



**Non-Confidential**

December 1, 2021

Greg Sterret  
Capital Prize VII LLP  
1000 Biddle Street  
Georgetown, CO 80444

**Re: Capital Prize VII LLP; Aetna Exploration; File No. P-2021-017; NOI Notice of Deficiencies**

Mr. Sterret,

On November 1, 2021, the Division of Reclamation, Mining and Safety (Division/Office) received the Notice of Intent to Conduct Exploration Operations (NOI) application for the Aetna Exploration, File No. P-2021-017. The Division reviewed the NOI application for deficiencies pursuant to Rules 5.1, 5.2, 5.3, 5.4 and 5.5 of the Minerals Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal, and Designated Mining Operations.

Please address the following NOI deficiencies:

1. Pursuant with Section 20.2.1 of the Policies of The Mined Land Reclamation Board, operating a tourist mine concurrently with a mining or prospecting operation is not in the interest of protecting and promoting the health, safety, and welfare of the citizens of this state. Therefore, operators or mine owners who wish to conduct both active mining and/or prospecting and provide mine tours may be allowed to do so only under the following restrictions:

(a) Mining or prospecting activities and tourist mine activities must either be conducted at separate locations, at separate times, or both at separate locations and at separate times (i.e., mining or prospecting conducted in one section of the mine and mine tours conducted in a separate location; or limiting mining or prospecting activities to the weekends and mine tours to weekdays);

(b) Operators or prospectors who apply for a dual tourist mine/mining or prospecting use permit must provide a detailed plan describing when, where, and how mining or prospecting will occur and when, where, and how mine tours will be conducted. All operations approved for a dual use permit will be subject to inspections prior to the



tourist season to ensure tourists will be protected from mining or prospecting operations.

(c) Current operators of tourist mines who wish to conduct mining or prospecting must apply and receive approval from the Division or the Board for a reclamation permit or NOI that complies with this policy prior to conducting mining or prospecting activities.

Please explain in detail how the Prospector intends to comply with the requirements of the Board Policy.

2. The Division requires the NOI form list the exact company name registered with the Colorado Secretary of State office, "Capital Prize VII LLC". On Page 1, Item #3 of the NOI form, the Applicant lists the company name as "Capital Prize VII, LLC Operator". Please revise the company name on Item #3 of the NOI form to indicate "Capital Prize VII LLC". A copy of the Colorado Secretary of State summary page is attached for reference.
3. On Page 5, Section III, Item #3, please provide the units for the amount of material to be extracted, moved or proposed to be moved in the space provided on the NOI form.
4. On Page 6, Section III, Item #5, the Prospector states some waste rock and ore will be temporarily stockpiled on ¼ acres or less near the mine portal. Please explain the final location of the waste rock and ore at the conclusion of prospecting activities. Additionally, please explain how the materials will be stored to prevent wind and water erosion of the stockpiles.
5. The proposed NOI activities are located in an area of known acid producing ore bodies. Please provide an acid base accounting (ABA) test for proposed NOI activities demonstrating the ore body and waste rock are not acid producing prior to removing them from the mine. Please provide copies of the ABA tests for the materials to the Division.
6. On Page 6, Section III, Item 6D, the Prospector states "In the process the mine ventilation system, the RR track, compressed air systems would be brought up to modern and safe standards that would be inspected. This would allow the tour to safely operate the tram and fully serve handicap clients." Please commit to updating the tourist mine and emergency response plans with the Division's Mine Safety and Training Program to incorporate the proposed revisions in the NOI, if approved by the Division.
7. On Page 8, Section III, Item J, the Prospector states the ore stockpile will not be stored on the ground. Please explain how the ore will be stored and include a description of the waste rock stockpile storage.

8. Pursuant to Rule 5.3.3(1), upon filing the Notice of Intent to Conduct Exploration, the person shall provide Financial Warranty in the amount of two thousand dollars (\$2,000.00) per acre of land to be disturbed, or such other amount as determined by the Office, based on the projected cost of reclamation.

The Prospector provided a financial warranty in the amount of \$2,000 for the proposed 3/4 acre of disturbance. The Division will calculate the required financial warranty based on the Prospector's response to this letter and notify the Prospector if additional financial warranty is required by the Division.

9. The Division received the Financial Warranty in the amount of two thousand dollars (\$2,000.00) with the NOI application, however the Division requires the Prospector to provide an original and signed Letter of Credit printed on bank letterhead. The Prospector may decide to wait until the financial warranty is calculated by the Division prior to providing the document.

The Prospector must address all identified deficiencies within sixty (60) days of the Office notification. If the deficiencies are not addressed within sixty (60) days, the Office may terminate the NOI file.

Please address the NOI application deficiencies indicated in this letter by **January 30, 2022**.

If you have any questions, please contact me at [peter.hays@state.co.us](mailto:peter.hays@state.co.us) or (303) 866-3567 Ext. 8124.

Sincerely,



Peter S. Hays  
Environmental Protection Specialist

Enclosure - Colorado Secretary of State summary page

Ec: Jared Ebert; DRMS  
Bill York-Fern; DRMS



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Summary

Details			
Name	CAPITAL PRIZE MINE VII LLP		
Status	Good Standing	Formation date	12/26/1995
ID number	19951158313	Form	Limited Liability Limited Partnership
Periodic report month	September	Jurisdiction	Colorado
Principal office street address	8981 Kittiwake Street, Littleton, CO 80126, United States		
Principal office mailing address	8981 Kittiwake Street, Littleton, CO 80126, United States		

Registered Agent	
Name	Nicholas G Muller
Street address	8981 Kittiwake Street, Littleton, CO 80126, United States
Mailing address	8981 kittiwake Street, 8981 Kittiwake St, Littleton, CO 80126, United States

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