



July 21, 2022

Richard Murphy  
Acme Brick Company  
210 Acme Street  
Denton TX 76205

**RE: Golden Mine, DRMS Permit M-1976-007UG  
110c to 112c Permit Conversion Application Decision Letter, Financial and Performance  
Warranty Request**

Mr. Murphy:

On July 20, 2022, the Mined Land Reclamation Board (MLRB) approved your 110c to 112c permit conversion application for the Golden Mine which was filed with the Division of Reclamation, Mining and Safety (Division) on September 8, 2021.

The amount of financial warranty set by the Division for this operation is \$298,000.00. This is an increase of \$273,600.00 over the currently posted bond. You must submit the required increase in financial warranty and a new performance warranty (form enclosed) in order to complete the DRMS permit conversion process. Please select a type of financial warranty from Rule 4.3, then contact our Financial Warranty Specialist, Sara Stevenson-Benn at 303-866-3567, ext. 8148 or sara.stevenson-benn@state.co.us so that we can provide you with the appropriate financial warranty form(s).

**PLEASE NOTE THAT MINING OPERATIONS MAY NOT COMMENCE UNTIL THE  
INCREASED BOND IS SUBMITTED AND YOUR NEW FINANCIAL AND PERFORMANCE  
WARRANTIES HAVE BEEN RECEIVED AND APPROVED BY THE DIVISION.**

Revised Surety and Permit Acreage for M1977-007UG	
Reclamation Liability (Required Surety):	\$298,000.00
<b>Required Bond Increase:</b>	<b>\$273,600.00</b>
Approved 112c Permit Acreage :	70.15

If you have any questions, you may contact me by telephone at 303-229-9414, or by email at Eric.Scott@state.co.us

Sincerely,

Eric Scott  
Environmental Protection Specialist



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Golden Mine  
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Encl: Performance Warranty form

Cc: Angela Bellantoni, Environmental Alternatives Inc.  
Michael Cunningham, DRMS  
Sara Stevenson-Benn, DRMS



## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

### **PERFORMANCE WARRANTY**

Permittee/Operator: The Denver Brick Company  
Operation known as: Golden Mine  
Permit Number: M-1976-007UG

***This form is approved by the Colorado Mined Land Reclamation Board ("Board") pursuant to C.R.S. 34-32-117 of the Colorado Mined Land Reclamation Act and C.R.S. 34-32.5-117 of the Colorado Land Reclamation Act for the Extraction of Construction Materials.***

All parties are on Notice from this Document that:

The above listed Operator provides this warranty to the Board in conjunction with a reclamation Permit to conduct the above described mining operation on certain lands in Colorado. The "Affected Lands" are described in the above listed reclamation Permit, and include any Permit Amendment(s) approved by the Division of Reclamation Mining and Safety ("Division").

The Colorado Mined Land Reclamation Act, C.R.S. 34-32-101 *et seq.* ("Hard Rock Act"), and the Colorado Land Reclamation Act for the Extraction of Construction Materials, C.R.S. 34-32.5-101 *et seq.* ("Construction Materials Act"), both require a permit issued by the Board to include a written promise by the Operator to comply with all requirements of the Hard Rock and Construction Materials Acts (referred to herein together as "Acts").

Through the terms and conditions of this performance warranty and Permit, the Operator agrees to be bound by all requirements of the Acts and all Mineral Rules and Regulations of the Board for Hard Rock, Metal, and Designated Mining Operations (2 C.C.R. 407-1) and all Mineral Rules and Regulations of the Board for the Extraction of Construction Materials (2 C.C.R. 407-4) (referred to herein together as "Rules").

The Operator hereby provides the Board warranties of performance pursuant to C.R.S. 34-32-117(2), (3), and (4)/C.R.S. 34-32.5-117(2), (3), and (4), and promises the Board it will comply with all applicable requirements of the Acts and Rules.

The Operator hereby promises the Board it will comply with all of the terms of the reclamation Permit, including any Permit Amendment(s) approved by the Division. This performance warranty obligation of the Operator shall continue until the Operator's liability is released by the Board.

The Operator promises to be responsible for reclamation costs up to the amount established by the Board and incorporates its financial warranty to this performance warranty. The Operator agrees to maintain a financial warranty (or warranties) in good standing for the reclamation costs for the entire life of the



Permit. The amount of the financial warranty shall be sufficient to assure the completion of reclamation of affected lands if the Division has to complete such reclamation due to forfeiture. If the Board determines the Operator is in default under this performance warranty and the Operator fails to cure such default, the Operator's financial warranty shall be subject to forfeiture pursuant to C.R.S. 34-32-118/34-32.5-118.

This performance warranty by the Operator is perpetual and shall remain in full force and effect until all obligations have been met and all associated financial warranty is released by the Board. Any release of liability in a succession of Operators shall comply with C.R.S. 34-32-119/34-32.5-119.

The provisions hereof shall bind and inure to the benefit of the parties hereto and their successors and assigns.

SIGNED, SEALED AND DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Operator: The Denver Brick Company

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

#### NOTARIZATION OF OPERATOR'S ACKNOWLEDGEMENT

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_  
(Day) (Month) (Year)

by \_\_\_\_\_ as \_\_\_\_\_  
(Name) (Title)

of: The Denver Brick Company .  
(Operator)

\_\_\_\_\_  
NOTARY PUBLIC

My Commission expires: \_\_\_\_\_

APPROVED:  
State of Colorado  
Mined Land Reclamation Board  
Division of Reclamation, Mining and Safety

By: \_\_\_\_\_ Date: \_\_\_\_\_ Division Director