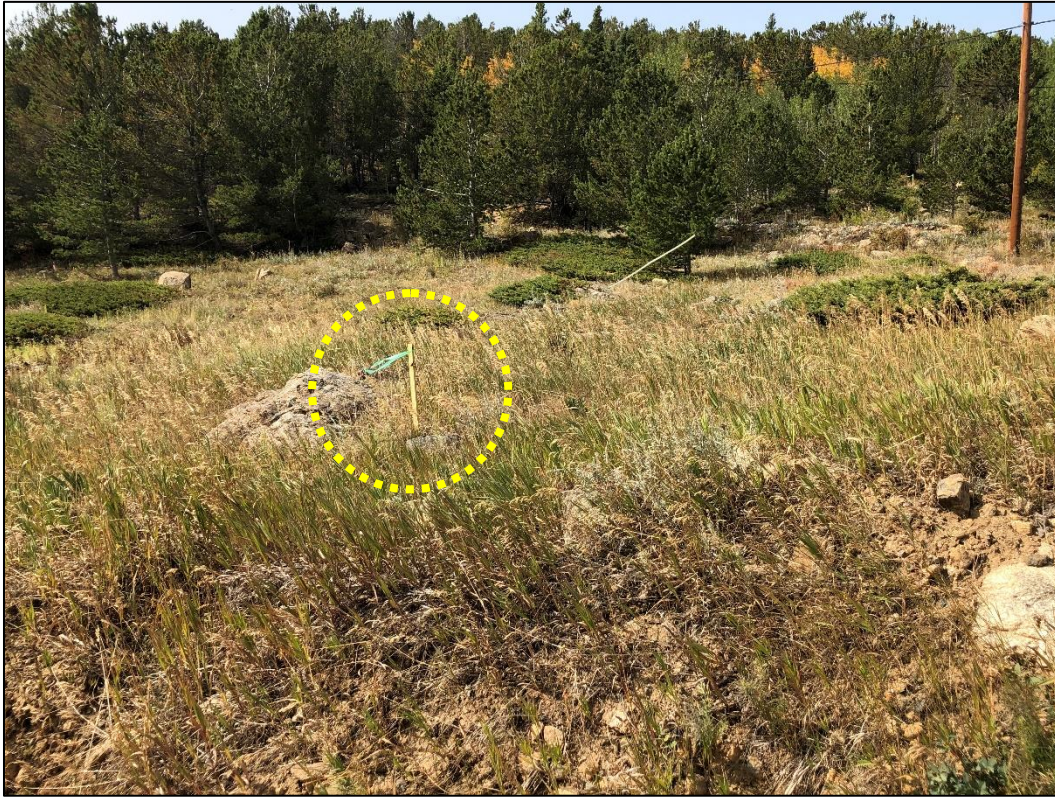


Photo 23. View looking west showing lath with green flagging (circled) marking western permit boundary in area across road from historic cabin.



Photo 24. View looking northwest across area southeast of Cross ore warehouse where explosives are stored. Operator has plans to relocate this facility to a more secure location underground.



Photo 25. View looking west at explosives storage area located southeast of Cross ore warehouse, where two magazines are secured with padlocks and lock boxes



Photo 26. View looking north at waste rock stored in area southeast of Cross ore warehouse. This area is shown as a secondary parking area on approved mining plan map.



Photo 27. View looking southeast from Caribou Road across slope above Idaho Tunnel portal where small “glory hole” created by tunnel collapse (location indicated) has been stabilized with pervious cellular concrete per TR-5. Majority of new portal area and disturbed slope above is located outside of approved permit boundary.



Photo 28. Closer view of slope above Idaho Tunnel portal where small “glory hole” created by tunnel collapse (location indicated) has been stabilized with pervious cellular concrete per TR-5.



Photo 29. View looking east across Caribou Road above Idaho Tunnel, showing road appeared to be stable during inspection. Operator has a structure agreement in place with owner of the road, Boulder County.



Photo 30. View looking southeast from Caribou Road showing settlings Ponds 3A-C in which Caribou Mine water flows prior to discharging to Pond 2 below. New pond liners have been installed as proposed in TR-8. Trench being dug east of Pond 3A (indicated) is for new lime feed and control building.



Photo 31. View looking northwest at Idaho Tunnel portal, showing surrounding slope face stabilized with shotcrete and small “glory hole” created by tunnel collapse (location indicated) stabilized with pervious cellular concrete per TR-5. Majority of portal area and disturbed slope above is located outside of approved permit boundary.



Photo 32. Closer view of Idaho Tunnel portal which requires further rehabilitation for safe entry. Note mine water draining from portal (bottom, center of photo).



Photo 33. View looking south at settling Pond 3A with new liner installed as proposed in TR-8. Trench was being dug east of Pond 3A (in foreground) for new lime feed and control building.



Photo 34. View looking northeast across settling Pond 3A with new liner installed as proposed in TR-8. Note inlet pipe from Caribou Mine at northeastern corner of pond (in background) and outlet pipe to Pond 3B at southwestern corner (in foreground).



Photo 35. View looking northwest along western edge of settling Pond 3A where vegetation was removed to allow room to install new pond liner. Recent surveying shows a portion of this pond is located outside of approved permit boundary.



Photo 36. View looking southeast across settling Ponds 3B and 3C with new liners installed as proposed in TR-8. Inlet pipe from Pond 3A located at northwestern corner of Pond 3B (in foreground).



Photo 37. View looking east across dike separating settling Ponds 3A (left) and 3B (right).



Photo 38. View looking northwest showing Caribou Mine water discharge into Pond 3A (pipe in foreground), and Idaho Tunnel portal (in background).



Photo 39. View looking southwest across settling Pond 3B with new liner installed as proposed in TR-8. Note inlet pipe from Pond 3A at northwestern corner of pond (in background, right). Outlet pipe at southeastern corner of pond (not visible in photo).



Photo 40. View looking northwest across northeastern corner of settling Pond 3C which was expanded and the liner replaced as proposed in TR-8. Note inlet pipe from Pond 3B (circled) discharging into pond.



Photo 41. View looking west across settling Pond 3C which was expanded and the liner replaced as proposed in TR-8. This is the largest of the three settling ponds.



Photo 42. View looking northeast at earthen embankment constructed below settling Pond 3C (at left).



Photo 43. View looking southeast at outlet pipe from settling Pond 3C which conveys Caribou Mine water from settling ponds to Pond 2 below, where water is mixed with treated Cross Mine water prior to being discharged to Coon Track Creek under the NPDES permit.



Photo 44. View looking west showing new storage facility constructed in Caribou Mine area with fabric roof installed across two conex containers. This is not considered a permanent structure.



Photo 45. View looking east at front of existing oil shed in Caribou Mine area, showing lath with green flagging (circled) marking permit boundary in this area. Recent surveying shows majority of this shed and disturbed land located west/northwest of shed to be outside the approved boundary.



Photo 46. View looking southeast across disturbed land located west/northwest of oil shed which recent surveying shows to be outside the approved permit boundary.



Photo 47. View looking north at nine super sacks filled with sludge removed from settling ponds, currently stored on top of existing waste rock pile in Caribou Mine area. Operator will need to perform additional lab testing on this material to determine an appropriate disposal location.



Photo 48. View looking northwest toward Caribou Mine area from access road off Caribou Road. Caribou offices and dryroom building visible in far background, oil shed visible at right (right of white conex box), and new storage facility constructed with conex containers visible at left.



Photo 49. View looking northeast across undisturbed land located east of Cross Mine access road in southern portion of permit area, which operator may request to release from permit area.



Photo 50. View looking southeast across undisturbed land located east of Cross Mine access road in southern portion of permit area, which operator may request to release from permit area.



Photo 51. View looking west across undisturbed land located west of Cross Mine access road in southern portion of permit area, which operator may request to release from permit area.



Photo 52. View looking south across undisturbed land located west of Cross Mine access road in southern portion of permit area, which operator may request to release from permit area.

GENERAL INSPECTION TOPICS

The following list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each

(AR) RECORDS----- <u>Y</u>	(FN) FINANCIAL WARRANTY----- <u>N</u>	(RD) ROADS----- <u>Y</u>
(HB) HYDROLOGIC BALANCE----- <u>N</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>Y</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>N</u>	(TS) TOPSOIL----- <u>N</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>N</u>
(SM) SIGNS AND MARKERS----- <u>Y</u>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(RS) RECL PLAN/COMP-- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>Y</u>	(SC) EROSION/SEDIMENTATION--- <u>N</u>	(ST) STIPULATIONS----- <u>N</u>
(AT) ACID OR TOXIC MATERIALS----- <u>N</u>	(OD) OFF-SITE DAMAGE----- <u>PB</u>	

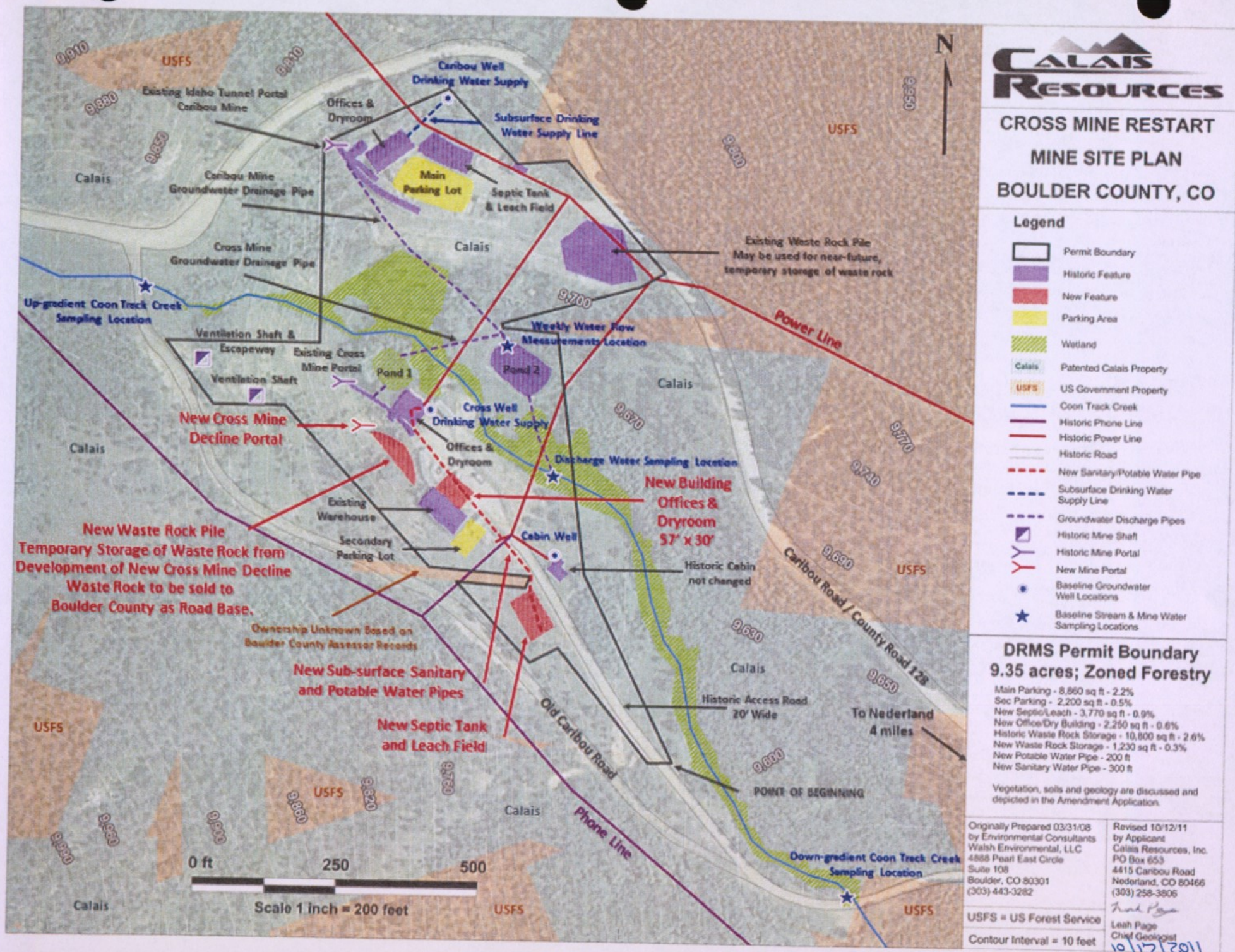
Y = Inspected / N = Not inspected / NA = Not applicable to this operation / PB = Problem cited / PV = Possible violation cited

Inspection Contact Address

Richard Mittasch
Calais Resources Colorado, Inc.
P.O. Box 3395
Nederland, CO 80466

Encl(s): Approved Mining Plan Map
 Google Earth image of site showing approximate locations of “off-site” affected lands
 Acreage Reduction request form
 Hard Rock Limited Impact Operation 110(2) Reclamation Permit Application

EC: Dyan Harden, Boulder County at: dharden@bouldercounty.org
 Jesse Rounds, Boulder County at: jrounds@bouldercounty.org
 Kim Sanchez, Boulder County at: ksanchez@bouldercounty.org
 Michael Cunningham, DRMS at: michaela.cunningham@state.co.us



M-1977-410 / Cross Gold Mine / Calais Resources Colorado, Inc. / 110(2) Operation

Red Outline = 9.35 acres = Approved Permit Area (location approximated based on approved maps)

Yellow Circles = Approximate locations of "off-site" affected lands (as of 9/15/20 inspection)

(Image data from 9/13/2019)





COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

REQUEST FOR FULL OR PARTIAL RELEASE OF PERMIT AREA/SURETY REDUCTION

Please indicate if you are requesting:

FULL/FINAL RELEASE OF ENTIRE PERMITTED AREA (per Rule 4.17)

ACREAGE REDUCTION (PARTIAL RELEASE per Rule 4.17)

I wish to release _____ acres at this time.

You will need to submit with this request: a map showing the acreage to be released from the current permit and updated mining and reclamation plan maps that will accurately depict the new permit boundary if the release is approved.

SURETY (Bond) REDUCTION (per Rule 4.14)

If you are requesting a surety (bond) reduction you will need to include with this request a new estimate of the actual cost to reclaim the site based on what it would cost an independent contractor to complete reclamation, including unit costs for reclamation activities as appropriate to the operation to comply with the provisions of Rule 3.1 and the Permit's approved Reclamation Plan.

File No.: M _____

Site Name: _____

County: _____

Permittee: _____

Permittee Address: _____
(Street Address)

(City) (State) (Zip)



Operator (If Other than Permittee): _____

Permittee Representative: _____

Certified Mail # _____

In accordance with Rule 4.17.1(2) the Operator shall include the names, addresses and phone numbers of all owners of record to the affected land. Please attach additional sheets for this information if required.

<u>Name</u>	<u>Address</u>	<u>Phone Number</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
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_____	_____	_____
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In accordance with Rule 4.17.1(4), if requesting a partial acreage release the Operator or their agent MUST sign that they have complied with the following statement: “All applicable portions of the Reclamation Plan requirements have been satisfied in accordance with these Rules and all applicable requirements under the Act.”

Signature of Permittee, Operator or their authorized agent Date

Important: In accordance with Rules 4.14.2(a) and 4.17.1(3) This release request must be submitted to the Division via certified mail and separate from any other correspondence to the Division.

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

Phone: (303) 866-3567

FAX: (303) 832-8106



HARD ROCK / METAL MINING LIMITED IMPACT OPERATION (110(2)) RECLAMATION PERMIT APPLICATION PACKAGE

APPLICABILITY:

This application package is for a mining operation that is NOT a Designated Mining Operation, affecting LESS than 10 acres and extracting LESS than 70,000 tons of mineral, overburden or combination of the two per calendar year. If you plan to conduct a mining operation which meets these criteria, please follow the instructions provided in this package, in the Mineral Rules and Regulations, and in the Mined Land Reclamation Act, as required. Please see Rule 1.1(12) for the definition of "Designated Mining" operation.

FILING REQUIREMENTS:

The Mineral Rules and Regulations (the Mined Land Reclamation Act, Section 34-32-101, et seq., C.R.S., and 2 CCR 407-1) of the Colorado Mined Land Reclamation Board (the "Board") regulate the permitting, operational and reclamation requirements for all non-coal mining operations in Colorado. It is your obligation to comply with the Act and Regulations. You are encouraged to obtain and review a copy of the Rules, available for \$8.00 from the Division of Reclamation, Mining, and Safety (the "Office") or at the Division's Web Page at www.mining.state.co.us. In order to submit your application properly, it is recommended that you review the Act, and;

Rule 1.1	Definitions;
Rule 1.4	Application Review and Consideration Process;
Rule 1.5	Fees;
Rule 1.6	Public Notice Procedures;
Rule 3.1	Reclamation Performance Standards;
Rule 3.3.1	Operating without a Permit - Penalty;
Rule 4	Performance Warranties and Financial Warranties;
Rule 6	Permit Application Exhibit Requirements;
Rule 6.2	General Requirements of Exhibits;
Rule 6.3	Specific Permit Application Exhibit Requirements;
Rule 6.4.19	Exhibit S (as required); and,
Rule 6.5	Geotechnical Stability Exhibit;

To apply for a Reclamation Permit for a Limited Impact Operation, one (1) signed and notarized original and one (1) copy of the Limited Impact Operation (110(2)) Application Form, two (2) copies of Exhibits A-J, any required sections of Exhibit S and Geotechnical Stability Exhibit, as required, and outlined in Rules 6.1, 6.2, 6.3, 6.4.19 and 6.5, and an application fee MUST be submitted to the Office. The thirty (30) day period for review of the application and exhibits will NOT begin until all required information is submitted. The Office will then review the submitted information for adequacy.

It is recommended that you contact the agencies listed under "Compliance With Other Laws" prior to submitting the application to the Office. You must send a notice, on a form approved by the Board, to the local board of county commissioners and, if the mining operation is within the boundaries of a soil conservation district, to the board of supervisors of the soil conservation district, prior to filing the application. A copy of these "Notice of Filing Application" forms have been attached for your use. You must include proof of such mailings with the application at the time the application is submitted to the Office for filing (Rules 1.6.2 and 1.6.3).

Upon filing the application, place for public review a copy of the application, less confidential items, with the clerk and recorder of the county or counties in which the affected land is located. Any changes or additions made to an application following submittal must be filed with the county clerk and recorder. You must also provide the Office with an affidavit or receipt demonstrating that the change was filed with the county clerk and recorder no later than the close of business on the day the change was filed with the Office (Rule 1.8.1). The copy of the application and any changes or additions placed at the office of the county clerk and recorder shall not be recorded, but shall be retained there for at least sixty (60) days after a decision on the application by the Office and be available for inspection during this period. At the end of this period, the application may be reclaimed by the applicant or destroyed (Rule 1.6.2(2)).

Prior to the Office making an approval decision (consideration of the application), you must submit proof of publication and proof of all required notices. Proof of notice may be by submitting return receipts of a certified mailing or by proof of personal service (Rule 1.6.1(f)).

APPLICATION REVIEW PROCEDURES:

The Office shall approve or deny the application within thirty (30) days of filing unless the date for consideration by the Office is extended pursuant to Rule 1.8. The time for consideration shall not be extended beyond thirty (30) days after the last such change submitted. For complex applications, the review period may be extended an additional sixty (60) days. Please see Rule 1.1(9) for the definition of what may constitute a complex application.

If the requirements of the Act and Mineral Rules have been satisfied, the Office will approve the application. The Act also provides for automatic approval if no action is taken by the Office by the end of the review period.

If the Act and Regulation requirements have not been satisfied, the Office will deny the application. If the Office denies the application, you may appeal to the Board for a final determination by submitting a written request for administrative appeal to the Board within 60 days of the decision date. (Rule 1.4.7)

PERFORMANCE AND FINANCIAL WARRANTIES:

A performance warranty and a financial warranty, in an amount determined as a part of the application review, must be submitted and approved by the Office prior to permit issuance. If the applicant is a unit of state or county government, then only a performance warranty is required. Several different types of financial warranties are allowed by the law. Please review Rule 4.0 to determine which type of financial warranty you desire to use. You may obtain the appropriate forms from the Office during the application review period. A financial warranty should not be submitted until a decision on the application has been made. Please note that an application approval does not convey a right to begin operations. You must submit, and have approval of your performance and financial warranties, and receive your copy of the signed permit document prior to beginning on-site mining activity.

COMPLIANCE WITH OTHER LAWS:

Compliance with the Act and Rules and Regulations of the Mined Land Reclamation Board does not relieve you of your responsibility to comply with all other applicable state and federal laws (Sections 34-32-115(4)(c) and 34-32-109(5), C.R.S. 1984, as amended). At a minimum, you MUST contact the following agencies to determine whether you need to comply with their legal requirements:

- The Colorado State Historical Preservation Office regarding properties of historical significance including the need for an archeological survey, procedures for requesting a file search, and inventory forms to identify structures.
- Colorado Division of Water Resources with regard to the administration of water rights;
- Colorado Department of Public Health and the Environment, Water Quality Control Division, with regard to the discharge of pollutants into the waters of the State;
- Colorado Department of Public Health and the Environment, Air Pollution Control Division, with regard to the need for a fugitive dust permit;
- U.S. Bureau of Land Management or the U.S. Forest Service if the proposed operation will occur on federal lands;
- U. S. Army Corps of Engineers regarding a dredge and fill (404) permit; and
- The County Planning Department for the county or counties in which your proposed operation is located. Section 34-32-109(6), C.R.S. requires a mining operator to be responsible for assuring that the mining operation and the post-mining land use comply with local land use regulations and any master plan for extraction adopted pursuant to Section 34-1-304, C.R.S.

PERMIT APPROVAL:

An applicant will not be issued a reclamation permit until notified by the Office that this application and the required performance and financial warranties have been approved. Alternatively, an automatic approval will occur where the Office fails to notify the applicant/operator that the application has been denied. This decision must be made thirty (30) calendar days from the date the application was submitted. However, the performance and financial warranties must be submitted and approved by the Office before the permit will be issued even if you receive an automatic approval. NO MINING OPERATIONS SHALL BEGIN UNTIL A PERMIT IS ISSUED (Rule 4.1(2)).

NOTICE REQUIREMENTS:

Within ten (10) days after filing, mail or personally serve a copy of the notice described in Rule 1.6.2(1)(c) to all owners of record of surface rights to the affected land and all owners of record of lands that are within 200 feet of the boundary of the affected land (Rule 1.6.2(1)(d)(i) and (ii)). In addition, you must publish once in a newspaper of general circulation, in the locality of the proposed mining operation, the notice described in Rule 1.6.2(1)(c). A copy of a form which includes all required information for the notice has been attached for your use. You will need to provide the Office proof of notice prior to the decision date. Proof of notice may be by submitting return receipts of a certified mailing or by proof of personal service (Rules 1.4.1(4), 1.4.2(4)(c) and 1.6.2(1)(d)).

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.

COMPLETION OF MINING:

Upon completion of any phase of reclamation, you should consult Rule 3.1 for reclamation standards and 4.16 for details on how to request a reclamation responsibility release from the Board.

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

Phone: (303) 866-3567

FAX: (303) 832-8106



LIMITED IMPACT OPERATION (110(2))

RECLAMATION PERMIT

APPLICATION FORM

CHECK ONE: ☐ New Application (Rule 1.4) ☐ Conversion Application (Rule 1.11)

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

The application for a Limited Impact Designated 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, 6.4.19 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, appropriate sections of 6.4.19 Exhibit S 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):** _____
 - 1.1 Type of organization (corporation, partnership, etc.): _____
2. **Operation name (pit, mine or site name):** _____
3. **Permitted acreage (new or existing site):** _____ permitted acres
4. **Fees:**
 - 4.1 New Application \$1,006.00 application fee
 - 4.2 Amendment Application (from 1.10(2))
 - 4.3 Conversion Fee (from 110d to 110(2), (Rule 1.11.2(2))) \$1,725.00 conversion fee
5. **Primary commodity(ies) to be mined:** _____
6. **Name of owner to the surface of affected land:** _____
7. **Name of owner to the subsurface rights of affected land:** _____
8. **Type of mining operation:** ☐ Surface ☐ Underground ☐ In-situ

9. **Correspondence Information:**

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

Contact's Name: _____ Title: _____

Company Name: _____

Street: _____ P.O. Box: _____

City: _____

State: _____ Zip Code: _____

Telephone Number: (_____) - _____

Fax Number: (_____) - _____

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

Contact's Name: _____ Title: _____

Company Name: _____

Street: _____ P.O. Box: _____

City: _____

State: _____ Zip Code: _____

Telephone Number: (_____) - _____

Fax Number: (_____) - _____

INSPECTION CONTACT:

Contact's Name: _____ Title: _____

Company Name: _____

Street: _____ P.O. Box: _____

City: _____

State: _____ Zip Code: _____

Telephone Number: (_____) - _____

Fax Number: (_____) - _____

CC: STATE OR FEDERAL LANDOWNER (if any):

Agency: _____

Street: _____

City: _____

State: _____ Zip Code: _____

Telephone Number: (_____) - _____

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: _____
PRINCIPAL MERIDIAN (check one): _____ 6th (Colorado) _____ 10th (New Mexico) _____ Ute
SECTION (write number): S _____
TOWNSHIP (write number and check direction): T _____ North _____ South
RANGE (write number and check direction): R _____ 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): _____

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 _____ min _____ sec _____ (2 decimal places)

Longitude (W): deg _____ min _____ sec _____ (2 decimal places)

OR

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

Latitude (N) _____ (5 decimal places)

Longitude (W) - _____ (5 decimal places)

OR

Universal Tranverse Mercator (UTM)

Example: 201336.3 E NAD27 Zone 13
4398351.2 N

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

Easting _____

Northing _____

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

____ Cropland(CR)	____ Pastureland(PL)	____ General Agriculture(GA)
____ Rangeland(RL)	____ Forestry(FR)	____ Wildlife Habitat(WL)
____ Residential(RS)	____ Recreation(RC)	____ Industrial/Commercial(IC)
____ Developed Water Resources(WR)		____ Solid Waste Disposal(WD)

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

____ Cropland(CR)	____ Pastureland(PL)	____ General Agriculture(GA)
____ Rangeland(RL)	____ Forestry(FR)	____ Wildlife Habitat(WL)
____ Residential(RS)	____ Recreation(RC)	____ Industrial/Commercial(IC)
____ Developed Water Resources(WR)		____ 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 a 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:

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

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
- 6.4.19 EXHIBIT S - (as required)
- 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 (**\$259**), 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, 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 _____ day of _____, _____.

Applicant/Operator

If Corporation Attest (Seal)

By: _____

By: _____

Title: _____

Corporate Secretary or Equivalent
Town/City/County Clerk

State of _____)
) ss.
County of _____)

The foregoing instrument was acknowledged before me this _____ day of _____,
by _____ as _____ of _____.

Notary Public
My Commission expires: _____

SIGNATURES MUST BE IN BLUE INK

The following is an example that you may wish to use for the Notice required for Rule 1.6.2(1)(b).

NOTICE

This site is the location of a proposed mining operation. (Name of the Applicant/Operator) _____, whose address and phone number is (Address and Phone Number of the Applicant/Operator) _____, has applied for a Reclamation Permit with the Colorado Mined Land Reclamation Board. Anyone wishing to comment on the application may view the application at the (County Name) _____ County Clerk and Recorder's Office, (Clerk and Recorder's Office Address) _____, and should send comments prior to the end of the public comment period to the Division of Reclamation, Mining, and Safety, 1313 Sherman St., Room 215, Denver, Colorado 80203.

Certification:

I, _____, hereby certify that I posted a sign containing the above notice for the proposed permit area known as the (Name of Operation) _____, on (Date Posted) _____.

SIGNATURE

DATE

NOTICE OF FILING APPLICATION
FOR COLORADO MINED LAND RECLAMATION PERMIT
FOR **HARD ROCK/METAL MINES LIMITED IMPACT (110) OPERATION**

NOTICE TO THE BOARD OF COUNTY COMMISSIONERS
_____ COUNTY

_____ (the "Applicant/Operator") has applied for a Hard Rock/Metal Mines Limited Impact (110) reclamation permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct mining operations in _____ county. The attached information is being provided to notify you of the location and nature of the proposed operation. The entire application is on file with the Division of Reclamation, Mining, and Safety (the "Division") and the local county clerk and recorder.

The applicant/operator proposes to reclaim the affected land to _____ use. Pursuant to Section 34-32-116(7)(j), C.R.S., the Board is required to confer with the local Board of County Commissioners before approving of the post-mining land use. Accordingly, the Board would appreciate your comments on the proposed operation. Please note that, in order to preserve your right to a hearing before the Board on this application, you must submit written comments on the application within ten (10) days after the date of the applicant's newspaper publication.

If you would like to discuss the proposed post-mining land use, or any other issue regarding this application, please contact the Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567.

NOTE TO APPLICANT/OPERATOR: You must attach a copy of the application form to this notice. If this is a notice of a change to a previously filed application you must either attach a copy of the changes, or attach a complete and accurate description of the change.

NOTICE OF FILING APPLICATION
FOR COLORADO MINED LAND RECLAMATION PERMIT
FOR **HARD ROCK/METAL MINES LIMITED IMPACT (110) OPERATION**

NOTICE TO THE BOARD OF SUPERVISORS
OF THE LOCAL CONSERVATION DISTRICT
_____ DISTRICT

_____ (the "Applicant/Operator") has applied for a Hard Rock/Metal Mines Limited Impact (110) reclamation permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct mining operations in _____ county. The attached information is being provided to notify you of the location and nature of the proposed operation. The entire application is on file with the Division of Reclamation, Mining, and Safety (the "Division") and the local county clerk and recorder.

The applicant/operator proposes to reclaim the affected land to _____ use. Pursuant to Section 34-32-116(7)(j), C.R.S., the Board is required to confer with the local Conservation Districts before approving of the post-mining land use. Accordingly, the Board would appreciate your comments on the proposed operation. Please note that, in order to preserve your right to a hearing before the Board on this application, you must submit written comments on the application within ten (10) days after the date of the applicant's newspaper publication.

If you would like to discuss the proposed post-mining land use, or any other issue regarding this application, please contact the Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567.

NOTE TO APPLICANT/OPERATOR: You must attach a copy of the application form to this notice. If this is a notice of a change to a previously filed application you must either attach a copy of the changes, or attach a complete and accurate description of the change.

An example Public Notice which meets the requirements of the Statutes is shown below. The blanks, which require dates, will need to be filled in according to the following instructions. **PLEASE READ CAREFULLY.**

Publication Instructions:

Date of commencement and date of completion should represent the dates which you feel most accurately describe the life of the operation.

For all Limited Impact (110) types of operations, this notice must be published once within ten (10) days of the date the application is considered submitted to the Division of Reclamation, Mining, and Safety (the "Division"). The final date for receiving comments is ten (10) days after the date of publication or the next regular business day.

All notices must be published in a newspaper of general circulation in the locality of the proposed mining operation and mailed to the landowners as set forth in the Colorado Mined Land Reclamation Rules and Regulations. Since the date for consideration of your application may change, **DO NOT** include it in this notice.

For a complete discussion of the notice procedures and objections, please refer to C.R.S. 34-32-110(7)(c), 114 and 115.

PUBLIC NOTICE

(Operator Name) _____; (Address and Phone Number) _____, has filed an application for a Hard Rock/Metal Mining Limited Impact (110) Reclamation Permit with the Colorado Mined Land Reclamation Board under provisions of the Colorado Mined Land Reclamation Act. The proposed mine is known as the (Name of the Mine) _____, and is located at or near Section _____, Township _____, Range _____, _____ Prime Meridian.

The proposed date of commencement is _____. _____, and the proposed date of completion is _____. _____. The proposed future use of the land is (Future Landuse) _____.

Additional information and tentative decision date may be obtained from the Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567, or at the (County Name) _____ County Clerk and Recorder's office; (Clerk and Recorder's Address) _____, or the above-named applicant. A complete copy of the application is available at the above-named County Clerk and Recorder's office and at the Division's office.

Comments concerning the application and exhibits must be in writing and must be received by the Division of Reclamation, Mining, and Safety by 4:00 p.m. on (Final Date for Comments) _____, _____.

Please note that under the provisions of C.R.S. 34-32-101 et seq. Comments related to noise, truck traffic, hours of operation, visual impacts, effects on property values and other social or economic concerns are issues not subject to this Office's jurisdiction. These subjects, and similar ones, are typically addressed by your local governments, rather than the Division of Reclamation, Mining, and Safety or the Mined Land Reclamation Board.

An example Structure Agreement which meets the requirements of the Statutes is shown below.

Structure Agreement

This letter has been provided to you as the owner of a structure on or within two hundred (200) feet of a proposed mine site. The State of Colorado, Division of Reclamation, Mining and Safety (“Division”) requires that where a mining operation will adversely affect the stability of any significant, valuable and permanent man-made structure located within two hundred (200) feet of the affected land, the Applicant shall either:

- a) Provide a notarized agreement between the Applicant and the Person(s) having an interest in the structure, that the Applicant is to provide compensation for any damage to the structure; or
- b) Where such an agreement cannot be reached, the Applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- c) Where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have “no negative effect” on their utility. (*Construction Materials Rule 6.3.12 and Rule 6.4.19 & Hard Rock/Metal Mining Rule 6.3.12 and Rule 6.4.20*)

The Colorado Mined Land Reclamation Board (“Board”) has determined that this form, if properly executed, represents an agreement that complies with Construction Materials Rule 6.3.12(a), Rule 6.4.19(a), and C.R.S. § 34-32.5-115(4)(e) and with Hard Rock/Metal Mining Rule 6.3.12(a), Rule 6.4.20(a), and C.R.S. § 34-32-115(4)(d). This form is for the sole purpose of ensuring compliance with the Rules and Regulations and shall not make the Board or Division a necessary party to any private civil lawsuit to enforce the terms of the agreement or create any enforcement obligations in the Board or the Division.

The following structures are located on or within 200 feet of the proposed affected area:

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, _____ (print applicant/company name),
by _____ (print representative's name), as _____ (print
representative's title), does hereby certify that _____ (structure owner) shall
be compensated for any damage from the proposed mining operation to the above listed structure(s)
located on or within 200 feet of the proposed affected area described within Exhibit A, of the Reclamation
Permit Application for _____ (operation name),
File Number M-____-_____.

***This form has been approved by the Colorado Mined Land Reclamation Board pursuant to its
authority under the Colorado Land Reclamation Act for the Extraction of Construction Materials and
the Colorado Mined Land Reclamation Act for Hard Rock, Metal, and Designated Mining Operations.
Any alteration or modification to this form shall result in voiding this form.***

NOTARY FOR PERMIT APPLICANT

ACKNOWLEDGED BY:

Applicant _____ Representative Name _____

Date _____ Title _____

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing was acknowledged before me this ____ day of _____, 20____, by
_____ as _____ of _____.

Notary Public My Commission Expires: _____

NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner _____ Name _____

Date _____ Title _____

STATE OF _____)
) ss.

COUNTY OF _____)

The foregoing was acknowledged before me this ____ day of _____, 20____, by
_____ as _____ of _____.

_____ My Commission Expires: _____

Notary Public