



Fwd: Mining Activity in Castle Gulch (Boulder County)

Cunningham - DNR, Michael <michaela.cunningham@state.co.us>

Mon, Sep 12, 2022 at 9:53 AM

To: "Ebert - DNR, Jared" <jared.ebert@state.co.us>, Patrick Lennberg - DNR <patrick.lennberg@state.co.us>

Cc: Russ Means <russ.means@state.co.us>

Hi Jared and Patrick,

We received the below citizen complaint from Eric Harms regarding the 'Badger a Group of Mines' NOI (P-2013-019). Please let me know if you have any questions regarding the NOI.

Thanks,

Michael Cunningham
Senior Environmental Protection Specialist



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

P 303.866.3567 x8116 | F 303.832.8106

Physical: [1313 Sherman Street, Room 215, Denver, CO 80203](#)

Mailing: DRMS Room 215, [1001 E 62nd Ave, Denver, CO 80216](#)

michaela.cunningham@state.co.us | <https://drms.colorado.gov>

----- Forwarded message -----

From: <ericoharms@gmail.com>

Date: Mon, Sep 12, 2022 at 9:38 AM

Subject: Mining Activity in Castle Gulch (Boulder County)

To: <michael.cunningham@state.co.us>, <russ.means@state.co.us>

Cc: Erica Crosby - DNR <erica.crosby@state.co.us>, Annear - DNR Contractor, Julie <julie.annear@state.co.us>

Good morning, Michael and Russ,

My name is Eric Harms, and I live at [1126 James Canyon Drive, Boulder, CO 80302](#). I was sent your way by Erica Crosby and Julie Annear, who are CCed. It's good to meet you!

I wish to report active prospecting taking place on the Rip Van Dam lode claim, which is [1148 James Canyon Drive](#). This parcel also includes the Badger and King Wilhelm, which I've heard collectively referred to as "The Badger Group" of mines.

The mining company performing the prospecting is JL Mining, reportedly owned by Laura Engel and Jeremy Wilkinson. They are headquartered in Black Hawk, and I'll attach more info about them ("JL Mining CO LLC Info.pdf").

The current owner of [1148 James Canyon](#) is Pat Farr. I'm afraid I do not have up-to-date contact information for him. I believe he is trying to sell the property to Laura and Jeremy, but is allowing them to collect samples in the meantime.

Last week, we had several altercations with the miners, who appear to be operating under a wealth of misinformation and inexperience. I will attach a map showing where these incidents took place ("Adit Damage Locations.png").

On Sept. 5th, we discovered that the miners had attempted to open an old adit for the Rip Van Dam. This adit is located on an adjacent parcel at [1029 James Canyon Drive](#), which we also own. This parcel is also known as the Higbee Placer and is also

patented. The adit's location is the western mark on the map. This adit has been blocked up, but newly-drilled holes are now in it. It does not appear that the miners made it through this wall. See photo ("Walled Adit Damage.jpg").

The eastern mark on the map is another collapsed adit. The miners were attempting to dig into this on the 6th and we drove them off. Then, we caught them digging into it again on the 7th. They insisted that they owned the property and could do this. I printed out our deeds and survey to prove otherwise, and then they left. See photo ("Collapsed Adit Damage.jpg").

Further, many vehicles have been making use of the road in front of our house (USFS 287.1A) in order to access the main portal above, up on Castle Creek. I cannot speak to the degree of activity occurring there, but we have seen them drive up a small skid loader, as well as a larger excavator. On the night of the 7th, they drove the latter up the road and slipped off the edge, causing damage. See photo ("Damage Photo.jpg").

I have notified the Sherriff of the matter, and they suggested that I contact the DRMS. Julie also called me and, along with Erica, have been assisting in looking up records for the mine.

Erica found NOI P-2013-019 for K&B Mining, LLC. I already have a copy of it, so I will attach it here ("NOI and Plan Operations.pdf", "Notice of Intent to Prospect.pdf"). I see that these documents go back to 2013-2014 when the last round of miners attempted to work the Rip Van Dam – a different company, other than JL Mining. I also see in the associated Plan of Operations that this project was slated to last 6 months – see the attached excerpt ("Plan Duration Highlighted.png"). (Erica, if this is not the same document that you found, or if there is an updated version that I should have, please let me know.)

Finally, I should point out that the miners do not have an easement for the use of USFS 287.1A, and we are working with a lawyer on that front.

Finally, here are my questions:

- Can you tell me if these activities by JL Mining are legitimate? That is, is their NOI in good standing?
- Is the attached NOI still relevant, even though it goes back to 2013-2014 and was with a different mining company? Does the 6 month project duration come into play here?
- Should I do anything else? I have not reached out to Boulder County yet, for example.

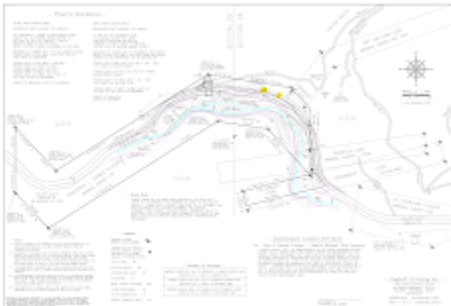
We are very concerned about our property being further damaged by these miners. Had we not caught them in the above incidents, they may have successfully opened the adits. We still remember the 2011 disaster in which another adit further upstream (also on [1029 James Canyon](#)) was opened, releasing polluted water into James Creek and turning it orange. Julie is familiar with that incident. We did not live here at the time, but we have seen the photos and would be devastated if such a repeat occurrence were to happen. Our neighbors and friends get their drinking water from the creek downstream, and we are worried on their account as well.

We would very much appreciate any assistance you could provide in this matter. Thank you!

Eric Harms

EricOHarms@gmail.com

8 attachments



Adit Damage Locations.png
875K

Walled Adit Damage.jpg
4106K



Collapsed Adit Damage.jpg
3528K




Damage Photo.jpg
1247K



Plan Duration Highlighted.png
250K

 **J.I. Mining CO LLC Info.pdf**
57K

 **NOI and Plan of Operations.pdf**
6124K

 **Notice of Intent to Prospect.pdf**
66K

- Property Descriptions -

#1029 JAMES CANYON DRIVE
(PROVIDED BY FIDELITY NATIONAL TITLE COMPANY)

THE FREDERICK L. HIGBEE PLACER MINING CLAIM, SURVEY NO. 78, CENTRAL MINING DISTRICT IN SECTIONS 29 AND 28, TOWNSHIP 2 NORTH, RANGE 71 WEST OF THE 6TH P.M., EXCEPT PORTION THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT CORNER NO. 4 OF SAID HIGBEE PLACER, THENCE SOUTH 57°45' WEST, 15.65 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 57°45' WEST, 17.35 FEET;
THENCE SOUTH 4' EAST, 141 FEET;
THENCE NORTH 89° EAST, 50 FEET;
THENCE NORTH 4' WEST, 150 FEET;
THENCE SOUTH 89° WEST, 35.17 FEET TO THE TRUE PLACE OF BEGINNING,

COUNTY OF BOULDER, STATE OF COLORADO.

#949 JAMES CANYON DRIVE
(PROVIDED BY FIDELITY NATIONAL TITLE COMPANY)

A PART OF THE STEAMBOAT LODE, U.S. MINERAL SURVEY NO. 4939, LOCATED IN SECTIONS 28 AND 29, TOWNSHIP 2 NORTH, RANGE 71 WEST OF THE 6TH P.M., IN CENTRAL MINING DISTRICT,

BEGINNING AT CORNER #5 OF STEAMBOAT LODE SURVEY WHICH IS SOUTH 30° WEST, 345 FEET FROM SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SECTION 29;

THENCE EAST ALONG LINE 5-6, 650 + OR - FEET TO A POINT IN COUNTY ROAD;

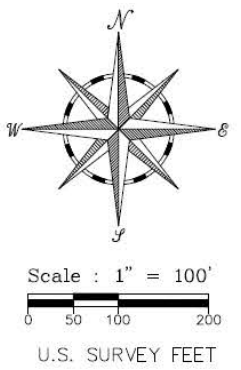
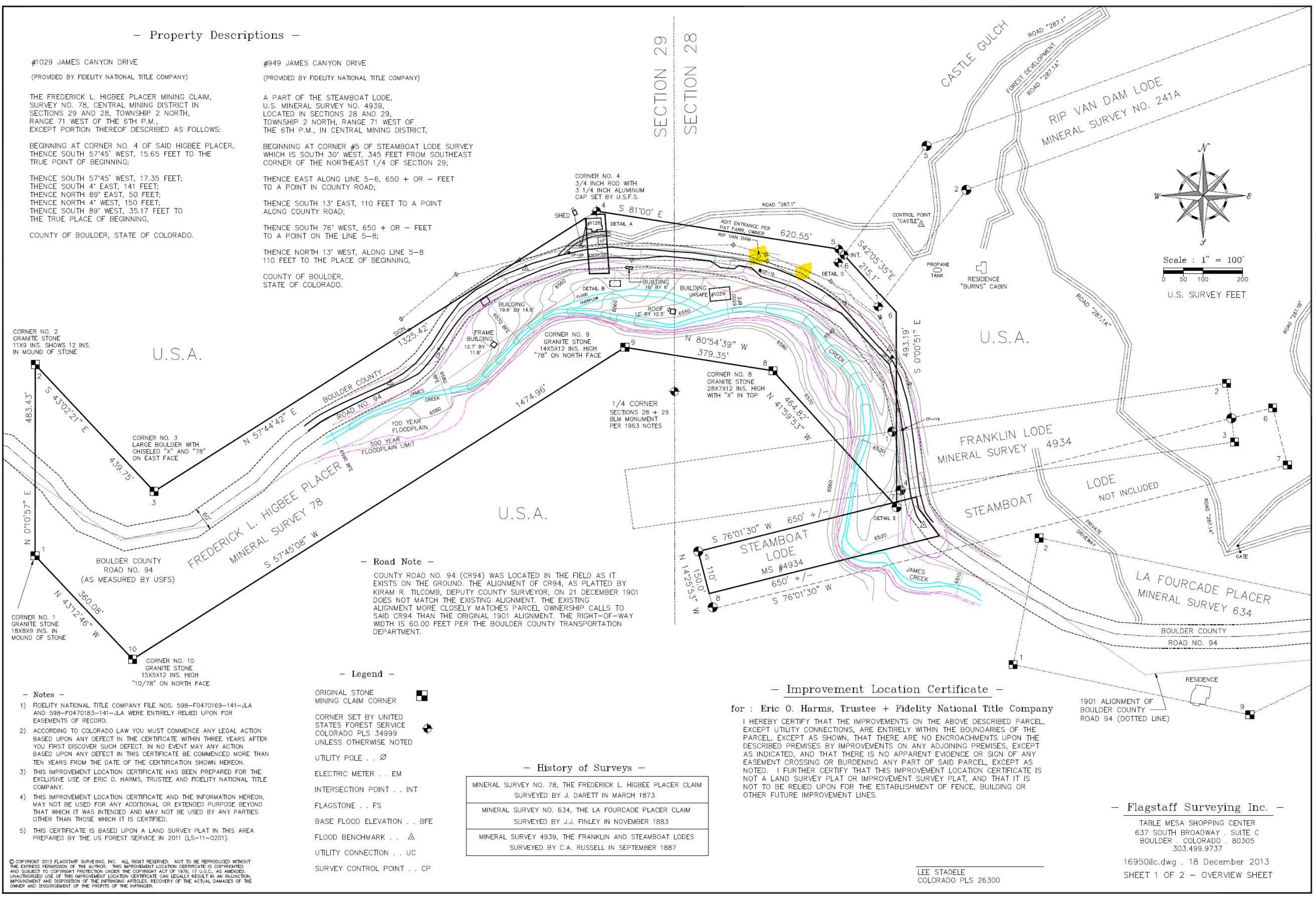
THENCE SOUTH 13° EAST, 110 FEET TO A POINT ALONG COUNTY ROAD;

THENCE SOUTH 76° WEST, 650 + OR - FEET TO A POINT ON THE LINE 5-8;

THENCE NORTH 13° WEST, ALONG LINE 5-8 110 FEET TO THE PLACE OF BEGINNING,

COUNTY OF BOULDER, STATE OF COLORADO.

SECTION 29
SECTION 28



CORNER NO. 2 GRANITE STONE 11X9 INS. SHOWS 12 INS. IN MOUND OF STONE

CORNER NO. 1 GRANITE STONE 18X8X9 INS. IN MOUND OF STONE

CORNER NO. 3 LARGE BOULDER WITH CHISELED "X" AND "78" ON EAST FACE

CORNER NO. 10 GRANITE STONE 15X5X12 INS. HIGH "10/78" ON NORTH FACE

CORNER NO. 9 GRANITE STONE 14X5X12 INS. HIGH "78" ON NORTH FACE

CORNER NO. 8 GRANITE STONE 28X7X12 INS. HIGH WITH "X" IN TOP

CORNER NO. 4 3/4 INCH ROD WITH 3 1/4 INCH ALUMINUM CAP SET BY U.S.F.S.

- Road Note -

COUNTY ROAD NO. 94 (CR94) WAS LOCATED IN THE FIELD AS IT EXISTS ON THE GROUND. THE ALIGNMENT OF CR94, AS PLATTED BY KIRAM R. TILCOMB, DEPUTY COUNTY SURVEYOR, ON 21 DECEMBER 1901 DOES NOT MATCH THE EXISTING ALIGNMENT. THE EXISTING ALIGNMENT MORE CLOSELY MATCHES PARCEL OWNERSHIP CALLS TO SAID CR94 THAN THE ORIGINAL 1901 ALIGNMENT. THE RIGHT-OF-WAY WIDTH IS 60.00 FEET PER THE BOULDER COUNTY TRANSPORTATION DEPARTMENT.

- Legend -

- ORIGINAL STONE MINING CLAIM CORNER
- CORNER SET BY UNITED STATES FOREST SERVICE COLORADO PLS 34999 UNLESS OTHERWISE NOTED
- UTILITY POLE . . .
- ELECTRIC METER . . . EM
- INTERSECTION POINT . . . INT
- FLAGSTONE . . . FS
- BASE FLOOD ELEVATION . . . BFE
- FLOOD BENCHMARK . . .
- UTILITY CONNECTION . . . UC
- SURVEY CONTROL POINT . . . CP

- History of Surveys -

MINERAL SURVEY NO. 78, THE FREDERICK L. HIGBEE PLACER CLAIM SURVEYED BY J. DARETT IN MARCH 1873
MINERAL SURVEY NO. 634, THE LA FOURCADE PLACER CLAIM SURVEYED BY J.J. FINLEY IN NOVEMBER 1883
MINERAL SURVEY 4939, THE FRANKLIN AND STEAMBOAT LODES SURVEYED BY C.A. RUSSELL IN SEPTEMBER 1887

- Improvement Location Certificate -

for : Eric O. Harms, Trustee + Fidelity National Title Company

I HEREBY CERTIFY THAT THE IMPROVEMENTS ON THE ABOVE DESCRIBED PARCEL, EXCEPT UTILITY CONNECTIONS, ARE ENTIRELY WITHIN THE BOUNDARIES OF THE PARCEL, EXCEPT AS SHOWN, THAT THERE ARE NO ENCROACHMENTS UPON THE DESCRIBED PREMISES BY IMPROVEMENTS ON ANY ADJOINING PREMISES, EXCEPT AS INDICATED, AND THAT THERE IS NO APPARENT EVIDENCE OR SIGN OF ANY EASEMENT CROSSING OR BURDENING ANY PART OF SAID PARCEL, EXCEPT AS NOTED. I FURTHER CERTIFY THAT THIS IMPROVEMENT LOCATION CERTIFICATE IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT, AND THAT IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF FENCE, BUILDING OR OTHER FUTURE IMPROVEMENT LINES.

- Notes -
- 1) FIDELITY NATIONAL TITLE COMPANY FILE NOS. 598-F0470169-141-JLA AND 598-F0470183-141-JLA WERE ENTIRELY RELIED UPON FOR EASEMENTS OF RECORD.
 - 2) ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THE CERTIFICATE WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS CERTIFICATE BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
 - 3) THIS IMPROVEMENT LOCATION CERTIFICATE HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF ERIC O. HARMS, TRUSTEE AND FIDELITY NATIONAL TITLE COMPANY.
 - 4) THIS IMPROVEMENT LOCATION CERTIFICATE AND THE INFORMATION HEREON, MAY NOT BE USED FOR ANY ADDITIONAL OR EXTENDED PURPOSE BEYOND THAT WHICH IT WAS INTENDED AND MAY NOT BE USED BY ANY PARTIES OTHER THAN THOSE WHICH IT IS CERTIFIED.
 - 5) THIS CERTIFICATE IS BASED UPON A LAND SURVEY PLAT IN THIS AREA PREPARED BY THE US FOREST SERVICE IN 2011 (LS-11-0201).

- Flagstaff Surveying Inc. -

TABLE MESA SHOPPING CENTER
637 SOUTH BROADWAY . SUITE C
BOULDER . COLORADO . 80305
303.499.9737

LEE STADELE
COLORADO PLS 26300

16950ilc.dwg . 18 December 2013
SHEET 1 OF 2 - OVERVIEW SHEET

© COPYRIGHT 2013 FLAGSTAFF SURVEYING, INC. ALL RIGHT RESERVED. NOT TO BE REPRODUCED WITHOUT THE EXPRESS PERMISSION OF THE AUTHOR. THIS IMPROVEMENT LOCATION CERTIFICATE IS COPYRIGHTED AND SUBJECT TO COPYRIGHT PROTECTION UNDER THE COPYRIGHT ACT OF 1976, 17 U.S.C., AS AMENDED. UNAUTHORIZED USE OF THIS IMPROVEMENT LOCATION CERTIFICATE CAN LEGALLY RESULT IN AN INJUNCTION, IMPOUNDMENT AND DISPOSITION OF THE INFRINGING ARTICLES. RECOVERY OF THE ACTUAL DAMAGES OF THE OWNER AND DISGORSEMENT OF THE PROFITS OF THE INFRINGER.







09.07.22 11:55 PM MST



Home > U.S. > Colorado > Black Hawk

JL MINING CO LLC

Colorado Secretary Of State Business Registration · Updated 8/24/2021

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[Claim](#)

[JL Mining CO LLC](#) is a Colorado Limited-Liability Company filed On May 27, 2021. The company's filing status is listed as Good Standing and its File Number is [20211508624](#).

The Registered Agent on file for this company is Laura Elizabeth Engel and is located at 133 Wallens Place, Black Hawk, CO 80422. The company's principal address is 133 Wallens Place, Black Hawk, CO 80422.

The company has 1 contact on record. The contact is Laura Elizabeth Engel from Black Hawk CO.

Like 33K

Company Information

Company Name: [JL MINING CO LLC](#)
 Entity Type: LIMITED LIABILITY COMPANY
 File Number: [20211508624](#)
 Filing State: Colorado (CO)
 Filing Status: Good Standing
 Filing Date: May 27, 2021
 Company Age: 1 Year 4 Months
 Registered Agent: Laura Elizabeth Engel
 133 Wallens Place
 Black Hawk, CO 80422
 Principal Address: 133 Wallens Place
 Black Hawk, CO 80422
 Governing Agency: Colorado Secretary of State

Sponsored Links

Company Contacts

[LAURA ELIZABETH ENGEL](#)
 Agent
 133 Wallens Place
 Black Hawk, CO 80422

Reviews

[Write Review](#)

There are no reviews yet for this company.

Questions

[Post Question](#)

There are no questions yet for this company.

ADDITIONAL LINKS

- [Post Question For This Company](#)
- [Contact Us Regarding Your Company Profile](#)
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STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY
Department of Natural Resources

1313 Sherman St., Room 215
Denver, Colorado 80203
Phone: (303) 866-3567
FAX: (303) 832-8106



February 12, 2014

Robert Kennard
K & B Mining LLC
7045 Hillgreen Dr.
Dallas, TX 75214

John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta Piñeda
Director

**RE: Badger a Group of Mines; DRMS File No. P-2013-019; Financial Warranty
Acceptance and Approval to Commence Prospecting**

Dear Mr. Kennard,

On February 12, 2014, the Division of Reclamation, Mining and Safety (Division) applied funds from the One Site Prospecting Financial Warranty Check for Deposit in State Treasury, Bond No. [REDACTED] in the amount of \$11,426.00, for file No. P-2013-019. The reclamation liability amount for this site is \$11,426.00. The check in the amount of \$2,000.00 which you submitted with your application is enclosed with this letter; the \$2,000.00 was included in the reclamation liability amount of \$11,426.00.

Therefore, final approval from the Division for your Notice of Intent to Conduct Prospecting (NOI) at the Badger a Group of Mines is hereby granted and you may commence operations at this site pending the appeal period described below. However, if your operation is located on Federal surface or is accessing Federal minerals, you will also need to obtain a permit from the Federal government prior to commencement of operations. Pursuant to Rule 5.1.3(d)(iv), the Division's determination will not take effect until the expiration of the five business days allowed for an appeal, or, in the case of an appeal, until the Mined Land Reclamation Board issues its decision.

Also, in accordance with Rule 5.6, an Annual Report and associated fee of \$86.00 per site must be submitted on your notice approval anniversary date for each year following the filing of an NOI until reclamation responsibility release is granted. In addition, Rule 5.3.4 requires the prospector to notify the Division of completion of prospecting operations and Rule 5.7 requires the submittal of a final report for drill holes within 60 days of completion of the abandonment for artesian flow holes and within one year of completion of the abandonment for any other drill holes. (Form enclosed and also available on the DRMS website at <http://mining.state.co.us>)

If you have any questions, you may contact me at (303)866-3567 x8116.

Sincerely,

Michael A. Cunningham
Environmental Protection Specialist

Enclosures

CC: Tom Kaldenbach, DRMS
Barbara Coria, DRMS
Mike Johnson, USFS (via email)
Katherine Lidroth-Gendron, Epic Construction & Environmental Inc. (via email)

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY
Department of Natural Resources

1313 Sherman St., Room 215
Denver, Colorado 80203
Phone: (303) 866-3567
FAX: (303) 832-8106

RECEIVED

DEC 18 2013



FORM 2 (Public File) NOTICE OF INTENT TO CONDUCT PROSPECTING OPERATIONS FOR HARD ROCK/METAL MINES

CHECK ONE:

There is an NOI Number Already Assigned to this Operation

P-2013-019 (Please reference the file number assigned to this operation)

New NOI

Modification to an Existing NOI

NOI#

P- (Provide for Modifications to an existing NOI)

RECEIVED

DEC 18 2013

Division of Reclamation,
Mining & Safety

GENERAL OPERATION INFORMATION

Type or print clearly, in the space provided, ALL information described below.

I. GENERAL INFORMATION

1. **DATE NOI RECEIVED BY THE DIVISION:** _____ (office use only)

2. **PROJECT NAME:** Badger a Group of Mines (MSHA mine ID Coming Soon)

8. **PROSPECTOR:**

Name: Robert M Kennard

Title: _____

Company Name: K&B Mining Company, LLC

Street: 7045 Hillgreen Dr.

P.O. Box: _____

City: Dallas

State: TX

Zip Code: 75214

Telephone Number: (817) 808-2220

Fax Number: _____

PERSON MLRB SHOULD CONTACT:

Name: Katherine Lidroth-Gendron

Title: _____

Company Name: Epic Construction & Environmental Inc.

Street: 1806 W. Pikes Peak Ave.

P.O. Box: _____

City: Colorado Springs

State: CO

Zip Code: 80904

Telephone Number: (719) 650-8323

Fax Number: _____

9. **APPLICATION FEE:** \$86. (NOIs and modifications require an \$86 fee which must accompany this notice or it cannot be processed by the Division).

10. **LOCATION INFORMATION:**

County: Boulder

PRINCIPAL MERIDIAN (check one) 6th (Colorado) 10th (New Mexico) (Ute)

SECTION (write number): S 28

TOWNSHIP (write number and check direction) T 2 North South

RANGE (write number and check direction) R71 East West

QUARTER SECTION (check one): NE NW SE SW

QUARTER/QUARTER SECTION (check one): NE NW SE SW

GENERAL DESCRIPTION: (the number of miles and direction to the nearest town and the approximate elevation):
2.5 miles south east of Jameslown, CO property ranges from 6,500-7,100ft.

NOTE: Supply longitude and latitude or UTM coordinates if lands have not been surveyed or as supplemental information to this NOI. GPS measurements will be acceptable for this purpose: _____
40 06' 37 42" North 105 21' 08 84" West

11. LAND OWNERSHIP

Private Public Domain (BLM) National Forest (USFS)
 State State Sovereign Lands Other (please describe): _____

If prospecting is located on BLM or USFS land the remaining section must be completed, otherwise go to section II Maps & Drawings

12. PROSPECTING ON BUREAU OF LAND MANAGEMENT (BLM) LAND AND U.S. FOREST SERVICE (USFS) LAND

The Division and the BLM/USFS have entered into cooperative agreements that eliminate the need for a prospector to post a financial warranty with each agency and allow them to coordinate the review of the NOI in order to minimize administrative processing time and effort.

G. CLAIMANT:

Name: Pat Farr
 Address: 2601 Willow Park St.
Richland Hills, TX 76118
 Telephone: (817)845-9519
 Fax Number: _____

H. SITE/CLAIM INFORMATION:

List names, serial numbers and provide legal description to nearest quarter-quarter section of all sites or claims (attach additional page, if necessary).

NAME	SERIAL NUMBER	LEGAL DESCRIPTION
Rosemary	CMC279638	6th T2N R71W Sec28NW
Resthaven	CMC279639	6th T2N R71W Sec28NW & 6th T2N R71W Sec29 NE
Rip Van Dam Apex	CMC279640	6th T2N R71W Sec28NW
Golden Pricess	CMC279641	6th T2N R71W Sec28NW
Gold Eagle	CMC279642	6th T2N R71W Sec28NW
Gold Queen	CMC279643	6th T2N R71W Sec28NW

I. **LOCATION MAP:** Attach a USGS 7.5 minute quad, or similar map of adequate scale, which locates the prospecting site(s).

J. Are prospect sites (e.g., drill holes, trench locations, etc...) staked on the ground? Yes No

K. Specify the Land Management Agency, Address and Telephone Number:

USDA Forest Service
2140 Yarmouth Ave.
Boulder, CO 80301
(303)541-2500

L. The prospector is required to document that the NOI has been sent to the BLM or the USFS. Processing of the NOI will not begin until the prospector has submitted evidence acceptable to the Division that the NOI was sent to the BLM or USFS. Check one:

- Evidence of notification is attached to this NOI for BLM Land
- Evidence of notification is attached to this NOI for USFS Land.
- Other proof of notice is attached to this NOI

II. MAPS & DRAWINGS

Accurate topographic base map showing the location of the proposed project must be submitted with this notice. The prospector may submit a U.S.G.S. 7.5 minute quadrangle, or similar map of adequate scale that:

- 3. identifies the proposed prospecting site(s) or activity areas involving surface disturbance. Activity areas include all drill holes, mud pits, excavations, trenches, adits, shafts, tunnels, rock dumps, stockpiles, impoundments and prospecting roads, and
- 4. 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, stockpiles, impoundments and prospecting roads. Color photographs, adequately labeled (including date, orientation and location), of the prospecting site may be used to fulfill this requirement if included with the NOI submittal.

III. PROJECT DESCRIPTION

7. **Mineral(s) and/or Resource(s) being Investigated:** Gold & Silver

8. **Estimated dates of commencement and completion:**

Commencement: 01/01/2014

Completion: 01/01/2015

9. **Amount of material to be extracted, moved or proposed to be moved:** 250.00

10. **Identify the type or method of prospecting proposed and quantity (place an "X")**

- | | | | |
|--|---|---|--|
| <input checked="" type="checkbox"/> Cuts | <input type="checkbox"/> Pits | <input type="checkbox"/> Trenches | <input checked="" type="checkbox"/> Declines |
| <input checked="" type="checkbox"/> Shafts | <input checked="" type="checkbox"/> Tunnels | <input checked="" type="checkbox"/> Adits | |
| <input type="checkbox"/> Air Drilling | <input type="checkbox"/> Fluid Drilling | <input checked="" type="checkbox"/> Drilling & Blasting | |

Describe proposed surface excavation or other land disturbance, including roads, pits, trenches, waste piles, drill pads and collar areas of underground workings, ponds, etc...

Restoration of existing forest service roads and private roads. Rehabilitation of existing portals via removal of minimal overburden. Excavation of exposed open cut to reach existing workings and portals. Stabilization of slopes around portal areas. Rehabilitation of work pad around portal areas. Minimal excavation of existing dump for samples. All work will be to MSHA standards and within compliance of applicable MSHA regulations. MSHA will inspect this site no less than twice per year.

12. Proposed Disturbance (approximate) Describe the proposed drilling to be conducted, including anticipated number of holes, diameter, depth, location, etc... Submit additional pages if necessary:

- A. Drill Pads: Quantity _____ Average Width _____ (ft) Average Length _____ (ft)
- B. Drill Holes: Quantity _____ Depth _____ (ft) Diameter _____ (in)
- C. Mud Pits: Quantity _____ Average Width _____ (ft) Average Length _____ (ft)
Average Depth _____ (ft)

Describe proposed underground work, including reopening of old workings, advancement of adits or shafts, trenches, pits, cuts, rock dumps, or other types of disturbance, describe type, quantity and general dimensions:

Existing portals will be reopened to allow for examination and sampling. Minimal advancements of old workings is expected and will be done only based on sampling data. All work will be done to MSHA standards and regulation and will be inspected no less than twice per year to insure MSHA compliance.

F. Other Disturbances (please describe):

Dry shelter may be installed on work pad that will likely be mobile. Shelter will be built to Boulder County specifications and standards.

G. Indicate Chemicals and Fuels used or stored on site. List type, quantity and method to store.

Diesel fuels will be stored in trucks and will be in compliance with all MSAH standards.

F. New Road(s): Length 650.00 (ft) Width 10.00 (ft)
 Significantly Upgraded Road(s) Length 5,200.00 (ft) Width 10.00 (ft)

Are culverts or other crossings proposed? If so, please describe:

One culvert will be installed to allow seasonal stream to bypass without disturbance. Nearly all roads to and around the property need to be upgraded do to recent catastrophic flooding road upgrades will be to regain access to property.

G. Total project area to be disturbed 1.00 (acres)

K. Describe the equipment to be used for the prospecting operations:

Hand tools, and small underground core drill.

L. Describe and locate any structures to be constructed (i.e. stockpiles, ponds, impoundments):

None are anticipated.

M. Describe anticipated relationship to surface water and groundwater (proximity to streams, penetration of ground water aquifers):

A small seasonal stream is located off the south west side of the permitted are. No other water sources are know. Extreme care will be taken to follow Colorado Storm Water Management to insure that drainage and run off are not contaminating this seasonal stream.

IV. OPERATION AND RECLAMATION MEASURES:

1. The Board suggests that a photographic record of the pre-prospecting and post-prospecting conditions be kept by the prospector. These photos should be taken from the same location and by the same method to clearly show the pre-prospecting condition of the land and the reclamation efforts. Upon completion of reclamation and request for bond or surety release, the Board may consider the photos as evidence of adequate reclamation, and thus, be able to act more quickly on the request for release.
2. Provide a description of the native vegetation of the area to be disturbed, including tree, shrub, and grass communities of the area. Color photographs, sufficient to adequately represent the ecology of the site and adequately labeled (including date, orientation and location), may be used in lieu of a written description. Based on the quality of the photographs, the Division may require additional detail.

Colorado blue spruce, Engelmann spruce, subalpine fir, Ponderosa pine, Douglas fir, Rocky Mountain juniper, Bristelcone pine, and Limber pine. Typical of mixed Conifer Colorado forest. Mixed shrubs and grasses typical of Colorado forest around 6,500-7,200ft in elevation. See photographs in Appendix A.

- 8. Describe the estimated topsoil depth and how topsoil will be salvaged, stockpiled and redistributed for the re-establishment of vegetation. Specify approximate topsoil redistribution depth:

This property has minimal top soil; top soil ranges from 0-3 inches. The surface of this property is typical of decomposing rock with pine needle over top. Any top soils will be stock piled and saved for reclamation purposes. Reclamation top soil will be redistributed at an average depth of 2 inches.

- 9. Describe how drill holes will be plugged (refer to Rule 5.4 of the Rules for required abandonment procedures):

No surface drilling.

- 10. Describe how portals, adits, shafts, ponds, excavations, or other disturbances will be reclaimed (refer to Rule 3 and Rule 5 for specific reclamation performance standards). You may wish to contact the Division for closure specifications.

Reclamation around portals will include redistribution of top soils, foothill seed mix and tree seedling will be placed and scattered as appropriate. All mine openings will be closed off to prevent unauthorized entry. Mine entrances will remain for future mining operation, if applicable.

- 11. Describe how roads will be reclaimed or returned to their pre-prospecting (or better) condition:

Road ways will not undergo reclamation as they will stay to aid forest service and property owners for access needs. This is at the request of Mr. Pat Farr.

12. List the seed mixture to be used in the re-establishment of vegetation. See the attached seed mixture calculation to obtain PLS/acre. For assistance with formulating seed mixtures and rates, contact the local NRCIS if on private land, BLM/USFS if on public land or State Land Board if on state land.

A. Provide plant name and seeding rate

Plant Name	Seeding Rate (PLS/acre)
Side Oat Grama	1.82
Blue Grama	0.63
Slinder Wheatgrass	4.38
Junegrass	0.15
Western Wheatgrass	3.17
Switchgrass	0.63
Little Bluestem	1.07
Green Needlegrass	1.93

B. Describe the method for seed bed preparation, and application method for grass-forb seeding:

All seed will be spread and straw crimped to USFS standards.

V. TERMS AND CONDITIONS FOR PROSPECTING OPERATIONS:

3. Reclamation measures shall be fulfilled in a timely manner and completed within five (5) years of completion of prospecting activities.
4. The prospecting operations described in this Notice will be conducted in such a manner as to minimize surface disturbances. In addition to the measures required in Rule 5, precautions to be taken include:
 - A. Confinement of operations to areas near existing roads or trails, where practicable. Existing roads which are to remain as permanent roads after prospecting activities are completed shall be left in a condition equal to or better than the pre-prospecting condition:
 - B. Drilling shall be conducted in such a way as to prevent cuttings and fluids from directly entering any dry or flowing stream channel. Drill cuttings must be spread to a depth no greater than one-half (1/2) inch or buried in an approved disposal pit:

- C. Proper and timely abandonment of drill holes upon completion of drilling;
 - D. Reclamation of affected lands upon completion of operations or phases of an operation;
 - E. Backfilling and revegetating any pits to blend in with the surrounding land surface;
 - F. Safeguarding mine entries, trenches and excavations from unauthorized entry at all times;
 - G. Disposal of any trash, scrap metal, wood, machinery, and buildings;
 - H. Control of noxious weeds within the area affected by the prospector
3. The prospecting operations shall be conducted in such a manner as to comply with all applicable local, state and federal laws and regulations including applicable state and federal air and water quality laws and regulations.
 4. The prospecting operations shall be conducted so as to minimize adverse effects upon wildlife to include covering of open drill holes until properly plugged.
 5. During the prospecting operations, the operator will perform the necessary stabilization and reclamation work to ensure those areas affected by prospecting activities are erosionally and geotechnically stable.
 6. All prospecting operations shall be in compliance with the Colorado Mined Land Reclamation Act, as amended (34-32-101 et seq. C.R.S.), and all rules and regulations currently in effect or promulgated pursuant thereto. See 2 CCR 407-1, Mined Land Reclamation Board Hardrock (Metal Mining Rules).

VI. ADDITIONAL TERMS AND CONDITIONS FOR PROSPECTING ON BLM/USFS LANDS

4. The prospector will supply a copy of this NOI to the appropriate BLM and/or USFS office.
5. The prospector authorizes the MLRB to discuss the information in this Notice of Intent with the BLM and/or USFS.
6. If on BLM land, the prospector will complete reclamation to the standards described in 43 CFR 3809.1-3 (d) and implement reasonable measures to prevent unnecessary or undue degradation of lands during operations.

VII. FINANCIAL WARRANTY

A financial warranty must be provided for the cost of reclamation of the disturbance described in this Notice. The prospector can either file a "One Site Prospecting Financial Warranty" or a "Statewide Financial Warranty." **The financial warranty must be submitted and approved by the Division prior to entry upon lands for the purpose of prospecting.**

An One-Site Prospecting Financial Warranty is usually filed by individuals or companies where prospecting activities are limited to a single area. It must be filed in the amount of \$2,000 per acre for land to be disturbed, or such other amount as determined by the Division, based on the projected costs of reclamation. A Statewide Financial Warranty is usually filed by companies with multiple prospecting sites. It must be filed in an amount equal to the estimated cost of reclamation per acre of affected land for all anticipated sites statewide. (You may increase the Statewide bond at any time in order to cover additional or expanded prospecting activities.)

VIII. SIGNATURE REQUIREMENT

Please place you initials on the line provided:

- I hereby verify that the foregoing information is true and accurate and commit to the reclamation of the aforementioned prospecting site as required by the Colorado Mined Reclamation Act and the rules as specified in the Hard Rock/Metal Mining Rules and Regulations and this NOI form.
- I have enclosed the required permit fee.
- I authorize the Division to contact and copy the BLM and/or USFS on any correspondence related to the prospecting operation, if the prospecting operation is located on federal public land.
- I have also enclosed the appropriate reclamation surety amount or will post an amount as determined by the office, based on the projected costs of reclamation.
- I understand that I am not authorized to create any surface disturbance until the surety amount is posted and approved in writing from the Division of Reclamation, Mining and Safety.
- I accept and agree to comply with the foregoing terms and conditions and with all of the provisions of Rules 3 and 5, and C.R.S. 34-32-101.
- I hereby certify that concurrent with submittal of this NOI to the Division, I have sent notice to the Boards of County Commissioners in the Counties where the proposed activities will occur. This notice also indicated that non-confidential information regarding the proposed activities will be available for review at the Division's website.

This form has been approved by the Mined Land Reclamation Board pursuant to section 34-32-113, C.R.S., of the Mined Land Reclamation Act. Any alteration or modification of this form shall result in voiding any NOI issued on the altered or modified form and subject the operator to cease and desist orders and civil penalties for operating without a NOI pursuant to section 34-32-123, C.R.S.

I, the undersigned, being the NOI holder or the person authorized to sign on behalf of the NOI holder, declare that the information given in this NOI form is true and correct.

SIGNATURES MUST BE IN BLUE INK

Signed and dated this 17th day of December, 2013

Signature of NOI holder or person authorized to sign:

Robert M. Kennard

Name (typed or print) Robert M. Kennard

Title/Position: Manager



Main portal



Work Pad

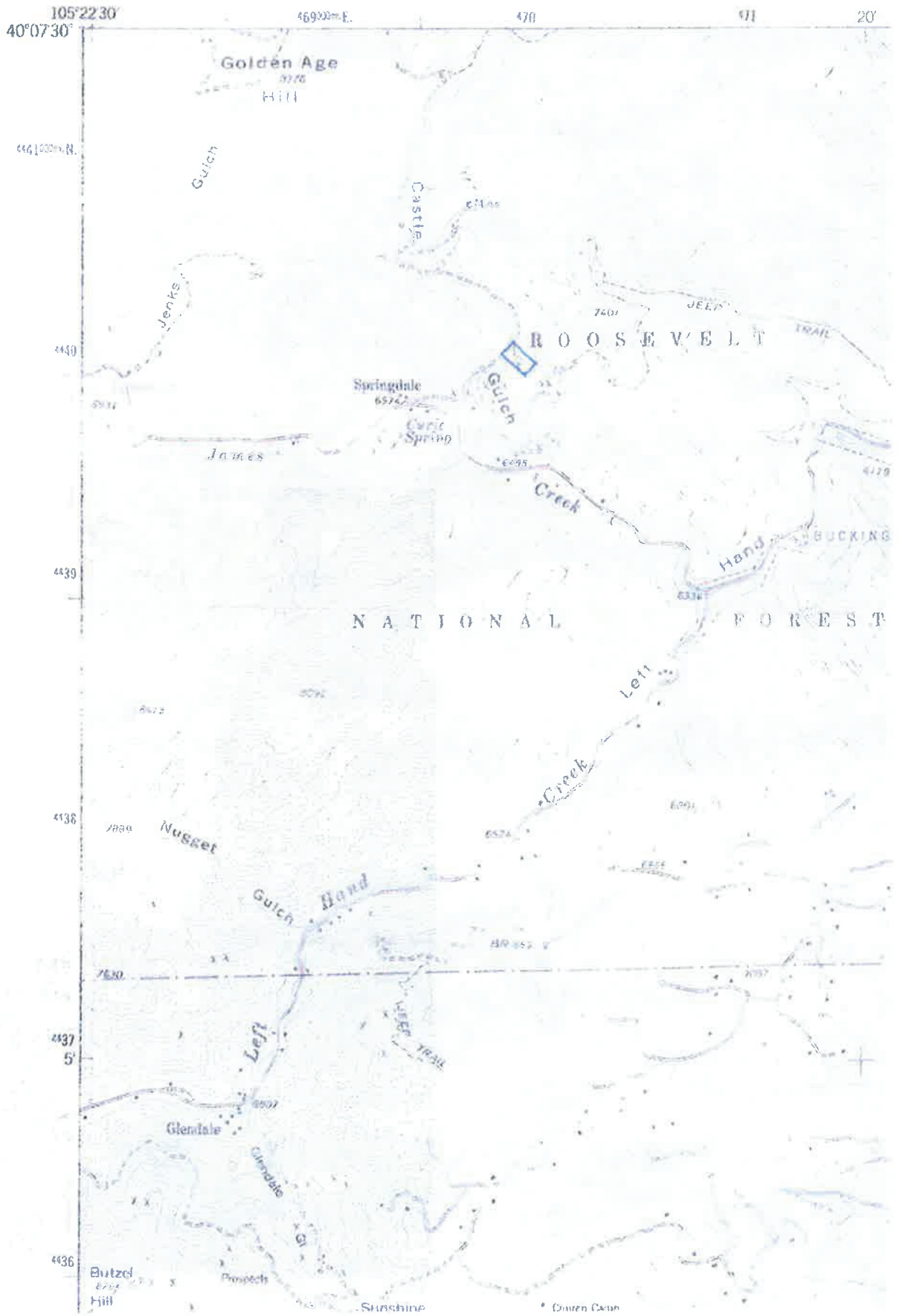


Dump

1984 11/1 NW
1984 MOND



U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY



STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY
Department of Natural Resources

1313 Sherman St., Room 215
Denver, Colorado 80203
Phone: (303) 866-3567
FAX: (303) 832-8106



John W. Hickenlooper
Governor

Mike King
Executive Director

Lorella Piñeda
Director

January 21, 2014

NOT CONFIDENTIAL

Robert M. Kennard
K&B Mining Company, LLC
7045 Hillgreen Dr.
Dallas, TX 75214

RE: Notice of Intent to Conduct Prospecting Application; Badger a Group of Mines; File No. P-2013-019; Notice of Deficiencies

Dear Mr. Kennard,

On December 24, 2013, the Division of Reclamation, Mining and Safety (Division) received the Notice of Intent (NOI) to Conduct Prospecting Application for Badger a Group of Mines, File No. P-2013-019. Our review indicates the NOI application contains deficiencies as defined by Rule 5.1.3 of the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal, and Designated Mining Operations. The Division requires the information described below before we can approve the NOI application.

1. The Application Form specifies that Mr. Pat Farr is the claimant for the Badger a Group of Mines. Please indicate what the relationship is between Mr. Farr and K&B Mining Company, LLC.
2. The Applicant has indicated that the prospecting activity will occur on private land and on USFS property. Please specify which of the affected areas correspond to private property and which correspond to USFS property.
3. Under No. 3, Section III, Page 3 of the Application Form, the Applicant has stated the amount of material to be extracted or moved is '250'. Please specify the units for the amount of material proposed to be moved.
4. The Applicant has stated that the workings will be minimally advanced. Please specify the maximum distance that workings will be advanced.
5. The Applicant has stated that the existing *portals* will be opened to access the mine workings. Please clarify if there is more than one portal that will be used to access the mine workings. In addition, please describe the existing closures at the portal(s).
6. Please provide the Division with the specifications for the portal closure upon final reclamation. The specifications should include a standard drawing of the closure.
7. Please specify how the portal will be safeguarded during active prospecting operations.
8. The Applicant has indicated that declines and shafts will be utilized during prospecting operations. Please specify how these mine features will be utilized for prospecting.

9. The Applicant has indicated that a dry shelter may be installed on the work pad. Please provide the Division with specifications for the dry shelter; any structure that is not mobile will need to be accounted for in the financial warranty estimate.
10. Please specify how much diesel fuel will be stored at the site.
11. Please specify the distance from the work pad to the seasonal stream. In addition, describe the BMP's which will be used to control stormwater and prevent pollutants from entering the seasonal stream.
12. The Applicant has indicated that all seed and straw will be applied using USFS standards. In order for the Division to calculate the financial warranty required for this operation, the Applicant must provide the following information:
 - a) Specify the seed application method (drill, broadcast)
 - b) Specify the mulch application rate and method
 - c) Specify the species of tree saplings to be planted and the number of each species to be planted
13. The Applicant has indicated that topsoil will be salvaged and replaced at an average depth of two inches. Upon reviewing the photographs enclosed with the NOI application, it would appear that there is little to no topsoil to be salvaged from the affected areas. Please specify where the topsoil will be salvaged from and what areas it will be applied to. In addition, specify where topsoil will be stockpiled and how it will be stabilized while it is stockpiled.
14. The Applicant has stated that prospecting activities will include rehabilitation of the work pad around the portal area. Please specify the nature of the rehabilitation work that is required.
15. The applicant has stated that a culvert will be installed as part of upgrading the roads. Please specify the location and dimensions of the culvert and indicate if this is on the private road or the USFS road.
16. Please specify if there is any water being discharged from the mine portal(s).
17. Please specify if the material in the existing dump is acid generating. Is there any observable evidence that dump is acid generating?
18. Please specify the distance between the portal and the work pad.
19. The Applicant has stated that the minimal excavation of overburden will be required to rehabilitate the existing portal. Please specify where the overburden will be stockpiled and where it will be placed during final reclamation.
20. The Applicant has stated that mine *entrances* will remain for the future mining operation if applicable. Please specify how many mine entrances exist at the mine site. Also, please clarify how these entrances will be left open, keeping in mind that the proposed reclamation plan calls for placing closures over the portal.
21. Please specify the type of core drilling that will be conducted and specify the type and quantity of any fluids that will be utilized in the drilling program.
22. The Applicant has indicated that a new segment of road will be constructed. Please specify the location of the new road segment and indicate if it will be on private property or on USFS property.

Mr. Kennard
Page | 3
January 21, 2014

Be advised that if these items have not been addressed within 60 days of the date of this letter (March 24, 2014), the Division may terminate the NOI application in accordance with Rule 5.1.3(c) of the Hard Rock Rules.

Please remember to designate as appropriate those materials in the application that you desire to be made confidential versus those to be made public. Additionally, if you have received any pertinent correspondence from the US Forest Service, please forward copies to the Division.

If you have any questions, you may contact me at (303)866-3567 x8116.

Sincerely,



Michael A. Cunningham
Environmental Protection Specialist

CC: Tom Kaldenbach, DRMS
Mike Johnson, USFS, Boulder Ranger District (via email)
Katherine Lidroth-Gendron, Epic Construction & Environmental Inc. (via email)

Michael Cunningham,

In reference to Notice of Intent to Conduct Prospecting Application: Badger a group of mines; File No. p-2013-019; Notice of deficiencies. I have addressed the deficiencies by the same numbering as assigned by you.

1. The properties; the patented mining claims as well as the unpatented USFS claims are being leased from Mr. Pat Farr by Telluride Gold, LLC which has hired K&B Mining Company to manage the property.
2. See attached map.
3. 250 cubic yards.
4. Advances will be less than ten feet.
5. Two portals will be opened for exploration. One is currently closed with a steel gate. The second is an open adit. Both portals will be closed with Colorado inactive mine closure doors, which will be closed at all times other than when working in side. **The First is on USFS claims and the second is on private land.**
6. Both portals will close with Colorado inactive mine closure doors. See attachment.
7. See attached sketch. The doors will be lock with tamper proof locks.
8. **There are no declines or shafts being used for prospecting actives.**
9. No dry shelter is planned at this time, if that were to change it would be located on private property.
10. No diesel fuel will be stored on site.
11. The **seasonal stream** is 75ft from the portal, 20ft vertically from and 20ft horizontally from the work pad. **Wattles, silt fences, brumes and sumps for containing sediments will be used to prevent any run off from** contaminating the seasonal stream. Standards of operating procedures and spill prevention methods will be implicated.
12. Seed will be applied by a broadcasting method; natural hydro-mulch will be applied. Approximately 125lbs/per acre. A maximum of 10 seeding would be used white fir, ponderosa pine, and lumber pines are like to be used if necessary.
13. There is little to no top soil however if it were to be encountered it will be stockpiles for redistribution. Stockpiles will be stored on private property and surrounded by wattles.
14. The work pad will be graded to control run-off.
15. The culvert has been changed to a low water crossing at this time at the USFS request.
16. **No water is being discharged from the portals.**
17. **To our knowledge the pile is not acid generating or does it appear to be.**
18. **The portal and work pad are directly adjacent to each other.**
19. During construction the overburden will be places in front of portal in a stockpile; immediately stockpile will be back filled around portal for stability.
20. There are two portals entrances which will be closed with Colorado inactive mine doors with tamper proof locks. These will be the doors utilized during prospecting and possible future mining they will also be acceptable for as approved closure doors.

21. See attached MSDS. Matex Environmentally safer drilling fluids will be used; these will be stored in 5 gallon buckets there will be no more than 5gallons of each of the three chemicals on site at a time.
22. The new segment of land will be on private land only. See map.

I have attached the portal sketch along with steel set A & B. The adit doors design. The MSDS's for the drilling fluids to be used. A Map giving better detail of private and USFS claims. I have also attached the Plan of Operation 2800-5 that was submitted to the USFS

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY
Department of Natural Resources

1313 Sherman St., Room 215
Denver, Colorado 80203
Phone: (303) 866-3567
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John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta Piñeda
Director

February 4, 2014

Robert M. Kennard
K&B Mining Company, LLC
7045 Hillgreen Dr.
Dallas, TX 75214

~~NON CONFIDENTIAL~~

RE: Notice of Intent to Conduct Prospecting Application; Badger a Group of Mines; File No. P-2013-019; Second Notice of Deficiencies

Dear Mr. Kennard,

On December 24, 2013, the Division of Reclamation, Mining and Safety (Division) received the Notice of Intent (NOI) to Conduct Prospecting Application for Badger a Group of Mines, File No. P-2013-019. Our review indicates the NOI application contains deficiencies as defined by Rule 5.1.3 of the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal, and Designated Mining Operations. The Division requires the information described below before we can approve the NOI application.

1. The Applicant has stated that no new shelter will be constructed. Please note that if a shelter is constructed, as part of prospecting activities, the Operator will need to submit and obtain approval of a modification to the NOI.
2. The Applicant has stated that the workings will be advanced a maximum of 10 feet. Please clarify if the advancement of workings will take place in the upper or lower portal, or both.
3. The Applicant has stated that a maximum of 250 cubic yards of material will be removed from underground. Please clarify if this material will originate from the upper or lower portal, or both.
4. The Applicant is proposing to construct a road across the landowner's patented claims in order to access the upper portal. In order for the road to remain in place following the completion of prospecting activities, the Applicant will need to provide a signed and notarized statement from the landowner indicating that they wish the road to remain for their use. Without a signed statement from the landowner, the Division will have to include the cost of reclaiming this road segment in the financial warranty calculation.

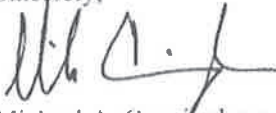
Be advised that if these items have not been addressed within 60 days of the date of this letter (March 24, 2014), the Division may terminate the NOI application in accordance with Rule 5.1.3(c) of the Hard Rock Rules.

Please remember to designate as appropriate those materials in the application that you desire to be made confidential versus those to be made public. Additionally, if you have received any pertinent correspondence from the US Forest Service, please forward copies to the Division.

Mr. Kennard
Page | 2
February 4, 2014

If you have any questions, you may contact me at (303)866-3567 x8116.

Sincerely,

A handwritten signature in black ink, appearing to read "M.A. Cunningham". The signature is fluid and cursive, with a large initial "M" and "A" followed by a long horizontal stroke.

Michael A. Cunningham
Environmental Protection Specialist

CC: Tom Kaldenhach, DRMS
Mike Johnson, USFS, Boulder Ranger District (via email)
Katherine Lidroth-Gendron, Epic Construction & Environmental Inc. (via email)

Michael Cunningham,

In reference to Notice of Intent to Conduct Prospecting Application: Badger a group of mines; File No. p-2013-019; Notice of deficiencies. I have addressed the deficiencies by the same numbering as assigned by you.

1. If a shelter were to be constructed as part of prospecting activities than the operator will modify NOI appropriately.
2. Advancements of workings will take place in both upper and lower tunnels with a combined maximum of 10 feet, to allow for core drill to fit in drifts.
3. The 250 cubic yards of materials would likely be 75% from the lower and 25% from the upper tunnel.
4. A signed and notarized letter from Pat Farr of Collidermill & Mining Inc. is on its way.

PLAN OF OPERATIONS FOR MINING ACTIVITIES ON NATIONAL FOREST SYSTEM LANDS

USE OF THIS FORM IS OPTIONAL! 1st TIME USERS SHOULD DIRECT QUESTIONS REGARDING THIS FORM OR REGULATIONS (36 CFR 228A) TO THE FOREST SERVICE DISTRICT OFFICE NEAREST YOUR AREA OF INTEREST.

Submitted by: _____
Signature Title Date
(mm/dd/yy)

Plan Received by: _____
Signature Title Date
(mm/dd/yy)

I. GENERAL INFORMATION

- A. Name of Mine/Project: Badger a Group of Mines
- B. Type of Operation: Exploration
(lode, placer, mill, exploration, development, production, other)
- C. Is this a (new/continuing) operation? (check one). If continuing a previous operation, this plan (replaces/modifies/supplements) a previous plan of operations. (check one)
- D. Proposed start-up date *(mm/dd/yy)* of operation: January 1, 2014
- E. Expected total duration of this operation: 6 months
- F. If seasonal, expected date *(mm/dd/yy)* of annual reclamation/stabilization close out: N/A
- G. Expected date *(mm/dd/yy)* for completion of all required reclamation: If project does not go into production then July 1, 2014

II. PRINCIPALS

- A. Name, address and phone number of operator: Robert Kennard (K & B Mining Company LLC) 7045 Hillgreen Dr. Dallas TX 75214 (817)808-2220
- B. Name, address, and phone number of authorized field representative (if other than the operator). Attach authorization to act on behalf of operator. Katherine Lindroth-Gendron (Environmental Specialist for Epic Construction & Environmental Inc.) (719)650-8323 1806 W. Pikes Peak Ave. Colo. Spgs. 80904 KatherineAnne79@gmail.com
- C. Name, address and phone number of owners of the claims (if different than the operator): Pat Farr (Collidermill & Mining Inc.) (817)590-9519 479 COUNTY RD 83 Boulder CO 80302
- D. Name, address and phone number of any other lessees, assigns, agents, etc., and briefly describe their involvement with the operation, if applicable:

(If more space is needed to fill out a block of information, use additional sheets and attach form)

III. PROPERTY OR AREA

Name of claim, if applicable, and the legal land description where the operation will be located.

<i>MC#</i>	<i>Name</i>	<i>Section</i>	<i>Township</i>	<i>Range</i>
<u>CMC279638</u>	<u>Rosemay</u>	<u>28NW</u>	<u>2N</u>	<u>71W</u>
<u>CMC279639</u>	<u>Resthaven</u>	<u>28NW & 29NE</u>	<u>2N</u>	<u>71W</u>
<u>CMC279640</u>	<u>Rip Van Dam Apex</u>	<u>28NW</u>	<u>2N</u>	<u>71W</u>
<u>CMC279641</u>	<u>Golden Princess</u>	<u>28NW</u>	<u>2N</u>	<u>71W</u>
<u>CMC279642</u>	<u>Gold Eagle</u>	<u>28NW</u>	<u>2N</u>	<u>71W</u>
<u>CMC279643</u>	<u>Gold Queen</u>	<u>28NW</u>	<u>2N</u>	<u>71W</u>

IV. DESCRIPTION OF THE OPERATION

- A. **Access.** Show on a map (USGS quadrangle map or a National Forest map, for example) the claim boundaries, if applicable, and all access needs such as roads and trails, on and off the claim. Specify which Forest Service roads will be used, where maintenance or reconstruction is proposed, and where new construction is necessary. For new construction, include construction specifications such as widths, grades, etc., location and size of culverts, describe maintenance plans, and the type and size of vehicles and equipment that will use the access routes.

See Appendix A

Reconstruction and new construction of forest service roads will be kept to less than 10% grade. The widths will be 10-15 ft. Culvert that will be placed in seasonal stream will be a minimum of 48". Maintenance will include general maintenance such as snow plowing, grading, and gravel replacement. Vehicles that will be used will be kept to standard pickup trucks and cars.

- B. **Map, Sketch or Drawing.** Show location and layout of the area of operation. Identify any streams, creeks or springs if known. Show the size and kind of all surface disturbances such as trenches, pits, settling ponds, stream channels and run-off diversions, waste dumps, drill pads, timber disposal or clearance, etc. Include sizes, capacities, acreage, amounts, locations, materials involved, etc.

See Map in Appendix A

Surface disturbances will be kept to a minimal. No trenches, pits, ponds, channels, waste dumps, drill pads, or disposal piles are planned. Only existing small work pad in front of portal will remain intact, repaired, and maintained. Maintenance will include snow plowing, grading, and gravel replacement.

(If more space is needed to fill out a block of information, use additional sheets and attach form)

-
- C. **Project Description.** Describe all aspects of the operation including mining, milling, and exploration methods, materials, equipment, workforce, construction and operation schedule, power requirements, how clearing will be accomplished, topsoil stockpile, waste rock placement, tailings disposal, proposed number of drillholes and depth, depth of proposed suction dredging, and how gravels will be replaced, etc. Calculate production rates of ore. Include justification and calculations for settling pond capacities, and the size of runoff diversion channels.

The purpose of work done on this property is prospecting and sampling for mining potential. This will chiefly be done on private patented claims (the Rip Van Dam, Badger, and the King Wilhelm) and in underground mining workings. This project will start with reestablishing forest service roads and private roads to regain entry to the property after catastrophic flooding which occurred in summer 2013. The existing portal on BLM claim Rosemary will be minimally excavated to make safe and will be reconstructed out of concrete for safety. Existing pad and dump outside of portal will be repaired from substantial flood damage via grading, tree and debris removal, and slope repair. No milling will take place. A small underground core drill will be used in underground workings; this work will leave no waste.

Materials will be minimal and likely stored in a small steel container on existing pad. A small mobile generator and air compressor will likely be stored on the work pad. Work on roadways will use a small trackhoe and skidsteer which will be on the property for only a few weeks to repair flood damaged roads and pad. Less than 5 personnel will be working on this site. Reconstruction of portal will be engineered and made of concrete which will comply with MSHA regulations and have the main goal of allowing for safe access for prospecting. Entrances will be closed to prevent unauthorized entry. Any and all topsoils will be stockpiled and saved for reclamation purposes. This operation should leave little to no waste rock. This project will have no tailings. No surface drill holes are planned. There will be no dredging. No ore will be produced at this time for this is for prospecting purposes.

- D. **Equipment and Vehicles.** Describe that which is proposed for use in your operation (Examples: drill, dozer, wash plant, mill, etc.). Include: sizes, capacity, frequency of use, etc.

This project will use minimal equipment and vehicles. A small trackhoe and skidsteer will be used for road, pad, and portal repair and construction. Standard personal trucks and cars will be the only vehicles involved in this project. A small generator and air compressor are likely; use of these will be kept to a minimum. Hand tools and a small underground core drill will be the only other equipment used at this site.

-
- E. **Structures.** Include information about fixed or portable structures or facilities planned for the operation. Show locations on the map. Include such things as living quarters, storage sheds, mill buildings, thickener tanks, fuel storage, powder magazines, pipelines, water diversions, trailers, sanitation facilities including sewage disposal, etc. Include engineering design and geotechnical information for project facilities, justification and calculations for sizing of tanks, pipelines and water diversions, etc.

This project plans for one small steel storage container for hand tools, a small generator, and a small air compressor. No other structures are planned at this time.

(If more space is needed to fill out a block of information, use additional sheets and attach form)

V. ENVIRONMENTAL PROTECTION MEASURES (SEE 36 CFR 228.8)

- A. **Air Quality.** Describe measures proposed to minimize impacts on air quality such as obtaining a burning permit for slash disposal or dust abatement on roads.

This project has no planned operations that should have an impact on air quality. However, if this were to change this project will comply with all state and federal rules and regulations. This project will be in compliance with all applicable MSHA rules and regulations.

- B. **Water Quality.** State how applicable state and federal water quality standards will be met. Describe measures or management practices to be used to minimize water quality impacts and meet applicable standards.

1. State whether water is to be used in the operation, and describe the quantity, source, methods and design of diversions, storage, use, disposal, and treatment facilities. Include assumptions for sizing water conveyance or storage facilities.

2. Describe methods to control erosion and surface water runoff from all disturbed areas, including waste and tailings dumps.

3. Describe proposed surface water and groundwater quality monitoring, if required, to demonstrate compliance with federal or state water quality standards.

4. Describe the measures to be used to minimize potential water quality impacts during seasonal closures, or for a temporary cessation of operations.

5. If land application is proposed for waste water disposal, the location and operation of the land application system must be described. Also describe how vegetation, soil, and surface and groundwater quality will be protected if land application is used.

Minimal water will be used for this operation. Water will be stored in an underground tank in the mine workings. Water quality will be monitored; however, water quality should remain consistently good. Water will be delivered via water truck and will then be recirculated as needed for core drilling projects. Water will be contained at all times and there will be no run off. No water will be on the surface and all underground water will be monitored for contamination. Any applicable water laws will be followed as needed. In the event of closure, water will be tested and properly disposed of according to applicable laws.

-
- C. **Solid Wastes.** Describe the quantity and the physical and chemical characteristics of solid waste produced by the operation. Describe how the wastes will be disposed of including location and design of facilities, or treated so as to minimize adverse impacts.

This project has no planned operations that would result in any solid wastes.

(If more space is needed to fill out a block of information, use additional sheets and attach form)

D. **Scenic Values.** Describe protection of scenic values such as screening, slash disposal, or timely reclamation.

Scenic values should not be impacted by this project. The disturbances for this site are chiefly restoration of roads which have been damaged by catastrophic flooding and restoration of the historic work pad which was also damaged during flooding. Construction of the portal entrances will be to maintain safety and all disturbances will be immediately reclaimed. All other disturbance will consist of cleaning debris from flooding.

E. **Fish and Wildlife.** Describe measures to maintain and protect fisheries and wildlife, and their habitat (includes threatened, endangered, and sensitive species) affected by the operations.

No fish or wildlife should be affected by this project. There should be no loss of habitat. All measure will be taken to have minimal noise from equipment.

F. **Cultural Resources.** Describe measures for protecting known historic and archeological values, or new sites in the project area.

There are no known archeological values at this site. This project is opening historical mine workings and all possible historical values will be kept as far as regulations and safety will permit.

G. **Hazardous Substances.**

1. Identify the type and volume of all hazardous materials and toxic substances which will be used or generated in the operations including cyanide, solvents, petroleum products, mill, process and laboratory reagents.

No hazardous substances will be generated at this site. Minimal petroleum products will be used such as fuel for small equipment. No hazardous chemicals will be stored at this site. Extreme care will be taken when fueling on site.

(If more space is needed to fill out a block of information, use additional sheets and attach form)

2. For each material or substance, describe the methods, volume, and frequency of transport (include type of containers and vehicles), procedures for use of materials or substances, methods, volume, and containers for disposal of materials and substances, security (fencing), identification (signing/labeling), or other special operations requirements necessary to conduct the proposed operations.

Fuel will be stored in standard pick-up trucks and will only be in amounts less than 99 gallons. Fueling will use in-truck pump with automatic shut-off. Fuel will be stored according to MSHA regulations. Any unforeseeable chemicals will be stored in flame-safe locked cabinets and properly labeled as to contents and MSDS will be file on all chemicals on the site.

3. Describe the measures to be taken for release of a reportable quantity of a hazardous material or the release of a toxic substance. This includes plans for spill prevention, containment, notification, and cleanup.

No hazardous chemicals will be on this property exceeding any reportable thresholds. However, all precautions will be taken to avoid the release of any toxic substances. If hazardous chemicals ever to meet reportable threshold, then a SPCC plan will be written and followed. Clean-up of any releases of chemicals will include proper absorption substances and will be properly disposed of.

H. **Reclamation.** Describe the annual and final reclamation standards based on the anticipated schedule for construction, operations, and project closure. Include such items as the removal of structures and facilities including bridges and culverts, a revegetation plan, permanent containment of mine tailings, waste, or sludges which pose a threat of a release into the environment, closing ponds and eliminating standing water, a final surface shaping plan, and post operations monitoring and maintenance plans.

Reclamation around portals will include redistribution of top soils, foothill seed mix and tree seedlings will be placed and scattered as appropriate. All mine openings will be closed off to prevent unauthorized entry. Mine entrances will remain for future mining operation; if applicable. Reclamation around portals will take place immediately after work is completed. Roads will remain. All structures and mobile equipment will be removed once work is completed. There should be no waste left from this project; however, all necessary monitoring will be done to insure closure is environmentally sound.

VI. FOREST SERVICE EVALUATION OF PLAN OF OPERATIONS

A. Required changes/modifications/special mitigation for plan of operations:

(If more space is needed to fill out a block of information, use additional sheets and attach form)

B. **Bond.** Reclamation of all disturbances connected with this plan of operations is covered by Reclamation Performance Bond No. _____, dated (mm/dd/yy) _____, signed by _____ (Principal) and _____ (Surety), for the penal sum of _____. This Reclamation Performance Bond is a guarantee of faithful performance with the terms and conditions listed below, and with the reclamation requirements agreed upon in the plan of operations. This Reclamation Performance Bond also extends to and includes any unauthorized activities conducted in connection with this operation.

The bond amount for this Reclamation Performance Bond was based on a bond calculation worksheet. The bond amount may be adjusted during the term of this proposed plan of operations in response to changes in the operations or to changes in the economy. Both the Reclamation Performance Bond and the bond calculation worksheet are attached to and made part of this plan of operations.

Acceptable bond securities (subject to change) include:

1. Negotiable Treasury bills and notes which are unconditionally guaranteed as to both principle and interest in an amount equal at their par value to the penal sum of the bond; or
2. Certified or cashier's check, bank draft, Post Office money order, cash, assigned certificate of deposit, assigned savings account, blanket bond, or an irrevocable letter of credit equal to the penal sum of the bond.

VII. TERMS AND CONDITIONS

- A. If a bond is required, it must be furnished before approval of the plan of operations.
- B. Information provided with this plan marked confidential will be treated in accordance with the agency's laws, rules, and regulations.
- C. Approval of this plan does not constitute certification of ownership to any person named herein and/or recognition of the validity of any mining claim named herein.
- D. Approval of this plan does not relieve me of my responsibility to comply with other applicable state or federal laws, rules, or regulations.
- E. If previously undiscovered cultural resources (historic or prehistoric objects, artifacts, or sites) are exposed as a result of operations, those operations will not proceed until notification is received from the Authorized Officer that provisions for mitigating unforeseen impacts as required by 36 CFR 228.4(e) and 36 CFR 800 have been complied with.
- F. This plan of operations has been approved for a period of _____ or until (mm/dd/yy) _____. A new or revised plan must be submitted in accordance with 36 CFR part 228, subpart A, if operations are to be continued after that time period.

(If more space is needed to fill out a block of information, use additional sheets and attach form)

VIII. OPERATING PLAN ACCEPTANCE

I/We have reviewed and agreed to comply with all conditions in this plan of operations including the required changes, modifications, special mitigation, and reclamation requirements.

I/We understand that the bond will not be released until the Authorized Officer in charge gives written approval.

Operator (or Authorized Representative) (Date)
(mm/dd/yy)

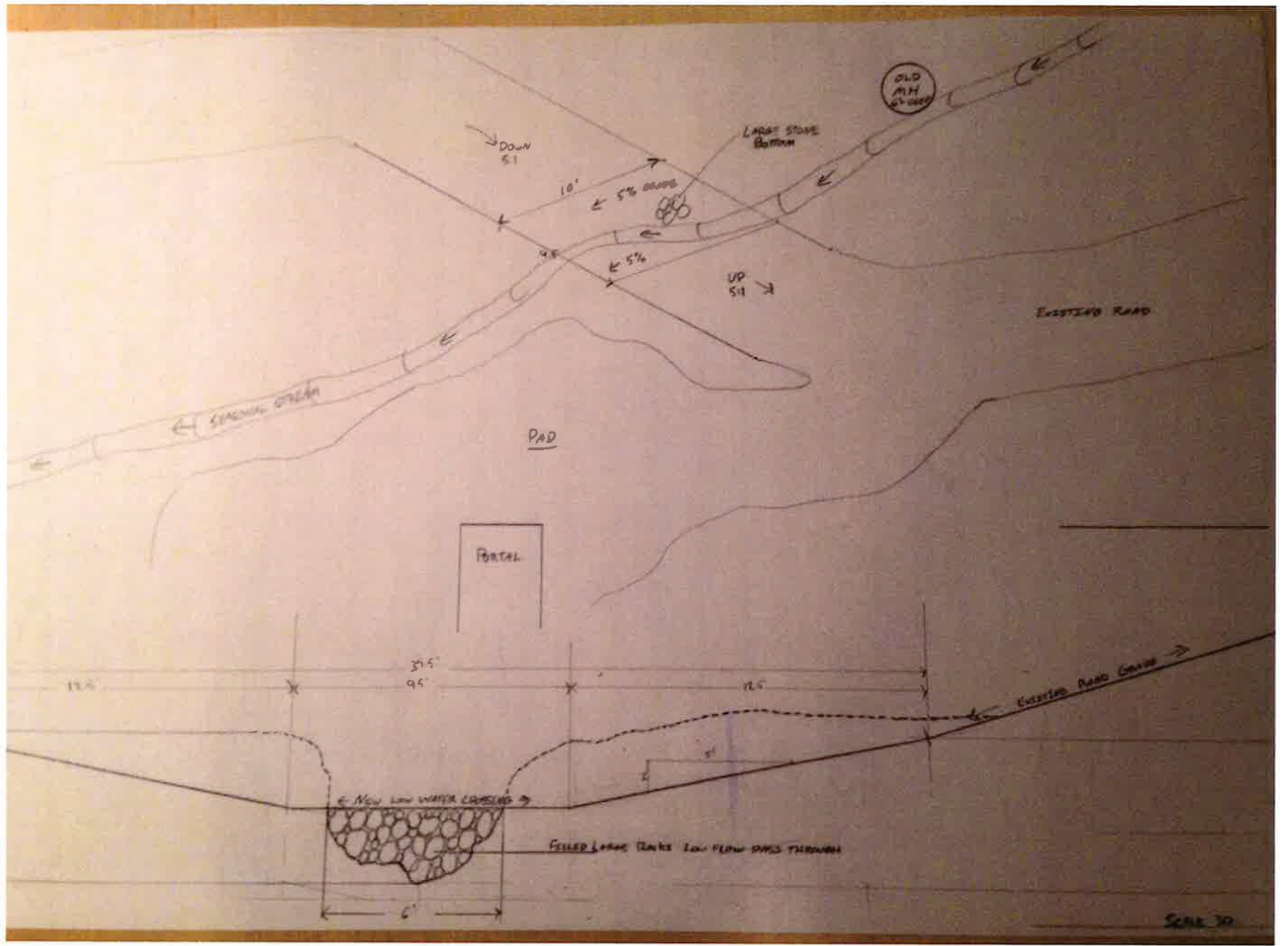
IX. OPERATING PLAN APPROVAL

(Name) (Title)

(Authorized Officer) (Date)
(mm/dd/yy)

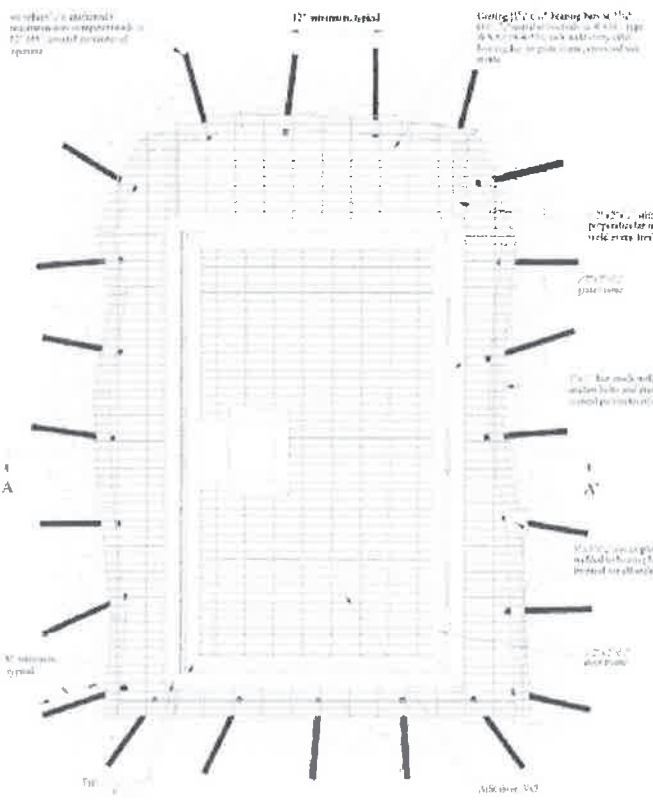
“According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB number. The valid OMB number for this information collection is 0596-0022. The time required to complete this information collection is estimated to average 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.”

(If more space is needed to fill out a block of information, use additional sheets and attach form)



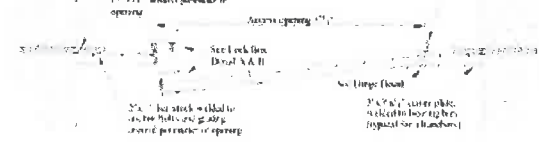
LOCK DOORS FOR PORTALS

See notes on drawings for material and construction details.

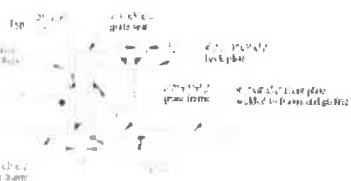


ADIT DOOR CLOSURE

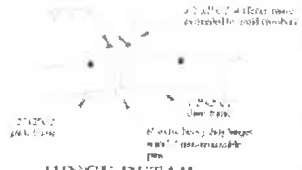
All gates to be Project Manager's satisfaction shall be installed. All openings shall be provided with locking devices and on locking the gates shall be locked.



ADIT DOOR SECTION A-A'



LOCK BOX DETAIL B



HINGE DETAIL



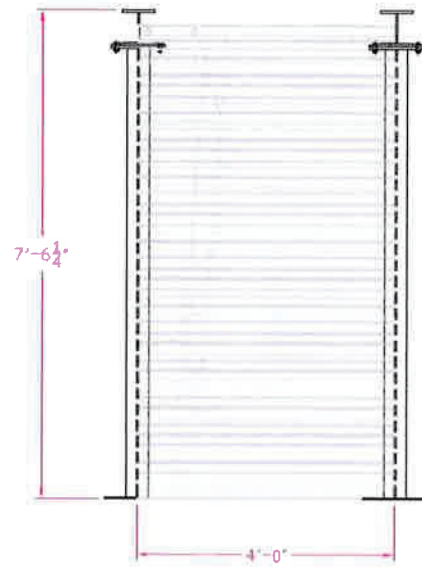
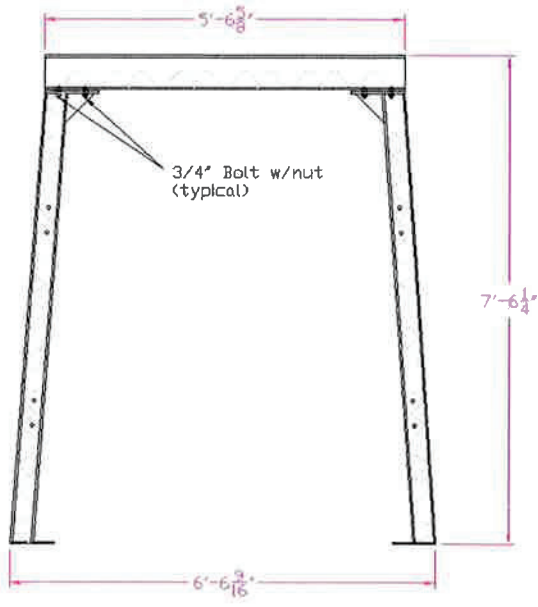
LOCK BOX DETAIL A



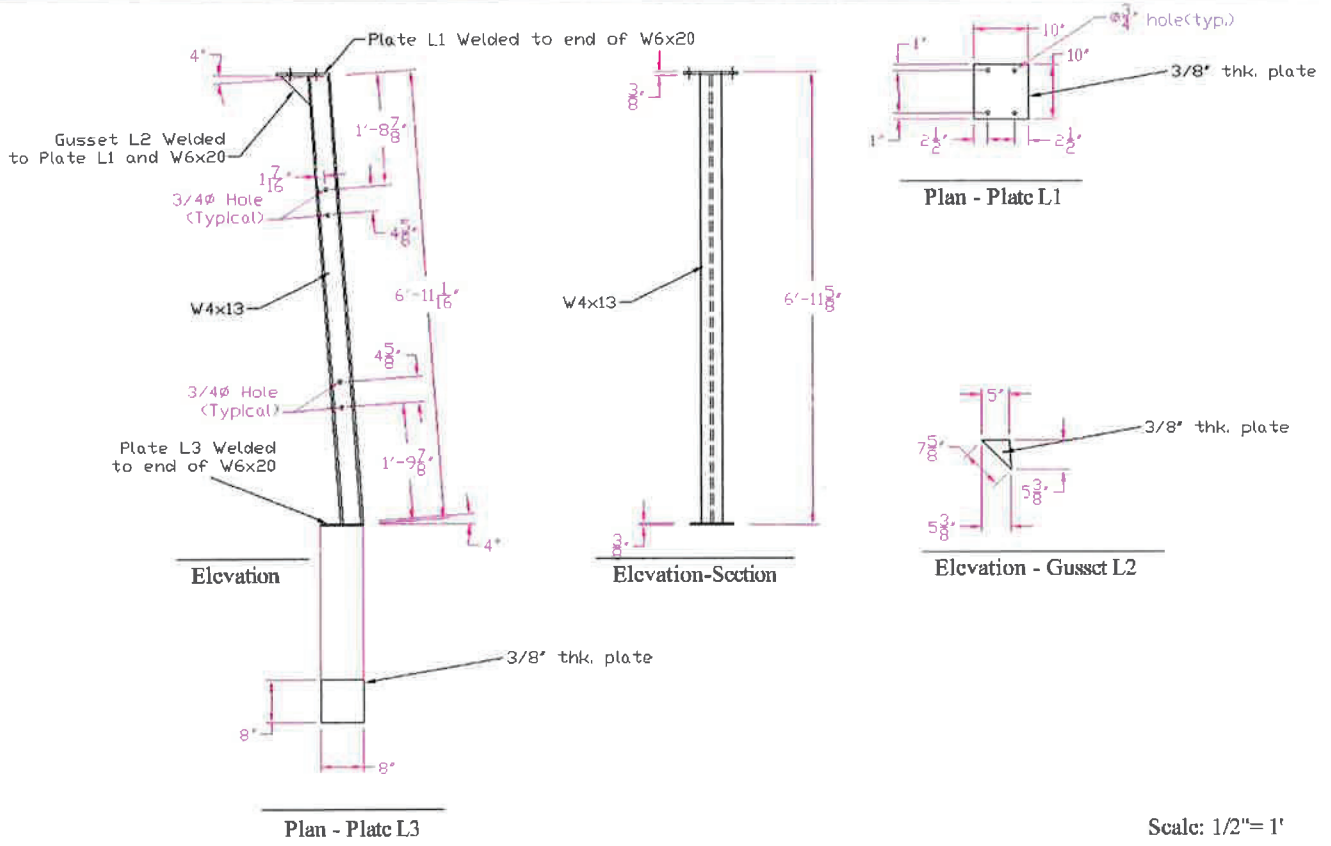
HASP DETAIL

INACTIVE MINE RECLAMATION PROGRAM
STANDARD DRAWING No. 7
ADIT DOOR CLOSURE

Scale: Varies 211304 Sheet No. 1 of 1
Drawn by: JTG Reviewed by: JTH & ALA

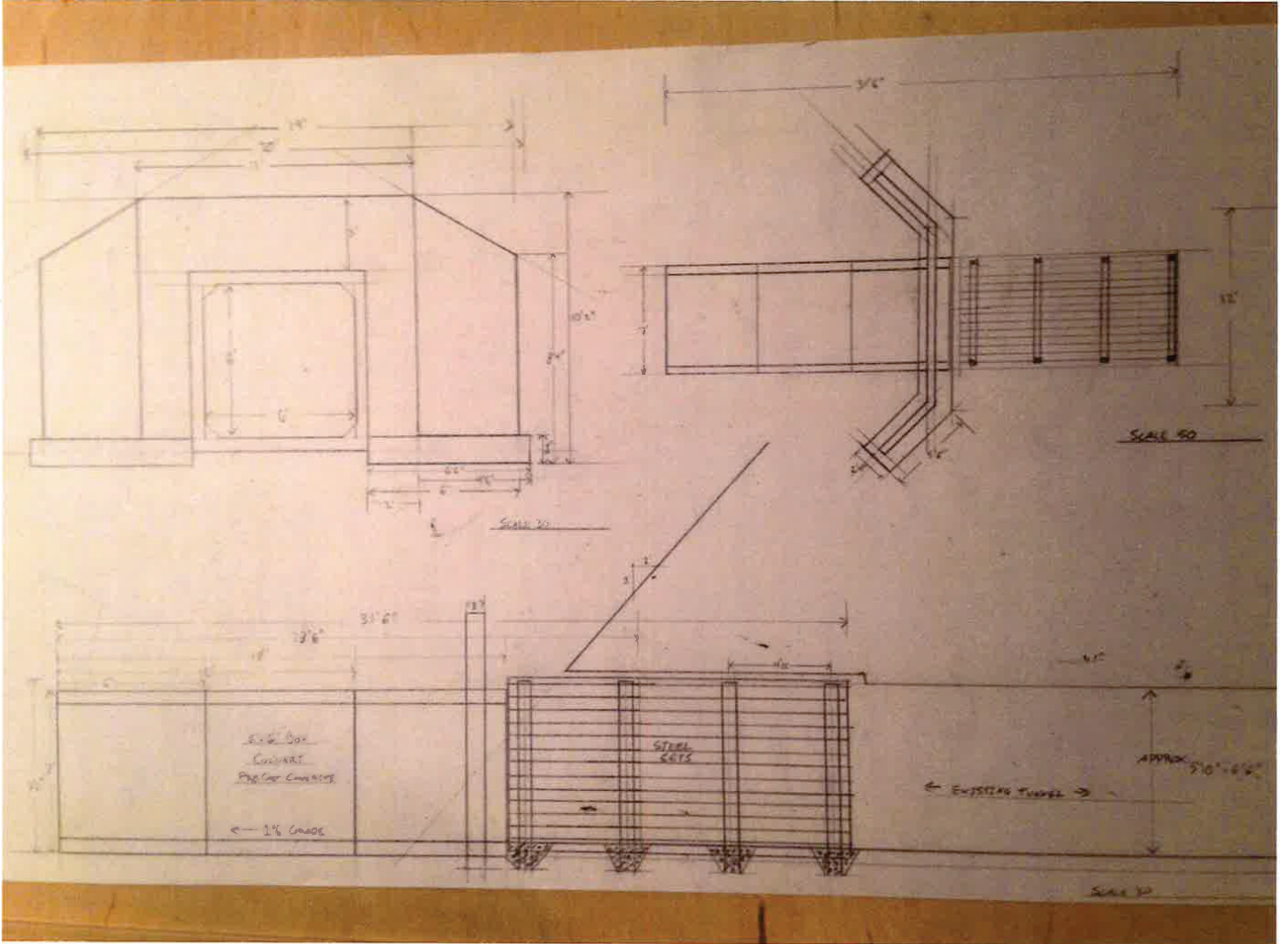


Scale: $1/2" = 1'$



Scale: 1/2" = 1'

PROPOSED TEMPORARY STRUCTURES



STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY
Department of Natural Resources

1313 Sherman St., Room 215
Denver, Colorado 80203
Phone: (303) 866-3567
FAX: (303) 832-8106



John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta Piñeda
Director

February 4, 2014

Robert M. Kennard
K&B Mining Company, LLC
7045 Hillgreen Dr.
Dallas, TX 75214

~~NOT CONFIDENTIAL~~

RE: Notice of Intent to Conduct Prospecting Application; Badger a Group of Mines; File No. P-2013-019; Second Notice of Deficiencies

Dear Mr. Kennard,

On December 24, 2013, the Division of Reclamation, Mining and Safety (Division) received the Notice of Intent (NOI) to Conduct Prospecting Application for Badger a Group of Mines, File No. P-2013-019. Our review indicates the NOI application contains deficiencies as defined by Rule 5.1.3 of the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal, and Designated Mining Operations. The Division requires the information described below before we can approve the NOI application.

1. The Applicant has stated that no new shelter will be constructed. Please note that if a shelter is constructed, as part of prospecting activities, the Operator will need to submit and obtain approval of a modification to the NOI.
2. The Applicant has stated that the workings will be advanced a maximum of 10 feet. Please clarify if the advancement of workings will take place in the upper or lower portal, or both.
3. The Applicant has stated that a maximum of 250 cubic yards of material will be removed from underground. Please clarify if this material will originate from the upper or lower portal, or both.
4. The Applicant is proposing to construct a road across the landowner's patented claims in order to access the upper portal. In order for the road to remain in place following the completion of prospecting activities, the Applicant will need to provide a signed and notarized statement from the landowner indicating that they wish the road to remain for their use. Without a signed statement from the landowner, the Division will have to include the cost of reclaiming this road segment in the financial warranty calculation.

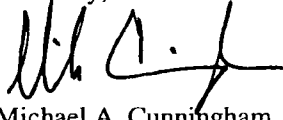
Be advised that if these items have not been addressed within 60 days of the date of this letter (March 24, 2014), the Division may terminate the NOI application in accordance with Rule 5.1.3(c) of the Hard Rock Rules.

Please remember to designate as appropriate those materials in the application that you desire to be made confidential versus those to be made public. Additionally, if you have received any pertinent correspondence from the US Forest Service, please forward copies to the Division.

Mr. Kennard
Page | 2
February 4, 2014

If you have any questions, you may contact me at (303)866-3567 x8116.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael A. Cunningham". The signature is fluid and cursive, with a prominent initial "M" and a long, sweeping underline.

Michael A. Cunningham
Environmental Protection Specialist

CC: Tom Kaldenbach, DRMS
Mike Johnson, USFS, Boulder Ranger District (via email)
Katherine Lidroth-Gendron, Epic Construction & Environmental Inc. (via email)

PLAN OF OPERATIONS FOR MINING ACTIVITIES ON NATIONAL FOREST SYSTEM LANDS

USE OF THIS FORM IS OPTIONAL! 1st TIME USERS SHOULD DIRECT QUESTIONS REGARDING THIS FORM OR REGULATIONS (36 CFR 228A) TO THE FOREST SERVICE DISTRICT OFFICE NEAREST YOUR AREA OF INTEREST.

Submitted by: _____

Signature	Title	Date <i>(mm/dd/yy)</i>

Plan Received by: _____

Signature	Title	Date <i>(mm/dd/yy)</i>

I. GENERAL INFORMATION

- A. Name of Mine/Project: Badger a Group of Mines
- B. Type of Operation: Exploration
(lode, placer, mill, exploration, development, production, other)
- C. Is this a (new/continuing) operation? (check one). If continuing a previous operation, this plan (replaces/modifies/supplements) a previous plan of operations. (check one)
- D. Proposed start-up date *(mm/dd/yy)* of operation: January 1, 2014
- E. Expected total duration of this operation: 6 months
- F. If seasonal, expected date *(mm/dd/yy)* of annual reclamation/stabilization close out: N/A
- G. Expected date *(mm/dd/yy)* for completion of all required reclamation: If project does not going into production then July 1, 2014

II. PRINCIPALS

- A. Name, address and phone number of operator: Robert Kennard (K & B Mining Company LLC) 7045 Hillgreen Dr. Dallas TX 75214 (817)808-2220
- B. Name, address, and phone number of authorized field representative (if other than the operator). Attach authorization to act on behalf of operator. Katherine Lindroth-Gendron (Environmental Specialist for Epic Construction & Environmental Inc.) (719)650-8323 1806 W. Pikes Peak Ave. Colo. Spgs. 80904 KatherineAnne79@gmail.com