



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

1313 Sherman St. Room 215  
Denver, CO 80203

February 3, 2021

Mr. Harald Hoegberg  
1805 Tunbridge Dr.  
Richmond VA 23238

RE: Kate2 Project; DRMS File P-2021-001; Notice of Incomplete NOI Application

Mr. Hoegberg,

On January 29, 2021 the Division of Reclamation, Mining and Safety (Division) received your Notice of Intent to Conduct Prospecting Operations (NOI) application. The Division has deemed the NOI incomplete for filing based on the following:

- 1) An executed Affidavit of Authority for Hard Rock/Metals must be provided with the Financial Warranty.  
<https://drive.google.com/file/d/17r4k3h5YbQ7hZurVCw3TWFJ3iV3n0Q8A/view>
- 2) A check for \$2000 was received by DRMS for this proposed operation on February 2, 2021, however, an executed Financial Warranty form (Financial Warranty – Check for Deposit in State Treasury on Bureau of Land Management Land) for the amount of \$2000 must also be provided with the NOI Application. The appropriate Financial Warranty form may be found on the DRMS website using the following link:  
[https://drive.google.com/file/d/1eIRIPiIdujokYzOu2wk9wBU\\_QaPEKh8R/view](https://drive.google.com/file/d/1eIRIPiIdujokYzOu2wk9wBU_QaPEKh8R/view)

Questions specific to the proper completion of bonding forms are best directed to DRMS Bonding Specialist Sara Stevenson-Benn at: [sara.stevenson-benn@state.co.us](mailto:sara.stevenson-benn@state.co.us)

- 3) Rule 5.1.2 (b)(v) requires a U.S.G.S. 7.5-minute quadrangle, or similar map of adequate scale, that:
  - A) identifies the proposed prospecting site(s) or activity areas involving surface disturbance. Activity areas may include all drill holes, mud pits, excavations, trenches, adits, shafts, tunnels, rock dumps and prospecting roads; and
  - B) includes sufficient detail to identify and locate known prospecting features and facilities that may be affected and those that are not anticipated to be affected. This includes the location of all drill holes, mud pits, excavations, trenches, adits, shafts, tunnels, rock dumps and prospecting roads.



- 4) Rule 5.1.2(d)(vi) of the Hard Rock, Metals, and Designated Mining Operations Rules states that the applicant must “provide documentation of the legal right to enter to conduct prospecting and reclamation, for Owners of Record described in Rule 1.6.2(1)(e)(i). This may include a copy of a lease, deed, abstract of title, a current tax receipt, or a signed statement by the Landowner(s) and acknowledged by a Notary Public stating that the Prospector has legal right to enter to conduct prospecting and reclamation.”

If an area to be affected by NOI activity is located on private land or patented claim, the access required by Rule 5.1.2(d)(vi) must be granted by the landowner or claimant. If the claim is unpatented, the required access must be granted by the surface owner of the property. If the unpatented claim is located on property managed by the BLM, then access to conduct the proposed activities must be granted by the BLM (in the form of an approved BLM application). DRMS understands that the BLM has been provided with appropriate notice of this activity and that the applicant is working concurrently to secure BLM approval for activity on unpatented claims.

The NOI implies that some locations (P21-01 – 04?) are located on property owned by the Town of Silvercliff, however no access agreement from the Town for those locations has been provided. Surface ownership of the boring locations identified in the application is unclear with respect to the various right of entry documents provided. Only two locations (P21-08 and P21-10) have ownership clearly identified on the provided table that match any of the access documents provided, and the provided access documents do not list any of the locations identified. Additional information/clarification will be needed for purposes of verifying that proper access has been obtained as required.

Please provide the required materials within 30 days of the date of this letter. If the Division does not receive the materials required to call the application filed for review within 30 days, the application will be terminated.

If you have any questions, please contact me at (303) 229-9414.

Sincerely,



Eric Scott  
Environmental Protection Specialist

CC: Michael Cunningham, DRMS