



June 16, 2025

Stephen Humphray
GS Mining Company, LLC
322 Gregory St.
P.O. Box 1614
Central City, CO 80422

RE: Clay County Mine, File No. P-2025-010, Notice of Intent to Conduct Prospecting Operations for Hard Rock/Metal Mines, Notice of Deficiencies #1

Mr. Humphray:

On June 9, 2025, the Division of Reclamation, Mining and Safety (Division) received your Notice of Intent to Conduct Prospecting Operations (NOI) for Hard Rock/Metal Mines application for the Clay County Mine in Gilpin County, assigned File No. P-2025-010. The prospector is BioMilling, LLC. After conducting a preliminary review of the materials submitted, the Division has identified the following deficiency items that must be addressed before the application can be considered filed and a technical review can begin:

- 1) The application included a hard copy submittal of Form 2 (public), but no Form 1 (confidential). Please confirm this was not an error and the prospector does not wish to designate any of the information submitted as confidential. If this was an error, please submit a Form 1.
- 2) The prospector company name, BioMilling, LLC, is not currently registered with the Colorado Secretary of State (CSOS), as required. Please register this company name with the CSOS.
- 3) On page 2 of the application form, under General Description, please include the number of miles and direction to the nearest town.
- 4) On page 8 of the application form, under Section IV - Operation and Reclamation Measures, the prospector states "Photographs provided herein". However, the Division was unable to find any photographs submitted with the application. Please provide photographs showing the pre-prospecting conditions of the proposed disturbance areas, including all mine openings proposed to be used by the operation.
- 5) The Exhibit A – Map showing Permit and Disturbance Boundaries depicts the property boundary (with a blue line) and the proposed disturbances (with a pink line) which include a main NOI area, a decline portal, two shafts, and two road segments accessing the shaft areas. Portions of the roads that will need to be used (or created) to access the two shaft areas are not shown on the map, and the ownership of these roads is not clear. Please revise this map to show the full length of all roads that will be used (or constructed) by the prospecting operation to access the proposed disturbance areas. Additionally, please provide the owner(s) of each of the roads, including the segments not shown within the property boundary on the map. This information is needed to confirm the proposed 1.0 acre of affected lands and to determine whether additional right-of-entry documentation or access agreements are needed.



- 6) Per Rule 5.1.2(i), the applicant must submit the NOI in both paper and electronic form. The hard copy materials submitted state “The NOI is submitted in both paper and electronic form”. However, the Division was unable to find the electronic submittal (e.g., email, thumb drive). Please submit the NOI in electronic form.
- 7) Per Rule 5.3.3(1), upon filing the NOI, the prospector shall provide a Financial Warranty in the amount of \$2,000.00 per acre of the land to be disturbed. In the application materials submitted, the prospector is proposing a total project area of 1.0 acre. Therefore, please submit a One Site Prospecting Financial Warranty in the amount of \$2,000.00. The Financial Warranty forms are available on our website, specifically at: <https://drms.colorado.gov/forms/mineral-prospecting-and-exploration-forms> (under the section titled “Hard Rock/Metal Prospecting Notice of Intent Financial Warranty Forms). Note that an Affidavit of Authority form must also be submitted to provide confirmation of the legal authority of the individual signing all financial warranty documents. If you have any questions about which form(s) to use, please contact our financial warranty specialist, Sara Stevenson-Benn at sara.stevenson-benn@state.co.us.
- 8) To expedite communications, please provide an email address for the permitting contact.

This letter shall not be interpreted to mean there are no other technical deficiencies in your NOI application. The Division will conduct a technical review of your application after it has been considered filed. Please be advised, if all identified deficiencies have not been addressed within sixty (60) days of the date of this letter, by **August 15, 2025**, the Division may terminate the NOI file.

If you have any questions, you may contact me at amy.eschberger@state.co.us. Please note, Leigh Simmons is the specialist assigned to Gilpin County and will continue the review of your NOI after he returns to the office on June 18, 2025. After that date, please direct all correspondence regarding this application to him at leigh.simmons@state.co.us.

Sincerely,



Amy Eschberger
Senior Environmental Protection Specialist

Cc: Franklin Levy
BioMilling, LLC
9234 Robin Dr.
West Hollywood, CA 90069

Leigh Simmons, DRMS
Sara Stevenson-Benn, DRMS