

September 13, 2024

ELECTRONIC DELIVERY

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; Amendment Application AM14 – Second Deficiencies Review Response

Dear Mr. Russell:

Newmont Corporation's Cripple Creek and Victor Gold Mining Company (CC&V) received the Division of Reclamation, Mining and Safety (DRMS) Notice of Filing Deficiencies Review of Amendment 14 (AM14) Application to Permit M-1980-244 and associated comments. CC&V has reviewed the comments issued in the July 22, 2024 letter from DRMS, prepared responses for each comment, and updated AM14 permit documents as necessary and where indicated in this letter. A list of attachments identifying updated exhibits is provided with this letter. Below are DRMS comments in bold and CC&V's responses in *italics*.

Application Form and General Application Process:

22. In response to Item #1, a revised Page 2 of the application form was provided with updated Primary Mine Entrance Location coordinates. These appear to be incorrect as the coordinates provided are in the middle of the site near the Ironclad facilities. The new Exhibit B-2 Map shows two locations for the Main Mine Entrance, one at the Ironclad facilities and other at the Ironclad access road entrance along County Road 82. The Division believes the Ironclad access road entrance along County Road 82 is the most appropriate location for the Primary Mine Entrance Location. Please update the coordinates and map accordingly and submit a replacement Page 2 of the application form and a revised Exhibit B-2 Map.

Please see the attached revised Page 2 of the application form and a revised Exhibit B-2 Map.



- 23. In accordance with Rule 6.2.1(1)(d), please submit a map which clearly identifies and outlines the area that corresponds with the AM14 application's proposed expansion of 14.83 acres.**

Please see the revised Exhibit C-3 map with insets of expansion areas.

- 24. CC&V has provided proof that the AM14 notice sign at the entrance to the Ironclad access road has been reposted. As required by Rule 1.6.2(b), please demonstrate that additional AM14 notice signs have been posted at the proposed expanded areas of the permit boundary (external parking lot and GVMW-26 access road).**

Please refer to the attached documentation of additional signs placed at the external parking lot and GVMW-26 access road.

EXHIBIT B – Index Map (Rule 6.4.2):

- 25. Like the Exhibit B-1 Map, please revise the new Exhibit B-2 Map to label the main roads used to access the area.**

Please see the revised Exhibit B-2 map.

EXHIBIT N – Source of Legal Right-to-Enter (Rule 6.4.14):

- 26. Exhibit N Part B provides several lease agreements. It appears based on the documentation provided, some of these leases may have expired (e.g. Bear Creek Development Corporation lease may have expired May 1, 2008). Please demonstrate all leases provided in Exhibit N are current and valid.**

The Division will continue to review all materials provided in Exhibit N during the application review period after the application is considered filed. No responses needed.

Updated documentation has been provided in Exhibit N. Please note that while the Humphries lease is expired, the agreement summary allows the extension of the lease for so long as royalty payments are made.

EXHIBIT O – Owner(s) of Record of Affected Land (Surface Area) and Owners of Substance to be Mined (Rule 6.4.15):

- 27. Exhibit O lists the Owner of Record for parcels with Map ID 4 as the Bureau of Land Management (BLM) but indicates CC&V holds the patents on these areas. Please explain why the BLM is considered an Owner of Record as the Division typically sees patented land/minerals are solely owned by a private entity who holds the patent and BLM is no longer listed.**



Updated documentation has been provided in Exhibit N for the referenced BLM patents for parcels being deeded to CC&V.

- 28. Several parcels within the Exhibit O table show CC&V holds mineral leases with the State Land Board. Please provide these mineral leases as a part of the Exhibit N requirements.**

Updated documentation has been provided in Exhibit N.

- 29. Within the Exhibit O table, LeClair Consolidated Mines is listed as an Owner of Record and a CC&V Subsidiary. When the Operator/Applicant (Cripple Creek & Victor Gold Mining Company) is not the Owner of Record, the Operator/Applicant is required by Rule 6.4.14 to provide documentation of their Legal Right to Enter by providing either a copy of a lease or a signed statement by the Landowner(s) and acknowledged by a Notary Public stating that the Operator/Applicant has legal right to enter to conduct mining and reclamation.**

The parcels for LeClair Consolidated Mines and Matoa Gold Mining Co fall into the Interests Owned category of Exhibit N. Documentation of ownership has been provided in the updated Exhibit N and in the updated table in Exhibit O.

- 30. Please explain why the 3 parcels owned by Matoa Gold Mining Co were removed from the revised Exhibit O.**

The three parcels owned by Matoa Gold Mining Co were removed in error. Documentation of ownership has been provided in the updated Exhibit N and in the updated table in Exhibit O.

- 31. Within the Exhibit O table, Newmont CC&V Mining Corp is listed as an Owner of Record for several parcel. In the initial AM14 materials, this entity is referred to as Parent Company of CC&V. When the Operator/Applicant(Cripple Creek & Victor Gold Mining Company) is not the Owner of Record, the Operator/Applicant is required by Rule 6.4.14 to provide documentation of their Legal Right to Enter by providing either a copy of a lease or a signed statement by the Landowner(s) and acknowledged by a Notary Public stating that the Operator/Applicant has legal right to enter to conduct mining and reclamation.**

The Newmont CC&V Mining Corp parcels fall into the Interests Owned category of Exhibit N. Documentation of ownership has been provided in the updated Exhibit N and in the updated table in Exhibit O.

- 32. Several parcels within the Exhibit O table show CC&V does not hold any Real Property Rights, or Claims to Rights, In and To the Same for areas owned by STATE OF COLORADO DEPT OF TRANSPORTATION. When the Operator/Applicant (Cripple**

Creek & Victor Gold Mining Company) is not the Owner of Record, the Operator/Applicant is required by Rule 6.4.14 to provide documentation of their Legal Right to Enter by providing either a copy of a lease or a signed statement by the Landowner(s) and acknowledged by a Notary Public stating that the Operator/Applicant has legal right to enter to conduct mining and reclamation.

Please see the attached letter from the Colorado Division of Transportation.

EXHIBIT R – Proof of Filing with County Clerk (Rule 6.4.18):

33. In accordance with Rule 1.6.2(2), please submit proof that the revisions associated with this letter have been placed for public review with the original application at the local County Clerk and Recorder.

Please refer to the attached proof of filing from the County Clerk and Recorder's office.

We trust that the above satisfies DRMS requirements included within the Notice of Filing Deficiencies Review. Should you require further information, please do not hesitate to contact Johnna Gonzalez at (719) 851-4190, Johnna.Gonzalez@Newmont.com, or myself at (719) 237-3442 or Katie.Blake@newmont.com.

Sincerely,

DocuSigned by:

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

EC:

Z. Trujillo - DRMS
J. McBryde – Teller County
J. Gonzalez – CC&V
K. Blake – CC&V
K. Ragsdale – CC&V
N. Townley – CC&V
S. Thibeault - Newmont

Attachments:

Revised Application Page 2
A14 Sign Documentation
Revised Exhibit B-2
Revised Exhibit C



CRIPPLE CREEK & VICTOR

[newmont.com](https://www.newmont.com)

PO Box 191

100 N. 3rd Street

Victor CO 80860

Revised Exhibit N

Revised Exhibit O

Revised Exhibit R

Discovery:\\CC&V\\S&ER Environmental\\Correspondence\\DNR\\DRMS\\Outgoing\\September 2024

**Permit M-1980-244
Cresson Project Amendment 14
Filing Deficiency 2 Response
List of Attachments**

Attachment 1	Revised Application Page and Photographs of Sign Posting
Attachment 2	Revised Exhibit B. Index and Mine Entrance Maps
	Map B-2. Primary Mine Entrance
Attachment 3	Revised Exhibit C. Pre-Mining and Mining Plan Maps of Affected Lands
	Drawing C-3. Proposed Facilities Buildings and Utilities
	Drawing C-6. Owners of Record of Affected Lands (4 plates)
Attachment 4	Revised Exhibit N. Source of Legal Right to Enter
Attachment 5	Revised Exhibit O. Owners of Record of Affected Lands and Owners of Substance to be Mined
Attachment 6	Revised Exhibit R. Proof of Filing with County Clerk and Recorder

4. **Fees:**
- | | | |
|------|---|--|
| 4.1 | <u>New</u> 112d(1) Application (affecting less than 50 acres and extracting less than 1 million tons per year) application fee | <u>\$4,025.00</u> |
| 4.2 | <u>New</u> 112d(2) Application (larger than above but affecting less than 100 acres and extract less than 5 million tons per year) | |
| | | <u>\$6,900.00</u> application fee |
| 4.3 | <u>New</u> 112d(3) Application (any other operation) | <u>\$9,200.00</u> application fee |
| 4.4 | <u>Existing</u> 112d(1) Amendment Fee | <u>\$2,300.00</u> amendment fee |
| 4.5 | <u>Existing</u> 112d(2) Amendment Fee | <u>\$4,025.00</u> amendment fee |
| 4.6 | <u>Existing</u> 112d(3) Amendment Fee | <u>\$7,475.00</u> amendment fee |
| 4.7 | <u>New</u> 112d(1) Amendment Fee | <u>\$2,875.00</u> amendment fee |
| 4.8 | <u>New</u> 112d(2) Amendment Fee | <u>\$4,600.00</u> amendment fee |
| 4.9 | <u>New</u> 112d(3) Amendment Fee | <u>\$8,050.00</u> amendment fee |
| 4.10 | Conversion Fee | see above application fees |

5. **Primary commodity(ies) to be mined:** _____

6. **Name of owner of surface of affected land:** _____

7. **Name of owner of subsurface rights of affected land:** _____
If 2 or more owners, refer to Exhibit O.

8. **Type of mining operation:** _____ Surface _____ Underground

9. **Location Information:** the center of the area where the majority of mining will occur lies in:
COUNTY: _____

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

SECTION (write number): S _____

TOWNSHIP (write number and check direction): T _____ North _____ South

RANGE (write number and check direction): R _____ East _____ West

QUARTER SECTION (check one): _____ NE __ NW __ SE __ SW

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

GENERAL DESCRIPTION (miles and direction from nearest town and approximate elevation):

10. **Primary Mine Entrance Location** (report in either Latitude/Longitude **OR** UTM):

Latitude/Longitude:

Example: (N) 39° 44' 12.98"
(W) 104° 59' 3.87"

Latitude (N): deg _____ min _____ sec _____ (2 decimal places)

Longitude (W): deg _____ min _____ sec _____ (2 decimal places)



GVMW-26 access road



External Parking Lot



Ironclad Entrance