

**STATE OF
COLORADO****Simmons - DNR, Leigh <leigh.simmons@state.co.us>**

Response to Division's January 22, 2024 Request for information

Ryan Chadwick <ryan.chadwick@gmail.com>

Tue, Feb 20, 2024 at 10:25 AM

To: "Simmons - DNR, Leigh" <leigh.simmons@state.co.us>, amy.eschberger@state.co.us, russ.means@state.co.us, jason.gross@usda.gov

Hello Mr. Simmons,

I apologize for the delayed response. Please see the attached response letter to your request for more information dated January 22, 2024. Feel free to reach out if you have any other questions regarding this response. I look forward to hearing from you and thank you for your time.

Regards,

Ryan Chadwick
Aspen Mountain Mining Corporation
508-221-1689



AMMC Response to Division's January 22nd.pdf

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Via e-mail: leigh.simmons@state.co.us

February 20, 2024

Leigh Simmons
DRMS Room 215
1001 E 62nd Ave
Denver, CO 80216

Re: Response to Division's January 22, 2024 Request for Information (P-1992-020)

Dear Mr. Simmons,

Aspen Mountain Mining Corporation ("AMMC") is in receipt of your letter to Kim Popish dated January 22, 2024 (the "Letter") requesting information related to the operations of the Compromise Mine that occur on the Emma #2 unpatented mining claim on Aspen Mountain. Please be advised that, as the new owner of AMMC, I am still in the process of gathering historical information and agency records regarding the Compromise Mine, therefore, my responses below are subject to supplementation should additional information become available.

I believe that your letter may have been prompted by a "Request for Information" (Compromise Mine, Notice of Intent No. P-1992-020) that was sent to Brandon Neal on January 2, 2024, by Jim Stark, one of our consultants that is working on a potential land exchange with the U.S. Forest Service ("USFS") that is in a pre-proposal phase of development. Mr. Stark's e-mail was not directly related to any of the three items listed in your Letter, but rather a question on a technical mining law interpretation that he was hoping to get an answer to as he goes through different aspects of due diligence related to mining claim ownership on claims adjacent to the Emma #2. You may also have had communications with the USFS regarding the latest field inspection of the surface area associated with the Compromise Mine, which was performed by USFS representatives on September 20, 2023. Please note that we have not yet received the inspection report, as we were told that it is awaiting an Authorized Officer's signature, so, to the extent that you have had communications with USFS, you may be in possession of additional information that we do not have.

Furthermore, as you may or may not be aware, the 1985 USFS Decision Notice and related Operating Plan that authorized the surface operations associated with the Compromise Mine covers only 1 acre of National Forest System land ("NFSI"). We understand that the remaining 5.88 surface acres of the Emma #2 unpatented mining claim are technically under permit to the Aspen Skiing Company ("ASC"). As such, surface management of the 5.88 acres is the responsibility of ASC under the terms and conditions contained in their USFS Ski Area Special Use Permit. Since taking ownership of AMMC, my consultants and I have been working hard to reconstruct the historical files of the company, but, based on Mr. Stark's review of files with Jason Gross at the White River National Forest office in Silt, Colorado, on February 1, 2024, the USFS files on the Compromise Mine appear to be incomplete. A description and/or map delineating the 1-acre surface parcel permitted to AMMC apparently does not exist, but we

understand that the intent of the 1-acre designation was to encompass all of the above ground facilities that are related to the operations of the mine.

As to your specific requests for information, I will address each individually:

1 – Tourist mine status: You are correct in the fact that the White River National Forest is not currently authorizing the use of any Compromise Mine facilities on the surface of NFSI to be used in conjunction with tourist mine operations. However, your statement that the USFS has “never allowed the use of the site for tourism” is incorrect. Files that Mr. Stark reviewed contain numerous documents supporting the fact that mine tours have occurred in the past with USFS approvals, agreements with ASC, and letters of authorization from DRMS. AMMC is cognizant of the fact that any future tourist mine activity at the site will require the appropriate approvals from the governmental agencies with authority over such operations, including USFS. It should be noted that as per e-mails from DRMS and as you noted in your letter, AMMC does currently hold a permit from DRMS dated January 15, 2015 for tourist operations.

2 – Sale of material from the mine: After following up on the “anecdotal evidence” that might have led you to your reference to a sale of material from the Compromise Mine, we believe the referenced sale relates to a local sub-contractor, Fred Wilson, a Project Manager for the Independence Construction Group, who is employed by AMMC for a variety of work projects on the mine. Mr. Wilson mentioned paying AMMC a minimal fee for some material that he extracted from the mine to perform assessment work. I am hoping that this action would be covered by Rule 1.1(57) as “the act of searching for or *investigating a mineral deposit*” (italics added), as it was in no way intended as a commercial sale. Perhaps we can discuss this in more detail in the future so that AMMC is clear on the interpretation of the Rule.

3 – Prospecting activity: Under the terms of our NOI/Permit and applicable Colorado statutes/regulations, we have submitted the required Annual Fee and Annual Report on a continual basis since AMMC’s NOI was issued in 1992 (Permit: P1992020; e-Permit Number:333487), including for the current year, which report was submitted on February 11, 2024. Each such report has been accepted and approved on an annual basis by DRMS.

As you can see from our latest report, we have every intention to continue with our prospecting activity and have initiated several maintenance and improvement projects, both within the mine itself and on the above ground facilities on NFSL. We are not anticipating ceasing our activity at this time, and as mentioned previously, we are actively looking into reinitiating mine tours, as have been provided in the past, pursuant to our tourist mine permit.

Per your request for information on activities that have occurred at the site over the past five years, I have gone over the logs contained in the “Daily Inspection Log for Tourist Mines”. Thirty-seven entries are contained in the logbooks during the time-period of December 16, 2021 – June 2, 2023. In addition to these activities, additional work was performed outside of the mine on facilities, minor erosion control on the surrounding area and access road, and noxious weed

control, as requested in USFS inspection reports during that time period. I have not had an opportunity to sit down with Kim Popish and ask her why all activities were not reported to DRMS in annual report submittals. Moving forward, I will make sure that this oversight does not happen in the future.

In consideration of the above, and in response to Rule 5.1.2(g) that you cited in the Letter, AMMC does not anticipate initiating reclamation activities within the foreseeable future.

Sincerely,

A handwritten signature in black ink, appearing to be 'Ryan Chadwick', with a long, sweeping horizontal stroke extending to the right.

Ryan Chadwick