

STATE OF
COLORADO

Simmons - DNR, Leigh <leigh.simmons@state.co.us>

FW: Smuggler Gold Mine/Gilpin County

Jeff Fugate <Jeff.Fugate@coag.gov>

Wed, Feb 5, 2025 at 5:42 PM

To: "Fognani, John" <John.Fognani@haynesboone.com>, "Simmons - DNR, Leigh" <leigh.simmons@state.co.us>

Cc: Russ Means - DNR <russ.means@state.co.us>, Amy Eschberger - DNR <amy.eschberger@state.co.us>, Shannon Murphy <shannonpmurphy@icloud.com>

Jon,

The Division has considered your request for extension of time to post the increased financial warranty. Due to the unfortunate health issues and circumstances that Mr. Murphy finds himself, the Division will extend the deadline for the surety increase. For ease of monitoring, the Division will extend this deadline to June 30, 2025, to be consistent with the extended deadline for the other corrective actions at this site. Please note, any further requests for extension of time to post the additional bond will need to be made to the Board, and the Division will most likely oppose any additional extensions as this under-bonded site leaves the State in a difficult position.

Thank you,

Jeff

Jeff M. Fugate

First Assistant Attorney General

Office of the Colorado Attorney General

Natural Resources and Environment Section

From: Fognani, John <John.Fognani@haynesboone.com>**Sent:** Tuesday, February 4, 2025 4:47 PM**To:** Simmons - DNR, Leigh <leigh.simmons@state.co.us>**Cc:** Russ Means - DNR <russ.means@state.co.us>; Amy Eschberger - DNR <amy.eschberger@state.co.us>; Jeff Fugate <Jeff.Fugate@coag.gov>; Shannon Murphy <shannonpmurphy@icloud.com>**Subject:** RE: FW: Smuggler Gold Mine/Gilpin County

Leigh – As discussed a few minutes ago by phone, the previously identified date for increasing the surety bond for the Smuggler Gold Mine in Gilpin County is approaching. I have been in touch with Shannon Murphy who continues to have some hard luck in having to address and manage his own health-related issues. In addition, he has been involved and consumed recently in assisting his wife with her difficult shoulder replacement surgery that just took place. More fundamentally, the elder gentleman that had committed to provide significant funding in assisting to take the mine project forward has backed out due to his own health issues. As a result, it is requested that a ninety-day extension be granted to enable Mr. Murphy to pursue funding interest that has been expressed by two other individuals who seem serious about moving the mine project forward.

Please advise if the requested extension might be granted to ensure the requisite time to accomplish an enforceable transaction and arrange for the placement of the increased surety bond. Thank you for your further consideration and effort regarding this matter. It is appreciated. We look forward to your response.
John Fognani

HAYNES BOONE

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