



February 11, 2021

Julio Madrid
Battle Mountain Resources, Inc.
P.O. Box 310
San Luis, CO 81152-0310

Re: San Luis Project, Permit No. M-1988-112, Acreage Reduction Request Notice of Completeness, Revision AR-5

Dear Mr. Madrid,

On February 11, 2021 the Division of Reclamation, Mining and Safety (Division) deemed your request for an Acreage Reduction Request for the San Luis Project, Permit No. M-1988-112 in Costilla County complete for the purposes of filing.

Pursuant to Hard Rock and Metals Mining Rule 4.17.4 (1)(b) (enclosed) the Operator must publish a public notice once, in a newspaper of general circulation in the area of the mining operation. Please provide proof of publication from the newspaper within **thirty (30) days** of the date of this letter. The proof of publication should be sent to the Division's Denver office no later than **Friday March 12, 2021**. The public comment period will continue for thirty (30) days after the date of publication.

If you have any questions, comments or concerns please feel free to contact me at the Division's Grand Junction Field Office, by email at lucas.west@state.co.us or by phone at (303)-866-3567 Ext. 8187.

Sincerely,

Lucas West
Environmental Protection Specialist
Division of Reclamation, Mining and Safety

CC: Travis Marshall, Senior Environmental Protection Specialist

EC: Julio Madrid, Battle Mountain Resources, Inc.
Karen DeAgüero, Newmont
Melissa Chalona, Engineering Analytics



Recipient
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Date

- (3) The written notice requesting release shall be sent by Certified Mail and be separate from other types of communication to the Office.
- (4) Such notice shall contain a signed statement by the Operator or their agent that all applicable portions of the Reclamation Plan requirements have been satisfied in accordance with these Rules and all applicable requirements under the Act.

4.17.2 Office Requirements

- (1) The Office, upon receipt of said notice of completion of reclamation, shall immediately provide notice to all owners of record to the affected land and to the county(s).
- (2) The Office shall, within sixty (60) calendar days after receiving said notice, or as soon thereafter as weather conditions permit, inspect the lands and reclamation described in the notice to determine if the Permittee has complied with all applicable requirements.
- (3) If the Office fails to conduct an inspection within the time specified in Rule 4.17.2(2), or fails to advise the Permittee of deficiencies within the time specified in Rule 4.17.2(4), then all Financial Warranties applicable to reclamation described in the notice shall be deemed released as a matter of law.
- (4) Where the Office finds that a Permittee has not complied with the applicable requirements of the Act, Rules and Regulations, or the approved reclamation plan, it shall advise the Permittee of such non-compliance not more than sixty (60) calendar days after the date of the inspection.
- (5) Where the Office finds that a Permittee has successfully complied with the requirements of the Act, Rules and Regulations, and the approved reclamation plan, the Office shall release all applicable performance and financial warranties. Release (pending an appeal) shall be in writing and mailed within thirty (30) calendar days to the Permittee after the date of such findings. However, an appeal to the release of the financial and performance warranties shall stay the release on the thirtieth (30th) day pending a Formal Board Hearing.

4.17.3 Reserved

4.17.4 Specific Provisions – Designated Mining Operations

- (1) Public Notice Requirements – Request for Release of Financial Warranty

- (a) Upon filing a written Notice of Completion and a Request to Release Financial Warranty for a Designated Mining Operation, the Operator shall publish a Public Notice according to the following guidelines.
 - (b) At the time of filing a written Notice of Completion or Request for Release of Financial Warranty, the Operator shall publish once in a newspaper of general circulation in the area of the mining operation for which a reduction or release of Performance and Financial Warranties is sought. The Notice shall specify the following:
 - (i) the name of the mining operation;
 - (ii) the location of the mining operation in relation to the nearest municipality, giving direction and miles;
 - (iii) a brief statement of what is being requested and that public comments concerning the appropriateness of the requested release should be sent within thirty (30) days of the date of publication to the Office to the address for the Division of Reclamation, Mining and Safety, listed on the cover of these Rules.
 - (iv) the Operator shall submit proof of publication as provided for in Rule 1.6.2(1)(a)(ii).
- (2) Partial and Final Release of Financial Warranty
- (a) The Operator shall request release of any remaining reclamation bond funds at or after such time as is prescribed by the Board or Office which shall be no more than five (5) years after submitting the initial Request for Release of Financial Warranty, and subsequent Office inspection, as per the following:
 - (i) upon completion of the performance requirements of the Permit and Reclamation Plan, the Operator may file a written Notice of Completion with the Office;
 - (ii) the Office shall inspect the affected land within sixty (60) days after receiving such notice, or as soon thereafter as weather permits to determine if the affected land has been reclaimed for a beneficial use and is in compliance with all applicable Performance Standards;
 - (iii) upon a finding by the Board or Office that the Operator has complied with all the Permit performance requirements, the Office shall deliver a written