



CRIPPLE CREEK & VICTOR

newmont.com

PO Box 191
100 N. 3rd Street
Victor CO 80860ELECTRONIC DELIVERY
CERTIFIED MAIL

December 14, 2022

Mr. Elliott Russell
Environmental Protection Specialist
Colorado Department of Natural Resources
Division of Reclamation, Mining and Safety
Office of Mined Land Reclamation
1313 Sherman Street, Room 215
Denver, Colorado 80203

Re: Permit No. M-1980-244; Cripple Creek & Victor Gold Mining Company; Cresson Project; Technical Revision 124 Addendum- Acreage Reduction Request-Carlton Tunnel

Dear Mr. Russell:

Newmont Corporation's Cripple Creek and Victor Gold Mining Company (CC&V) hereby submits Acreage Reduction Request (AR6), addendum to Technical Revision (TR) 124 and to satisfy the corrective action identified in the Division's inspection letter dated October 31, 2022. Currently the affected lands in the Carlton Tunnel area is 14.8 acres. Upon the approval of the 4.3-acre reduction, the new acreage for the affected lands in the area would be 10.5 acres.

Background

In response to the observation of an unmarked boundary during a routine inspection by the Division, CC&V representatives committed to submitting a technical revision to delineate the affected lands boundary at the Carlton Tunnel. The technical revision was submitted to DRMS on September 30, 2020, and approved by the Division on November 18, 2020.

As a follow-up action to close out the finding, CC&V inadvertently staked the boundary in the wrong location, and as a result, a third-party landowner filed CT-04 with DRMS in December of 2020.

On August 16, 2021, CC&V submitted AR5 along with an addendum to TR-124 for the reduction of 4.3 acres at the Carlton Tunnel to address the landowner's complaint. This addendum to TR-124 required the landowner's acknowledgment regarding the release, however the formal acknowledgment was never received. In early February 2022, the Division gave CC&V the approval to proceed with AR5 without the landowner's acknowledgment, and

requested that new maps need to be submitted. Due to the time that had passed to complete the survey and monument installation, AR5 was eventually administratively terminated by the Division.

On October 31, 2022, CC&V received the May 26, 2022, inspection report from the Division requiring either CC&V to provide documentation of the legal right to enter or submit an Acreage Reduction Request (AR6) with new, finalized survey maps by the corrective action due date of December 15, 2022.

Please find the attached Mineral Release Request form, land survey plat and acreage reduction exhibit. Also note that the Mineral Release Request form was submitted via certified mail by CC&V on December 14, 2022.

Should you require further information, please do not hesitate to contact Johnna Gonzalez at (719) 313-0447, Johnna.Gonzalez@Newmont.com, or myself at (719) 851-4042 or Katie.Blake@Newmont.com.

Sincerely,

DocuSigned by:

Katie Blake

5A3D013B629844B...

Katie Blake

Sustainability & External Relations Manager
Cripple Creek & Victor Gold Mining Co

EC:

A. Eschberger – DRMS
M. Cunningham – DRMS
E. Russell - DRMS
M. Crepeau – Teller County
J. Gonzalez – CC&V
K. Blake – CC&V
N. Townley – CC&V

Attachments: Land Survey Plat, Acreage Reduction Exhibit, Mineral Release Request From

**COLORADO****Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203**REQUEST FOR FULL OR PARTIAL RELEASE OF PERMIT AREA/SURETY REDUCTION**

Please indicate if you are requesting:

FULL/FINAL RELEASE OF ENTIRE PERMITTED AREA (per Rule 4.17)

☐

ACREAGE REDUCTION (PARTIAL RELEASE per Rule 4.17)

☒
I wish to release 4.3 acres at this time.

You will need to submit with this request: a map showing the acreage to be released from the current permit and updated mining and reclamation plan maps that will accurately depict the new permit boundary if the release is approved.

SURETY (Bond) REDUCTION (per Rule 4.14)

☐

If you are requesting a surety (bond) reduction you will need to include with this request a new estimate of the actual cost to reclaim the site based on what it would cost an independent contractor to complete reclamation, including unit costs for reclamation activities as appropriate to the operation to comply with the provisions of Rule 3.1 and the Permit's approved Reclamation Plan.

File No.: M 1980-244Site Name: Cripple Creek & Victor-Carlton TunnelCounty: Teller CountyPermittee: Cripple Creek & Victor Gold MiningPermittee Address: 100 North 3rd Street

(Street Address)

Victor

(City)

CO

(State)

80860

(Zip)



GENERAL NOTES:

1. Statute of limitations disclosure required per 13-80-105, C.R.S.
Notice: According to Colorado law you MUST commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.
2. Statement of lineal units required per 38-51-106(1)(i), C.R.S.: Lineal unit of measure used in this survey is U.S. Survey Foot. Values represent the horizontal distances at mean ground surface elevation.
3. The boundary lines shown on this survey represent a professional opinion by this surveyor as to where the boundary lines hereby retraced were originally laid out on the ground and subsequently relied upon by the land owners. The discovery of additional evidence may result in a different opinion.
4. All copyrights to publications by Foresight West Surveying, Inc. are reserved. Additionally, all field books, notes, sketches and electronic files are instruments of service and shall remain the sole property of Foresight West Surveying, Inc. If this survey is deposited with the County in compliance with 38-51-107, C.R.S., Foresight West Surveying, Inc. accepts no liability from proprietary or confidential information disclosed to the public by the contents herein.
5. Preservation of Boundary Monumentation: Any person who knowingly removes, alters or defaces ANY public land survey monument (defined by 38-53-103(18) C.R.S. as any land monument monument established on the ground by a cadastral survey of the United States government and any mineral survey monument established by a United States mineral surveyor and made a part of the United States public land records) or ANY land survey corner (defined by 38-53-103(6) C.R.S. as any land survey corner the position of which controls the location of the boundaries of a tract or parcel of land), or a restoration of any such monument, even if said person has title to the land on which said monument is located, commits a class 2 misdemeanor punishable by a fine of up to \$1,000 and/or 1 year in jail unless, prior to such removal, said person has caused a Colorado professional land surveyor to establish at least two witness corners or reference marks for each such monument removed and has filed or caused to be filed a monument record pursuant to article 53 of title 38, C.R.S. (18-4-508, C.R.S.)
6. Oil, gas, coal, mineral, water, ditch, reservoir, geothermal, aviation, grazing or other rights, as well as development, zoning, lease, fire district or other restrictions, both recorded and unrecorded, may affect this property and not be plottable graphically hereon.
7. All users of this survey are hereby notified that this survey in no way constitutes a title search by Foresight West Surveying Inc. for determination of (a) right to title, (b) chain of title/abstract, (c) the historical compatibility of all descriptions of this property with all descriptions of adjoining properties, and (d) easements, rights-of-way and other instruments of record that may impact title to this property. Additionally, unrecorded rights to this property may exist which are unknown to this firm.
8. This survey was conducted without the benefit of a title policy or report.
9. Coordinates shown are relative to the Colorado Coordinate System of 1983, Central Zone (NAD83) as determined by NGS GPS solutions on two different control points within a post-processed GNSS static control network.
10. Basis of bearings statement required per 38-51-106(1)(v), C.R.S.: Bearings are based upon the NAD83 State Plane Central Zone grid bearing along the west line of Section 15, T. 16 S., R. 70 W., said line bearing North 01°19'26" West as determined by GNSS observations. The monuments are described hereon.
11. All found and set monuments are reasonably close to ground surface unless noted otherwise.
12. Standard of accuracy maintained in developing the State Plane coordinates shown hereon: Order C 2-1 (1:50,000), as specified in "Geometric Geodetic Accuracy Standards and Specifications for Using GPS Relative Positioning Techniques", printed by the Federal Geodetic Control Committee Aug. 1, 1989. (Statement required per 38-52-106, C.R.S.)
13. The west quarter corner of Section 9 was searched for but not found. For the purposes of this survey, its position was projected by duplicating the east line of the Southeast Quarter for the west line of the Southwest Quarter, thereby mimicking the compass and chain used in the 1980 GLO survey. The centerline of the Section was held between the north and south quarter corners as shown hereon. As a result, if the actual west quarter corner is as much as 200 feet north or south of the projected position shown, the bearing of the west line of the Southeast Quarter of the Southeast Quarter of the Southeast Quarter would only change by 00°00'05", which is minuscule.

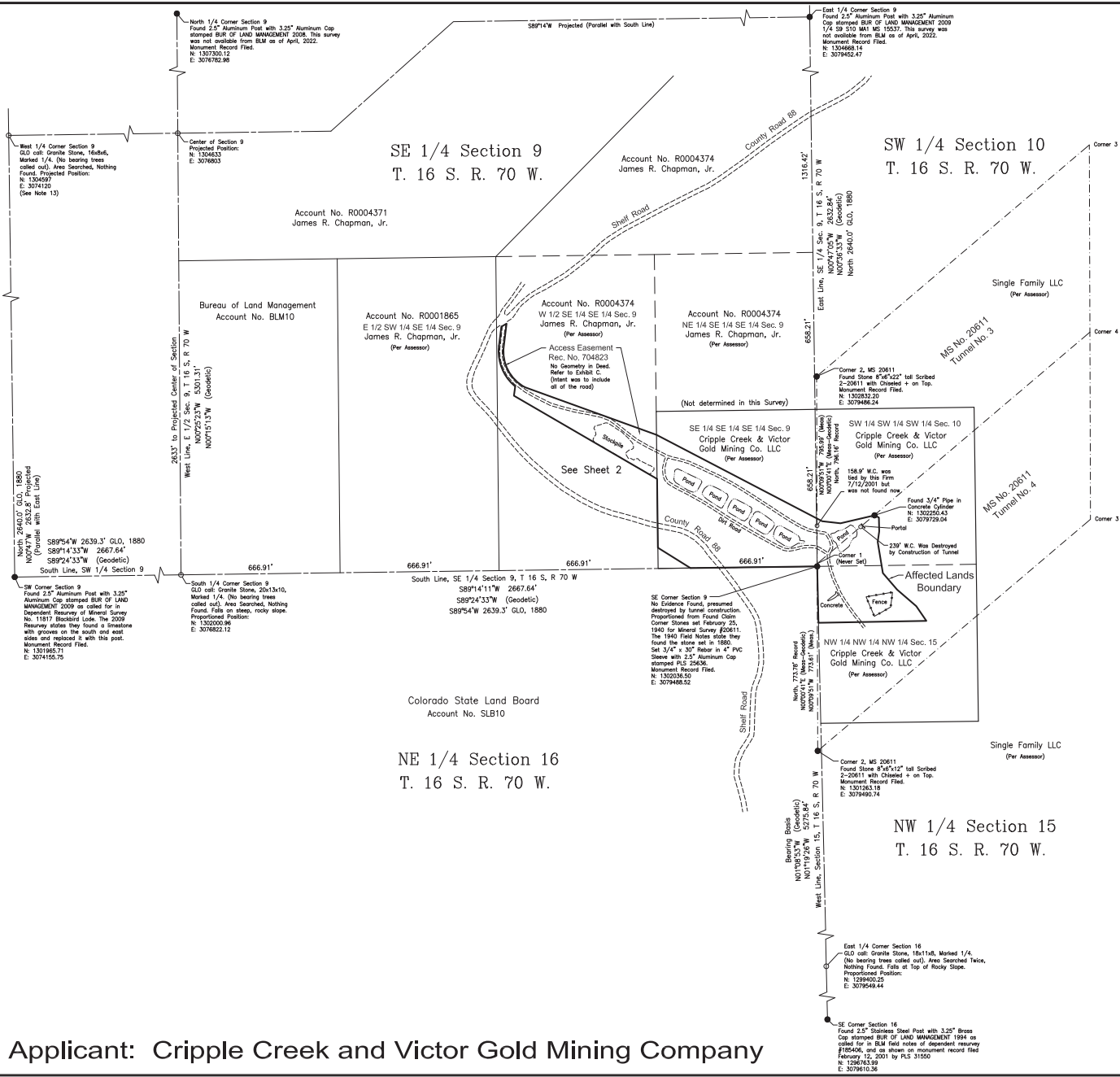
SURVEYOR'S CERTIFICATION:

I hereby certify that this survey was performed under my responsible charge during May of 2021 through December of 2022 in accordance with applicable standards of practice, and that this Land Survey Plat is a correct representation thereof to the best of my knowledge, information and belief. Under Colorado law, this certification does not constitute a warranty or warranty, either expressed or implied.

Lester J. Ludeman, PLS 25636
Email: ludeman@foresightwest.com
Signature and date through seal:
(Required by Colorado law)



Applicant: Cripple Creek and Victor Gold Mining Company



Project No. 2021093	Sheet 1	Project Description Canton Tunnel Permit
	of 2	
Horizontal Scale: One inch = 200' Contour Interval: N/A Surveyed By: JAL/MLP Drawn By: JAL Date: 12/15/2022 An electronic seal is embedded in the bottom right corner of this page. The seal contains the surveyor's name and the date of the survey.		
By: _____ Revisions: _____		

PART OF SECTIONS 9, 10 & 15,
 TOWNSHIP 16 SOUTH, RANGE 70 WEST OF THE 6th P.M.,
 COUNTY OF TELLER, STATE OF COLORADO

FWF FORESIGHT WEST
SURVEYING INC.
 1305 S. York Street, Suite 100, Broomfield, CO 80020
 303.464.4400 • l@foresightwest.com
 Forensic • Boundary • Easement • Plat and Easement • General Planning



Acreage Reduction Request / Minerals Release Request

Norma Townley <Norma.Townley2@newmont.com>

Wed, Dec 14, 2022 at 3:05 PM

To: Elliott Russell - DNR <elliott.russell@state.co.us>

Cc: Amy Eschberger - DNR <Amy.Eschberger@state.co.us>, "Cunningham - DNR, Michael" <Michaela.Cunningham@state.co.us>, "Crepeau, Michael" <CrepeauM@co.teller.co.us>, Johnna Gonzalez <Johnna.Gonzalez@newmont.com>, Katie Blake <Katie.Blake@newmont.com>, Norma Townley <Norma.Townley2@newmont.com>

Elliott, attached please find Acreage Reduction Request letter along with the Minerals Release Request Form and Attachments. This will also be mailed via certified mail today. If you have any questions or concerns, please reach out to Johnna.Gonzalez@Newmont.com or Katie.Blake@Newmont.com. Thank you.



Norma Townley

Business Assistant | Newmont | T 719-851-4255

Newmont

Cripple Creek & Victor Gold Mine

PO Box 191

100 N.3rd Street

Victor CO 80860

www.newmont.com

Email: Norma.Townley2@Newmont.com

Please consider the environment before printing this e-mail

4 attachments



14DEC2022_TR124 - Acreage Reduction_Final.docx.pdf
260K



MineralsReleaseRequestForm.pdf
360K



Attachment 1-2021093 Carlton Tunnel Land Survey Plat.pdf
1478K



Attachment 2-Acreage Exhibit 12-13-22.pdf
361K