



March 7, 2025

Peter Freedman
AuPt Industries LLC
PO Box 1424
Edwards, CO 81632

RE: West Side Placer, File No. M-2016-081, Application for 110 Conversion to a 112c Operation (CN-2), Adequacy Review #1

Peter Freedman,

On February 21, 2025, the Division of Reclamation, Mining and Safety (Division) received your adequacy response letter for CN-2 at the West Side Placer site, M-2016-081. The Division has reviewed the above referenced adequacy review response letter and material submitted. The following is a list of the adequacy review items from the Division's January 9, 2025, first adequacy review letter followed by the response provided by AuPt Industries LLC. If additional information or revision is required, it will be noted. If an item is resolved, that will be indicated.

1. The Division found the application for CN-2 complete on December 17, 2024. Pursuant to Rule 1.6.2(1)(e), upon completeness AuPt Industries LLC is required to mail or personally serve a copy of the notice provided for in Rule 1.6.2(1)(e) immediately after the first publication to: (i) all Owners of Record of the surface and mineral rights of the affected land; (ii) the Owners of Record of all land surface within 200 feet of the boundary of the affected lands. As of the date of this letter, the Division has yet to receive a proof of notice to the required entities (in this case, the BLM to the south) for CN-2. Please provide the Division with a copy of these notices. **Response:** *Proof of publication was not provided in the applicant's adequacy review response package. Please submit this proof of notice to the Division.*
2. Pursuant to Rule 3.1.12(2), boundaries of the affected area will be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries. Please provide the Division with GPS locations for each of these boundary markers and a .kmz or shape file which outlines the exact permit boundary. **Response:** *Appropriate .kmz files have been provided to the Division. Resolved.*

Rule 6.2.1 – General Requirements

3. Rule 6.2.1(b) and (c) require **all maps submitted** with an application to give the date prepared and be signed by a registered land surveyor, professional engineer, or other qualified person. Please revise and resubmit all Mine Plan and Reclamation Plan Maps to



include the above required information. **Response:** *All maps have now been signed and dated as required.* **Resolved.**

EXHIBIT F – Reclamation Plan Map

4. Similar to the above Item No. 3, the submitted ‘Reclamation Narrative Map’ will need to be updated to include map elements such as a scale, legend, and north arrow. **Response:** *The required elements have been added to the map.* **Resolved.**

EXHIBIT D –Mining Plan

5. The Division delineates between ‘disturbed’ and ‘affected’ acreage. Affected land being the surface of an area within the state where a mining operation is being or will be conducted, which surface is disturbed as a result of such operation. For this operation, the affected acreage would be 79.9 acres. Disturbed land means land that has been altered in some way by mining or mining related activities. As per these definitions, for this operation, any equipment storage or processing areas are also considered disturbed land, e.g. the two-acres of area prepped and cleared for equipment storage and the 9.9 acres already disturbed as part of the currently existing 110(2) permit. As a result, the statement made on Page 13, Exhibit D, Section A that “no more than 15 acres will be disturbed at one time” is inaccurate. Please revise this section of the narrative to reflect an accurate count of all acreage to be disturbed at once- which will include any processing or equipment storage areas and active mining areas. This can be written as such to also convey that no more than three mining blocks, of 5 acres each, will be in some state of stripping, mining, and reclamation at once. **Response:** *The narrative section of the Mining Plan has been updated to include in the disturbed acres amount the additional acreage already disturbed by the 110 permit. However, the given number of 21 acres is still not accurate. There are currently ~9.9 acres disturbed by the original 110 permit. If an additional 15 acres is planned to be open and disturbed under the new 112 permit, then the disturbed acreage would be 24.9 acres at minimum. Additionally, the Division suggests that the maximum disturbed acreage amount be increased to include more than one ‘set’ of 5-acre open mining, topsoil stripping and revegetation areas. Especially if the Operator anticipates mining phases to move relatively quickly. If max disturbed acreage is limited to 24.9 acres, the Operator will need to work with the Division to update the bond amount for a new mining phase BEFORE it is opened so as to not disturb more than 24.9 acres at any one time. Should the Operator wish to have a less stringent timeline for mining phases, it is recommended that the maximum disturbed acreage be increased.*
1. Page 13, Section 2.2 of the Mining Plan states that a stationary wash-plant will operate on site. Will this facility or any other processing / storage equipment *added* as part of this

conversion require permanent foundations for establishment? (Not including the demolition of six concrete pillars already accounted for in the site's current reclamation cost estimate). **Response:** *The required information has been provided in Exhibit L.* **Resolved.**

2. Page 14 of Exhibit D, Mining Plan appears to be cut off and does not continue on page 15. Please supply the full narrative meant to be included in this section. **Response:** *Full text has been added to the page.* **Resolved.**
3. On page 18 of the mining plan, the narrative states that 514.9 acres will be mined under this permit. Please amend this section to cite the correct amount of proposed acres- 79.9. **Response:** *This section has been amended.* **Resolved.**

EXHIBIT E - Reclamation Plan

4. Section 4.0 of Exhibit E states that 'Any wells drilled during the project will be securely plugged following industry best practices to prevent groundwater contamination or unintended water loss'. Are any additional wells planned to be drilled as part of this conversion? Or is the plugging and abandonment of water well #80109 the only anticipated well to be abandoned? **Response:** *The Operator has clarified the use of one well onsite with the potential to drill three more wells. Bonding for abandonment of all four wells will be included in the Division's reclamation cost estimate.* **Resolved.**
5. Section 4.0 of Exhibit E states that 'Access roads constructed for mining operations will either be removed and reclaimed or integrated into the natural landscape'. Are all roads within the site planned to be reclaimed? If any roads are to remain in reclamation, please ensure these are appropriately outlined and labeled on the Exhibit F Reclamation Plan map. **Response:** *This information has been clarified within the appropriate narrative sections.* **Resolved.**

EXHIBIT G – Water Information

6. Page 44 of Exhibit G states that conclusion of "water quality treatment" at the site will coincide with the completion of the mining project. Please outline the 'water quality treatment' methods to which this section of the permit is referring. Is this statement simply referring to stormwater control methods such as berms and ditches? **Response:** *This information has been clarified within the appropriate narrative sections.* **Resolved.**

EXHIBIT L - Reclamation Costs

7. Page 86 of Exhibit L shows an anticipated task for "Borehole Removal x4". To the Division's knowledge, there is only one water well that is planned to be reclaimed within the permit. Please clarify if there are additional boreholes planned to be drilled and then reclaimed. **Response:** *This information has been clarified with the appropriate narrative sections.* **Resolved.**

8. The Division is currently calculating a reclamation cost estimate for the West Side Placer operation. This estimate will be provided to AuPt Industries LLC upon completion and may be revised based on adequacy responses provided through this review process.

This concludes the Division's adequacy review of this application. This letter shall not be interpreted to mean that there are no other technical deficiencies in your application; other issues may arise as additional information is supplied. Please be advised the permit application may be deemed inadequate, and the application may be denied on **March 17, 2025**, unless the above mentioned adequacy review items are addressed to the satisfaction of the Division. If more time is needed to complete the reply, the Division can grant an extension to the decision date. This will be done upon receipt of a written waiver of the Applicant's right to a decision by **March 17, 2025**, and the request for additional time. This must be received no later than the deadline date.

If you have any questions, please contact me by email at hunter.ridley@state.co.us or by phone at (720)868-7757.

Sincerely,
Hunter C. Ridley



Environmental Protection Specialist

CC: Zach Trujillo, DRMS