



Peter Hays  
Division of Reclamation Mining and Safety  
1313 Sherman Street, Room 213  
Denver, CO 80203

RE: M-2021-007 Salisbury Gladstone LLC, Gladstone Toll Mill

Dear Mr. Hays

Please find below a brief response to the letter you received from Environmental Alternatives.

The Stanley Mines Adventure Park LLC has executed a 70-year lease with the landowner, Stanley Mining Company LLC. Please see attached letter from the Stanley Mining Company. We have filed and obtained the necessary re-platting, rezoning, and development plan from Clear Creek County for the acreage adjacent to the applicant. I am a Managing Partner of the LLC.

The applicant did in fact utilize machinery to clear a road through our property, we do appreciate the acknowledgement and statement that there will be no further encroachment in that area either under this permit or any other future permit or activity by the applicant to access the mill or provide resources or materials to the mill through our property. The applicant through their response has acknowledged that they do not have any rights, stated or unstated, to transit through the Stanley property.

The property setback requirements and the structure built to date may or may not be in question. Whether structures are built or not at a zero lot line, the construction activity may not encroach on another property owner without permission. And in this case, the piles of dirt, the cut trees, and other debris were removed from the applicant site and placed on our property without our permission. There was not permission provided but perhaps a misinterpretation of my conversation regarding berms. Any berms constructed should have been berms on the applicant property not on the Stanley property which would take up valuable land required for our business activities.

I hope we can reach agreement on these issues and put them on record for your agency's future regulatory oversight which would allow us to remove our objection. Because of the past performance of the applicant substantially starting construction on a project falling under DNR regulations without permit or authorization, and our concerns over future behaviors about their operations on or near the Stanley Mine Adventure Park property, we will require the following as conditions to remove our objection:

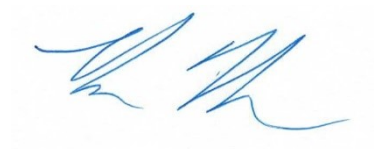
- 1) The applicant will provide a mutually agreeable, legally enforceable, and recordable document that clearly sets out that they or any affiliated party to the owners or operation have no rights either stated or unstated, historic or otherwise, to or thru any portion of the Stanley Mining Company property.

- 2) The applicant will construct a solid fence of corrugated metal 8' tall and no more than 6" off the ground along to property line from the south survey point established along Stanley Road up to 50' north of the south survey marker.
- 3) The applicant will remove all materials that have been placed on the Stanley property since the beginning of their construction efforts and regrade the area to its previous condition.

We believe these to be reasonable conditions and request DNR require their completion prior to any operations, and also assure us that regular inspections of the permitted operations. If these conditions are added to the site's conditions of approval, we will drop our objections.

We appreciate your assistance in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'B. Miller', is written on a light blue rectangular background.

Benjamin H. Miller, PhD  
Managing Partner

CC: Bernard C Huger (Landowner)  
Bruce Russell (Co-Managing Partner of SMAP)