



STATE OF
COLORADO

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

Re: NOI Response - Clay County Mine

Stephen Humphray <biomilling@gmail.com>

Sun, Sep 14, 2025 at 9:22 PM

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

Cc: Amy Eschberger - DNR <amy.eschberger@state.co.us>, Franklin Levy <franklin@gsminingholdings.com>

Leigh,

Please find the following documents attached:

1. DRMS Notice of Deficiencies letter received from the Division of Reclamation, Mining and Safety dated June 16, 2025, as reference;
2. BioMining, LLC's responses to the deficiencies outlined in the letter received from the Division of Reclamation, Mining and Safety dated June 16, 2025;
3. The original Clay County NOI that was submitted by mail as per item 6 in the DRMS Notice of Deficiencies letter received from the Division of Reclamation, Mining and Safety dated June 16, 2025.

I have sent the Clay County Mine photos that were requested as per item 4 in the DRMS Notice of Deficiencies letter received from the Division of Reclamation, Mining and Safety dated June 16, 2025, in a separate email.

Steve Humphray
COO
BioMiliing, LLC
(720) 696 2150

3 attachments



DRMS Notice of Deficiencies #1 Letter.pdf
338K



Adequacy Review 1 Response 9-14-2025.pdf
1437K



Clay County NOI.pdf
1410K

Biomilling, LLC
269 West Drive
Golden, CO 80403

9/14/2025

Leigh Simmons
Environmental Protection Specialist
Colorado Division of Reclamation, Mining and Safety
DRMS Room 215
1001 E. 62nd Ave
Denver, CO 80216

Via Email

RE: Adequacy Review Response #1, 6/12/2025

Mr. Simmons:

Please find the following information and attachments to this document in response to the Division's letter of June 16, 2025.

- 1) Biomilling, LLC confirms that no omission was made and no Form 1 is/was required. No information submitted is considered confidential.
- 2) Biomilling, LLC is currently a registered as a Foreign Entity within the State of Colorado. Please see Attachment A to this document
- 3) The property, while not included within the City of Black Hawk, Colorado, is entirely surrounded by the City of Black Hawk. *There is no measurement in miles that would describe the distance to the City of Black Hawk, as it is entirely within the City, itself.* To travel to Central City (the next nearest town), travel westward on Lake Gulch Road 1.1 miles to the city limits of Central City. Continue on to the intersection of Virginia Canyon Road at 1.4 miles from the site. Turn right on Virginia Canyon Road and arrive at the intersection of Lawrence Street and Spring Street at 2.4 miles from the site.
- 4) Our apologies as to the failure to submit the promised photographs. This was an oversight on our part. Pre-prospecting condition photos are available digitally at the address below. A copy of the photos is attached separately in an email and a hard copy of the photos will be mailed:
<https://www.dropbox.com/scl/fo/z53yce8on7bdzkzp0q6fl/AIUSs6HbLEiiW8eaVfk1QgM?rlkey=0c7c01fxpbk2mmnaefvkt7en1&dl=>

- 5) Clay County Holdings, Inc. retained Douglas Howell (PLS#0020140) to provide detailed mapping of the existing roads on and adjacent to the prospecting areas proposed. No disturbance to these roads is proposed. Roads will be maintained as they are with no improvement and no reclamation post-prospecting. Please see Attachment B (updated map) and Attachment C (table of areas). Clay County Holdings, Inc. received acknowledgement of the right to traverse the Golden Gad claim owned by Crown Mining LLC (Attachment D) and is awaiting the same from Proximo Distillers, Inc.
- 6) Again, our apologies as to the failure to provide the submittal electronically. The submittal is attached separately in an email
- 7) Our apologies as to lack of financial warranty ("FW"). Per the application "The financial warranty must be submitted and approved by the Division prior to entry upon the lands for the purpose of prospecting." It was our misunderstanding that the provision of the financial warranty was subsequent to the assignment of a NOI number. Please find the financial warranty documentation attached (Attachment E). Due to the lack of immediate access to your offices (no public access without an appointment), the FW check is pending arrival via US mail.
- 8) Stephen Humphray's email: humpsj@gmail.com
- 9) Upon review, section 5.1.1(1)(f) of the Supplemental Information contained an omission. The paragraph beginning with "Encountering Surface or Subsurface Water:" should have appeared as follows:
Encountering Surface or Subsurface Water: The Clay County site was traversed at the 6th level (470 feet below surface) by the National Tunnel which is actively drained by the North Clear Creek Water Treatment Plant. As a result of this dewatering, the Clay County mine workings are entirely dry. Lake Gulch has no perennial stream. Ephemeral flow occurs in spring subsequent to snow melt and on occasional storm water events. The prospecting proposed is not proximal to the gulch bottom and will not affect the ephemeral flows therein.

I, and Biomilling, LLC appreciate the Division's response to our submittal of June 9, 2025. Please do not hesitate to reach me for any additional concerns.

Best regards,



Stephen Humphray
Chief Operating Officer
Biomilling, LLC

Enc: Attachment A – Biomilling Foreign Reg CO.pdf
 Attachment B – NOI Permit and Surf Dist_v2.pdf
 Attachment C – Disturbance Areas.pdf
 Attachment D – Crown Mining LoA.pdf
 Attachment E – Financial Warranty.pdf

Cc: Hard copy sent via USPS, 9/15/2025



Colorado Secretary of State

ID#: 20251720245

Document #: 20251720245

Filed on: 06/26/2025 11:54:42 AM

Paid: \$100.00

Document must be filed electronically.
Paper documents are not accepted.
Fees & forms are subject to change.
For more information or to print copies
of filed documents, visit www.coloradosos.gov.

ABOVE SPACE FOR OFFICE USE ONLY

Statement of Foreign Entity Authority
filed pursuant to § 7-90-803 of the Colorado Revised Statutes (C.R.S.)

1. The entity ID number, the entity name, and the true name, if different, are

Entity ID number 20251720245
(Colorado Secretary of State ID number)

Entity name Biomilling, LLC

True name
(if different from the entity name) _____

2. The form of entity and the jurisdiction under the law of which the entity is formed are

Form of entity Foreign Limited Liability Company

Jurisdiction Delaware

3. The principal office address of the entity's principal office is

Street address 9234 Robin Dr
(Street number and name)

Los Angeles CA 90069
(City) (State) (ZIP/Postal Code)

United States
(Province – if applicable) (Country)

Mailing address
(leave blank if same as street address) (Street number and name or Post Office Box information)

(City) (State) (ZIP/Postal Code)
(Province – if applicable) (Country)

4. The registered agent name and registered agent address of the entity's registered agent are

Name
(if an individual) _____
(Last) (First) (Middle) (Suffix)

or

(if an entity) Registered Agents Inc
(Caution: Do not provide both an individual and an entity name.)

Street address

1500 N Grant St, STE R

(Street number and name)

Denver

(City)

CO

(State)

80203

(ZIP Code)

Mailing address

(leave blank if same as street address)

(Street number and name or Post Office Box information)

CO

(State)

(ZIP Code)

(The following statement is adopted by marking the box.)

☒ The person appointed as registered agent above has consented to being so appointed.

5. The date the entity commenced or expects to commence transacting business or conducting activities in Colorado is 06/24/2025.
(mm/dd/yyyy)

6. (If applicable, adopt the following statement by marking the box and include an attachment.)

☐ This document contains additional information as provided by law.

7. (Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

The delayed effective date and, if applicable, time of this document is/are _____.
(mm/dd/yyyy hour:minute am/pm)

Notice:

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is named in the document as one who has caused it to be delivered.

8. The true name and mailing address of the individual causing the document to be delivered for filing are

Humphray

(Last)

Stephen

(First)

(Middle)

(Suffix)

269 West Drive

(Street number and name or Post Office Box information)

Golden

(City)

co

(State)

80403

(ZIP/Postal Code)

United States

(Province -- if applicable)

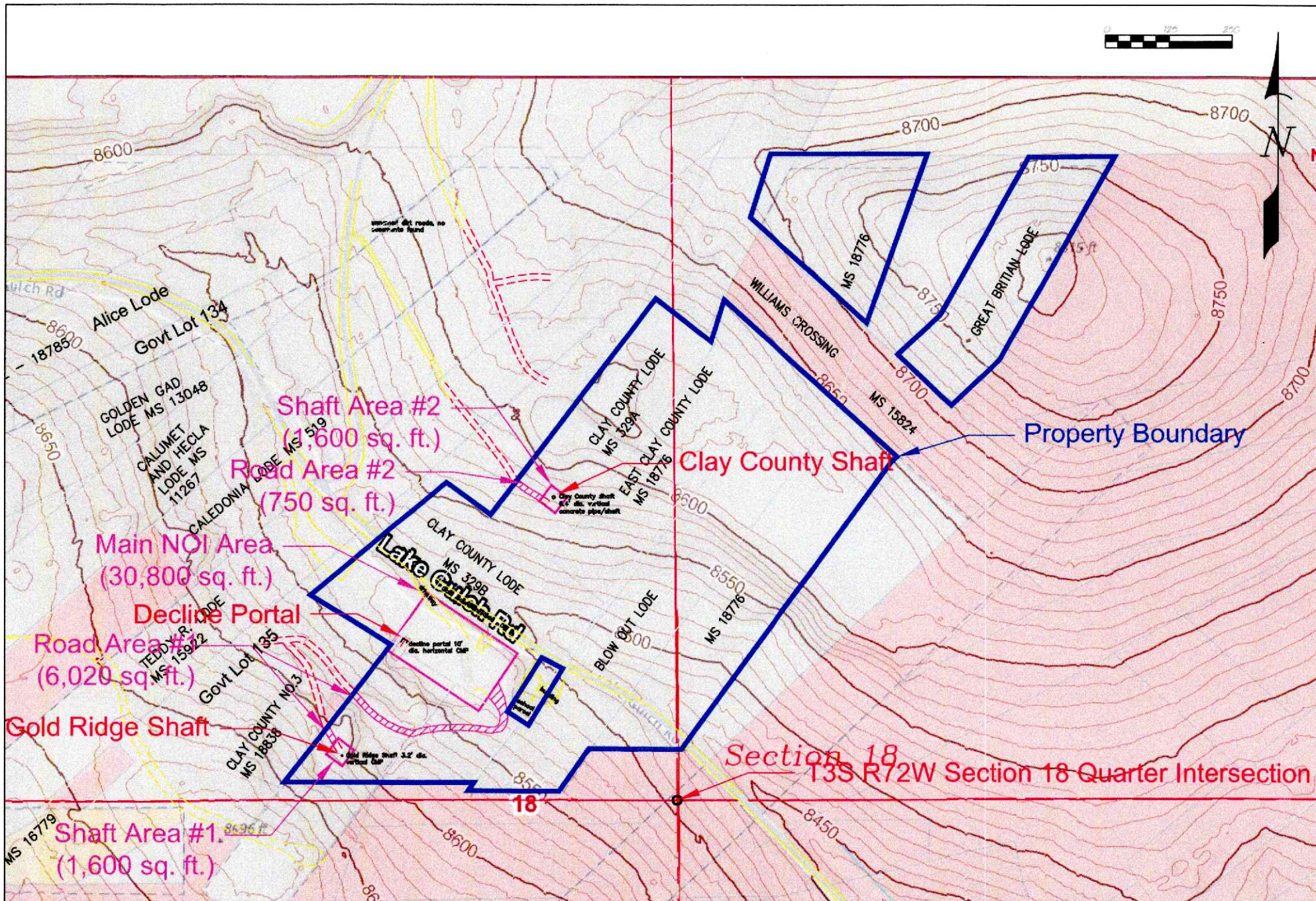
(Country)

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

☐ This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

Disclaimer:

This form/cover sheet, and any related instructions, are not intended to provide legal, business or tax advice, and are furnished without representation or warranty. While this form/cover sheet is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form/cover sheet. Questions should be addressed to the user's legal, business or tax advisor(s).



Notes: Imagery obtained from Gilpin County GIS portal, 5/15/2025
 Boundaries are approximated based on image appearance and assessor property lines.
 Permit boundary within T3S R72W Section 18, NW Quarter, SE Q/Q
 Supplemental road and boundary survey data provided by PLS#0020140
 File Name: /Clay County NOI/NOI Permit Exhibit_v2.dwg

Scale: 1" = 250"
 Date: 5/2/2025
 Drawn By: MCC
 Checked By: SH
 Engineered By: MCC
 Approved By: FHL
 Revision: 1

 **BLACK FOX MINING LLC**
 MATT COLLINS, PE, QP
 1508 Ridge Rd, Nederland, CO, 80466
 Phone: (303) 303-570-6269
 Email: mcollins@blackfoxmining.com

NOI - Clay County Mine Map
Exhibit A - Map
Permit and Disturbance Boundaries
 DWG # 20250912001 Sheet # 1 of 1

NOI Disturbance Areas and Adjacent Existing Private Roads

Road Parcels Adjacent to NOI Area (not included in potential disturbance)

<i>Main Shaft Area</i>				Length	Width	Area
1)	Proximo Distillers	N022319	Clay County No. 3	127.4	12	1528.8
2)	Proximo Distillers	N009827	Teddy R	128.6	12	1543.2
3)	Proximo Distillers	N004592	Caledonia	153.3	12	1839.6
4)	Crown Mining LLC	N008126	Golden Gad	148.9	12	1786.8
5)	Proximo Distillers	R009509	Govt Lot 134	32.1	12	385.2
6)	Proximo Distillers	N006011	Alice	14.6	12	175.2
Subtotal						7258.8

<i>Gold Ridge Shaft Area</i>				Length	Width	Area
1)	Proximo Distillers	N009822	Sunset	25.4	12	304.8
2)	Proximo Distillers	N00551	Clay County No. 3	(lower) 150.8	12	1809.6
2a)	Proximo Distillers	N00551	Clay County No. 3	(upper) 147.9	12	1774.8
3)	Proximo Distillers	R114900	Govt Lot 135	60.7	12	728.4
Subtotal						4617.6

Road Parcels Included in NOI				Length	Width	Area
1)	MS329B Section	N009829	Clay County Lode & Millsite	56	25	1400
1a)	MS18776 Section	N009823	East Clay County	196	12	2352
1b)	MS329A Lower Section	N009829	Clay County Lode & Millsite	155	12	1860
1c)	MS329A Upper Section	N009829	Clay County Lode & Millsite	34	12	408
Subtotal						6020
2)	MS329A Main Shaft	N009829	Clay County Lode & Millsite	62.5	12	750
Subtotal						750

Total NOI Disturbance Area

			Length	Width
1)	Main NOI Area	30800	220	140
2)	Shaft Area #1	1600	40	40
3)	Shaft Area #2	1600	40	40
4)	Road Area #1	6020	see above	
5)	Road Area #2	750	see above	
Total		40770 ft^2		
		0.94 Acres		
Bond		1 Acres		

Colorado Division of Reclamation, Mining and Safety
1313 Sherman St., Room 215
Denver, CO 80000

To Whom It May Concern,

This document is intended to meet the requirements of Rule 5.1.2(d)(vi) and Rule 1.6.2(1)(e)(i) of the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal, and Designated Mining Operations, et. seq.

We acknowledge the existence of historic mining roads on our properties adjacent to the Clay County Mine located in Gilpin County in or near the City of Black Hawk (T3S, R72W, Section 18, NW Quarter Section) which access the shafts of the Clay County Mine, north and south of Lake Gulch Road. We are aware that Clay County Holdings, Inc. or its assignees have applied for a Colorado Mined Land Reclamation Board permit for the Clay County Mine and do hereby acknowledge the right of Clay County Holdings, Inc. to traverse and maintain these roads within the character of their historic use. This use is reciprocal, as we expect Clay County Holdings, Inc. to acknowledge the same right of access on these existing roads to our benefit where the roads may cross lands owned by Clay County Holdings, Inc. and access portions of our property.

This document provides no rights to trespass on our lands and is limited only to the existing historic roads accessing the shafts of the Clay County Mine.

Regards,



for Crown Mining LLC

E. ALAN THOMPSON
MANAGING MEMBER

9/8/25
Date

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

Phone: (303) 866-3567

FAX: (303) 832-8106



ONE SITE PROSPECTING FINANCIAL WARRANTY

CHECK FOR DEPOSIT IN STATE TREASURY

Prospecting Financial Warranty No. _____

Notice of Intent No. P-2025-010

This form has been approved by the Mined Land Reclamation Board ("Board") pursuant to section 34-32-117, C.R.S., of the Colorado Land Reclamation Act. Any alteration or modification of this form, without approval by the Board shall result in the financial warranty being invalid and result in the voiding of any permit issued in conjunction with such invalid financial warranty, and subject the Prospector to cease and desist orders and civil penalties for prospecting without a permit pursuant to section 34-32-123, C.R.S., of the Colorado Land Reclamation Act.

KNOW ALL MEN BY THESE PRESENTS, That we (I), Stephen Humphray,
of the County of Jefferson, in the State of Colorado as
Principal(s) are (am) held hereby and firmly bound unto the State of Colorado, acting through the Mined Land Reclamation Board in the sum of Two Thousand Dollars (\$ 2,000.00) for the payment of which sum, well and truly to be made, we (I) hereby bind ourselve(s), and each of our (my) legal representatives, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has filed Notices of Intent to Conduct Prospecting Operations with the Board on the premises indicated on the Notices of Intent filed with the Board which are attached hereto and thereby incorporated by reference, to wit:

Clay County Mine

T3S,R72W,Section 18, NW Quarter Section

NOW, THEREFORE, the conditions of this obligation are such that if the above-bounded Principal shall, in conducting such prospecting operations, faithfully perform the provisions of the Notices of Intent to Conduct Prospecting operations filed or to be filed with the Board and the requirements of the plan to implement reclamation measures to reclaim all of the lands affected throughout the State by such prospecting operations, approved and modified by the Colorado Land Reclamation Act as amended, and the Rules and Regulations adopted pursuant thereto; upon the Board making the finding that all of the lands described in the Notices of Intent to Conduct Prospecting Operations filed or to be filed with the Board which are attached hereto and hereby incorporated by reference have been satisfactorily reclaimed and approving the Prospector's request for a financial warranty release on such lands, then this obligation shall be exonerated and discharged and become null and void; otherwise to remain in full force and effect.

PROVIDED, however, the Warrantor shall not be liable under this financial warranty for an amount greater in the aggregate than the sum designated in the first paragraph hereof, unless increased by a later amendment, and shall not be liable as respects any obligation related to prospecting and reclamation operations performed after the effective date of a cancellation of this financial warranty pursuant to the terms of Section 34-32-117(5), as amended. This financial warranty shall remain in force and effect as respects all obligations for all prospecting and reclamation operations performed prior to the effective date of such cancellation unless the Principal files a substitute bond which: 1) assumes liability for all obligations for all prospecting and reclamation operations performed during the effective dates of this financial warranty ; and 2) is acceptable to the Board; or unless the Board otherwise releases this financial warranty.

The Warrantor reserves the right to cancel this financial warranty, effective only upon an anniversary date, and only by giving written notice to that effect, mailed by Certified Mail, at least ninety (90) days prior to such anniversary date, addressed to both the Prospector at its address herein stated, and to the Board at the address herein stated. In the event of such cancellation, this financial warranty shall nevertheless remain in full force and effect as respects the reclamation of all areas disturbed prior to the effective date of such cancellation, unless and until the Prospector shall file a substitute financial warranty which: (1) assumes liability for all reclamation obligations which shall have arisen at any time while this financial warranty is in force; and (2) is accepted in writing by the Board.

Signed, sealed, and dated this 18th day of September, 2025.

Stephen Humphray

Principal



By

Cheif Operating Officer

Title

269 West Drive

Mailing Address

Golden, CO, 80403

Principal

By

Title

Mailing Address

APPROVED:

By

Division Director

Date

82-504/1070

145

STEPHEN HUMPHRAY

DATE

9/13/25



PAY TO
THE ORDER OF

Division of Reclamation,
Mining and Safety
Two Thousand Dollars

\$ 2,000.00

DOLLARS

Heat
Reactive
ink

1STBANK

www.1stbank.com
(800) 964-3444

Clay County

MEMO

Prospecting Permit

[Signature]

⑆ 107005047⑆ 303⑆ 235596⑆ 0⑆45

LOOK FOR FRAUD-DETERRING FEATURES INCLUDING THE SECURITY SQUARE AND HEAT-REACTIVE INK. DETAILS ON BACK.

Authorization

From Franklin Levy <franklin@biomilling.com>

Date Sun 9/14/2025 11:30

To Steve Humphray <humpsj@gmail.com>

Dear Mr. Humphray,

Please be advised that in your capacity as Chief Operating Officer of BioMilling LLC you are authorized to sign all documents you deem appropriate in connection with licensing and permitting relating to the Clay Mine and all other mining properties in which the Company has any interest.

Franklin Levy

Chief Executive Officer

BioMilling LLC

Sent from my iPhone



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

06/04/2025 04:05 PM 178421
SAHARI MCCORMICK GILPIN COUNTY, CO
Receipt #55622 Page 1 of 21
257 NOTICE OF INTENT TotalFee:113.00 DocFee:0.00



Form 2 (Public File) NOTICE OF INTENT TO CONDUCT PROSPECTING OPERATIONS FOR HARD ROCK/METAL MINES

CHECK ONE:

- ☐ **There is an NOI Number Already Assigned to this Operation** (Please reference the file number assigned to this operation) **NOI # P-** -
- ☒ **New NOI**
- ☐ **Modification** to an Existing NOI (Provide for Modifications to an existing NOI) **NOI# P-** .

GENERAL OPERATION INFORMATION

Type or print clearly, in the space provided, ALL information described below.

I. GENERAL INFORMATION

1. DATE NOI RECEIVED BY THE DIVISION:

(office use only)

2. PROJECT NAME: Clay County Mine

3. PROSPECTOR:

Franklin H. Levy

Name

Manager

Title

BioMilling, LLC

Company Name

PERSON MLRB SHOULD CONTACT:

Stephen Humphray

Name

Mining Director

Title

GS Mining Company, LLC

Company Name





9234 Robin Dr.

Street

P.O. Box

West Hollywood, CA 90069

City, State, Zip

(702) 403-0510

Telephone

()

Fax

4. **APPLICATION FEE: \$86.** (NOIs require an **\$86** fee which must accompany this notice or it cannot be processed by the Division).

5.

LOCATION INFORMATION:

County:

Gilpin

322 Gregory St.

Street

P.O. Box 1614

P.O. Box

Central City, CO 80422

City, State, Zip

(720) 696-2150

Telephone

()

Fax

Principal Meridian (check one):



6th (Colorado)



10th

(New Mexico)



Ute

Section (write number)

18

TOWNSHIP

3

N



S



RANGE

72

E



W



QUARTER SECTION (check one):

NE



NW



SE



SW



QUARTER/QUARTER SECTION (check one):

NE



NW



SE



SW



GENERAL DESCRIPTION: (the number of miles and direction to the nearest town and the approximate elevation):

The property is located at 1578 Lake Gulch Road, Central City, CO 80427 at approximately 8,525 feet amsl.



NOTE: Supply longitude and latitude or UTM coordinates if lands have not been surveyed or as supplemental information to this NOI. GPS measurements will be acceptable for this purpose:

Lat: 39.7891630 X: _____
Long: -105.4903093 Y: _____

6. LAND OWNERSHIP:

☒ Private ☐ Public Domain (BLM) ☐ National Forest (USFS)
☐ State ☐ State Sovereign Lands ☐ Other (please describe) _____

If prospecting is located on BLM or USFS land the remaining section must be completed, otherwise go to section II Maps & Drawings

7. PROSPECTING ON BUREAU OF LAND MANAGEMENT (BLM) LAND AND U.S. FOREST SERVICE (USFS) LAND

The Division and the BLM/USFS have entered into cooperative agreements that eliminate the need for a prospector to post a financial warranty with each agency and allow them to coordinate the review of the NOI in order to minimize administrative processing time and effort.

A. CLAIMANT:

Name _____
Address _____
City, State, Zip _____
Telephone () _____
Fax () _____



B. SITE/CLAIM INFORMATION:

List names, serial numbers and provide legal description to nearest quarter-quarter section of all sites or claims (attach additional page, if necessary).

NAME	SERIAL NUMBER	LEGAL DESCRIPTION

C. LOCATION MAP: Attach a USGS 7.5 minute quad, or similar map of adequate scale, which locates the prospecting site(s).

D. Are prospect sites (e.g., drill holes, trench locations, etc.) staked on the ground? Yes ☐ No ☐

E. Specify the Land Management Agency, Address and Telephone Number:

Agency

Address

City, State, Zip

Telephone

()

F. The prospector is required to document that the NOI has been sent to the BLM or the USFS. Processing of the NOI will not begin until the prospector has submitted evidence acceptable to the Division that the NOI was sent to the BLM or USFS. Check one:

☐

Evidence of notification is attached to this NOI for BLM Land

☐

Evidence of notification is attached to this NOI for USFS Land.

☐

Other proof of notice is attached to this NOI



II. MAPS & DRAWINGS

An accurate topographic base map showing the location of the proposed project must be submitted with this notice. The prospector may submit a U.S.G.S. 7.5 minute quadrangle, or similar map of adequate scale that:

1. Identifies the proposed prospecting site(s) or activity areas involving surface disturbance. Activity areas include all drill holes, mud pits, excavations, trenches, adits, shafts, tunnels, rock dumps, stockpiles, impoundments and prospecting roads, and
2. Includes sufficient detail to identify and locate known prospecting features and facilities that may be affected and those that are not anticipated to be affected. This includes the location of all drill holes, mud pits, excavations, trenches, adits, shafts, tunnels, rock dumps, stockpiles, impoundments and prospecting roads. Color photographs, adequately labeled (including date, orientation and location), of the prospecting site may be used to fulfill this requirement if included with the NOI submittal.

III. PROJECT DESCRIPTION

1. Mineral(s) and/or Resource(s) being Investigated: Gold, Silver, Lead, Zinc, Copper, etc.
2. Estimated dates of commencement and completion:

Commencement:	07	/	01	/	2025
Completion	07	/	01	/	2030
3. Amount of material (specify units) to be extracted, moved or proposed to be moved: 1,000 Units short tons

Identify the type or method of prospecting proposed and quantity (place an "X")

- | | | |
|---|---------------------------------------|---|
| <input type="checkbox"/> Cuts | <input type="checkbox"/> Pits | <input type="checkbox"/> Trenches |
| <input checked="" type="checkbox"/> Shafts | <input type="checkbox"/> Tunnels | <input type="checkbox"/> Adits |
| <input checked="" type="checkbox"/> Declines | <input type="checkbox"/> Air Drilling | <input type="checkbox"/> Fluid Drilling |
| <input checked="" type="checkbox"/> Drilling and Blasting | | |



E. Other Disturbances (please describe)

n/a

F. Indicate Chemicals and Fuels used or stored on site. List type, quantity and method to store.

No chemicals or fuel will be stored on site. Diesel equipment will be fueled by mobile containers that will deliver fuel and be stored off-site. Small quantities (less than 1 gallon) of lubricants and oils will be used to support equipment which will be stored in a labeled and flame resistant cabinet underground. Minor amounts of non-toxic polymers may be used to support the underground core drilling.

G. New Roads:

Length (ft): 0 Width (ft):

Significantly

Upgraded Roads

Length (ft): 0 Width (ft):

Are culverts or other crossings proposed? If so, please describe:

n/a

H. Total project area to be disturbed (acres) 1.0

I. Describe the equipment to be used for the prospecting operations:

Diesel equipment will include: surface air compressor (1,400 cfm or less), generator (480v, 600kva or less), Kubota UTVs, Wagner or Eimco 1-yd LHD or equivalent, Elmac 5-yd UG haul truck or equivalent, pneumatic core drill(s), electric core drill(s), battery powered tools, pneumatic percussion drills (S83 jacklegs or equivalent), electric fan (40hp or less), surface front-end loader (4-yd or less).



J. Describe and locate any structures to be constructed (i.e. stockpiles, ponds, impoundments):

No new structures will be constructed. An existing concrete pad will be used for the daily placement and removal of any excavated material from underground. An existing concrete building onsite may be used to support the work.

K. Describe anticipated relationship to surface water and groundwater (proximity to streams, penetration of ground water aquifers):

One (1) ephemeral stream crosses the property on the NE side of Lake Gulch. No connection to underground workings has been observed from this feature. No groundwater exists in the Clay County Mine. It is well documented that the National Tunnel drains the Clay County Mine and other subsurface mines in the area. The National Tunnel discharge is treated by the North Clear Creek Treatment Plant. With no groundwater present in the exposed workings of the Clay County Mine, no impact is possible on the National Tunnel discharge as no transmission of water from the planned prospecting operation will leave the Clay County workings. What little water that will be utilized to support drilling operations will be purchased, recycled and evaporated from the underground workings.

IV. OPERATION AND RECLAMATION MEASURES:

1. The Board suggests that a photographic record of the pre-prospecting and post-prospecting conditions be kept by the prospector. These photos should be taken from the same location and by the same method to clearly show the pre-prospecting condition of the land and the reclamation efforts. Upon completion of reclamation and request for bond or surety release, the Board may consider the photos as evidence of adequate reclamation, and thus, be able to act more quickly on the request for release.
2. Provide a description of the native vegetation of the area to be disturbed, including tree, shrub, and grass communities of the area. Color photographs, sufficient to adequately represent the ecology of the site and adequately labeled (including date, orientation and location), may be used in lieu of a written description. Based on the quality of the photographs, the Division may require additional detail.

Photographs provided herein. No vegetation shall be disturbed.



3. Describe the estimated topsoil depth and how topsoil will be salvaged, stockpiled and redistributed for the re-establishment of vegetation. Specify approximate topsoil redistribution depth:

No topsoil exists at the portal area (affected area) of the Clay County Mine. No topsoil will be placed upon termination of prospecting activities.

4. Describe how drill holes will be plugged (refer to Rule 5.4 of the Rules for required abandonment procedures):

Underground drillholes will not be plugged unless artesian flow (unlikely) is encountered. Any drillholes underground encountering artesian flow will be plugged pursuant to Rule 5.4. No surface holes will be drilled under this NOI without modification of the NOI.

5. Describe how portals, adits, shafts, ponds, excavations, or other disturbances will be reclaimed (refer to Rule 3 and Rule 5 for specific reclamation performance standards). You may wish to contact the Division for closure specifications.

One (1) decline adit shall not be reclaimed as it is already faced with a steel grated closure consistent with the DRMS General Bid Specifications for mine closures. Two (2) shaft collars shall not be reclaimed as they are already capped with steel grated closures consistent with the DRMS General Bid Specifications for mine closures.



6. Describe how roads will be reclaimed or returned to their pre-prospecting (or better) condition:

No roads will be created nor shall any roads be reclaimed. All roads will be left in a manner that prevents stormwater damage equal to or better than pre-prospecting conditions.

7. List the seed mixture to be used in the re-establishment of vegetation. See the attached seed mixture calculation to obtain PLS/acre. For assistance with formulating seed mixtures and rates, contact the local NRCS if on private land, BLM/USFS if on public land or State Land Board if on state land.

A. Plant name and seeding rate:

Plant Name

Seeding Rate (PLS/Acre)

n/a



B. Describe the method for seed bed preparation, and application method for grass/forb seeding:

No re-seeding of the surface area shall occur. The sites to be "disturbed" are currently not vegetated nor is revegetation desired by the land owner.

V. TERMS AND CONDITIONS FOR PROSPECTING OPERATIONS:

1. Reclamation measures shall be fulfilled in a timely manner and completed within five (5) years of completion of prospecting activities.
2. The prospecting operations described in this Notice will be conducted in such a manner as to minimize surface disturbances. In addition to the measures required in Rule 5, precautions to be taken include:
 - A. Confinement of operations to areas near existing roads or trails, where practicable. Existing roads which are to remain as permanent roads after prospecting activities are completed shall be left in a condition equal to or better than the pre-prospecting condition;
 - B. Drilling shall be conducted in such a way as to prevent cuttings and fluids from directly entering any dry or flowing stream channel. Drill cuttings must be spread to a depth no greater than one-half (1/2) inch or buried in an approved disposal pit;
 - C. Proper and timely abandonment of drill holes upon completion of drilling;
 - D. Reclamation of affected lands upon completion of operations or phases of an operation;;
 - E. Backfilling and revegetating any pits to blend in with the surrounding land surface;



- F. Safeguarding mine entries, trenches and excavations from unauthorized entry at all times;
 - G. Disposal of any trash, scrap metal, wood, machinery, and buildings;
 - H. Control of noxious weeds within the area affected by the prospector
- 3. The prospecting operations shall be conducted in such a manner as to comply with all applicable local, state and federal laws and regulations including applicable state and federal air and water quality laws and regulations.
 - 4. The prospecting operations shall be conducted so as to minimize adverse effects upon wildlife to include covering of open drill holes until properly plugged.
 - 5. During the prospecting operations, the operator will perform the necessary stabilization and reclamation work to ensure those areas affected by prospecting activities are erosionally and geotechnically stable.
 - 6. All prospecting operations shall be in compliance with the Colorado Mined Land Reclamation Act, as amended (34-32-101 et seq. C.R.S.), and all rules and regulations currently in effect or promulgated pursuant thereto. See 2 CCR 407-1, Mined Land Reclamation Board Hardrock /Metal Mining Rules.

VI. ADDITIONAL TERMS AND CONDITIONS FOR PROSPECTING ON BLM/USFS LANDS

- 1. The prospector will supply a copy of this NOI to the appropriate BLM and/or USFS office.
- 2. The prospector authorizes the MLRB to discuss the information in this Notice of Intent with the BLM and/or USFS.
- 3. If on BLM land, the prospector will complete reclamation to the standards described in 43 CFR 3809.1-3 (d) and implement reasonable measures to prevent unnecessary or undue degradation of lands during operations.

VII. FINANCIAL WARRANTY

A financial warranty must be provided for the cost of reclamation of the disturbance described in this Notice. The prospector can either file a "One Site Prospecting Financial Warranty" or a "Statewide Financial Warranty." **The financial warranty must be submitted and approved by the Division prior to entry upon lands for the purpose of prospecting.**



A One-Site Prospecting Financial Warranty is usually filed by individuals or companies where prospecting activities are limited to a single area. It must be filed in the amount of \$2,000 per acre for land to be disturbed, or such other amount as determined by the Division, based on the projected costs of reclamation. A Statewide Financial Warranty is usually filed by companies with multiple prospecting sites. It must be filed in an amount equal to the estimated cost of reclamation per acre of affected land for all anticipated sites statewide. (You may increase the statewide bond at any time in order to cover additional or expanded prospecting activities.)

VIII. SIGNATURE REQUIREMENT

Please place your initials on the line provided:

PL I hereby verify that the foregoing information is true and accurate and commit to the reclamation of the aforementioned prospecting site as required by the Colorado Mined Reclamation Act and the rules as specified in the Hard Rock/Metal Mining Rules and Regulations and this NOI form.

PL I have enclosed the required permit fee.

PL I authorize the Division to contact and copy the BLM and/or USFS on any correspondence related to the prospecting operation, if the prospecting operation is located on federal public land.

PL I have also enclosed the appropriate reclamation surety amount or will post an amount as determined by the office, based on the projected costs of reclamation.

PL I understand that I am not authorized to create any surface disturbance until the surety amount is posted and approved in writing from the Division of Reclamation, Mining and Safety.

PL I accept and agree to comply with the foregoing terms and conditions and with all of the provisions of Rules 3 and 5, and C.R.S. 34-32-101.

PL I hereby certify that concurrent with submittal of this NOI to the Division, I have sent notice to the Boards of County Commissioners in the counties where the proposed activities will occur. This notice also indicated that non-confidential information regarding the proposed activities will be available for review at the Division's website.

This form has been approved by the Mined Land Reclamation Board pursuant to section 34-32-113, C.R.S., of the Mined Land Reclamation Act. Any alteration or modification of this form shall result in voiding any NOI issued on the altered or modified form and subject the operator to cease and desist orders and civil penalties for operating without a NOI pursuant to section 34-32-123, C.R.S.



I, the undersigned, being the NOI holder or the person authorized to sign on behalf of the NOI holder, declare that the information given in this NOI form is true and correct.

SIGNATURES MUST BE IN BLUE INK

Signed and dated this 3rd day of June, 2025
(date) (month) (year)

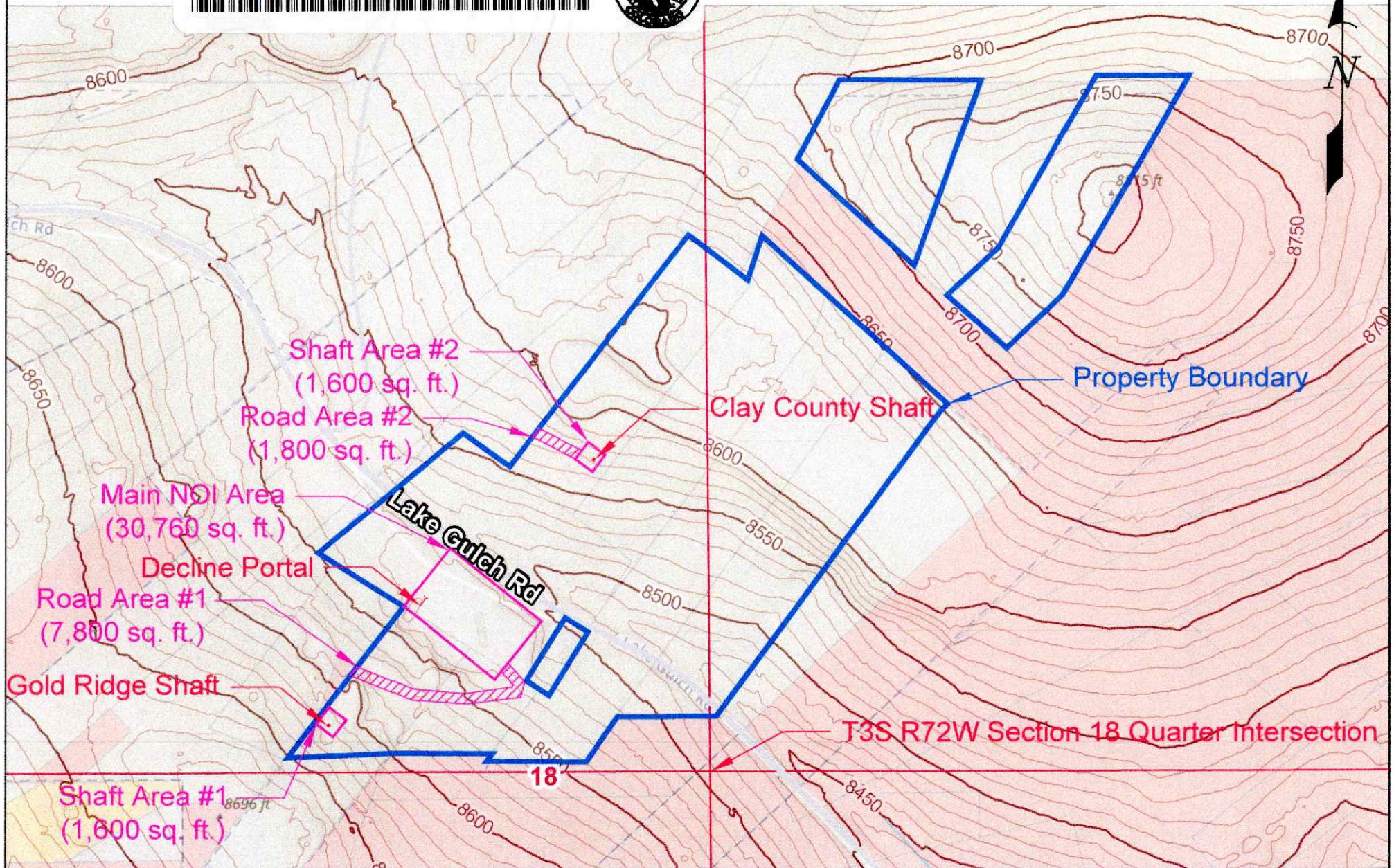
Signature of NOI holder or person authorized to sign: Franklin Leux

Name (typed or printed):

Title/Position:

Franklin Leux
Managing Director

M:\min\oss\slb\MineralsForms\ProspectForm2
30 Aug 2017



Notes: Imagery obtained from Gilpin County GIS portal, 5/15/2025
Boundaries are approximated based on image appearance and assessor
property lines.
Permit boundary within T3S R72W Section 18, NW Quarter, SE Q/Q

Scale: 1" = 250'

Date: 5/2/2025

Drawn By: MCC

Checked By: SH

Engineered By: MCC

Approved By: FHL

Revision: 0



BLACK FOX MINING LLC
MATT COLLINS, PE, QP

1508 Ridge Rd, Nederland, CO, 80466
Phone: (303) 303-570-6269
Email: mcollins@blackfoxmining.com

NOI - Clay County Mine Map

Exhibit A - Map

Permit and Disturbance Boundaries

DWG # 20250602001

Sheet # 1 of 1



Clay County Holdings, Inc.
1001 Bannock St, Ste. 451
Denver, CO 80402

May 19, 2024

To Whom It May Concern,

I, H. Thomas Winn, President, Clay County Holdings, Inc., do hereby state that BioMilling, LLC, its representative Franklin H. Levy, its contractors and personnel have permission to use the property listed herein and shown in Exhibit A (attached) for the purposes of prospecting, exploration, development and mining for gold and other metals. This permission includes permitting the property for such uses with Federal, State and Local agencies. This permission is subject to a forthcoming final lease/option agreement, joint venture or other arrangement wherein Clay County Holdings, Inc. makes these properties available to BioMilling, LLC which will supersede this authorization.

Properties Included:

Clay County Holdings, Inc		Gilpin County, CO		Land Parcels
ID	Name	Mineral Survey	Acres	Location
N009821	Blow Out	MS18776	4.07	T3S R72W Sec 18
N009823	East Clay County	MS18776	3.33	T3S R72W Sec 18
N009824	Great Britain	MS18776	4.42	T3S R72W Sec 18
N009829	Clay County Lode & Millsite	MS329	7.14	T3S R72W Sec 18

Clay County Holdings, Inc.

By:

H. Thomas Winn

STATE OF COLORADO)
) SS.
COUNTY OF Denver)

The forgoing instrument was acknowledged before me this 10th day of May, 2025 by H. Thomas Winn, as Managing Director of Clay County Holdings, Inc.

My Commission Expires: 01/23/2028

Witness my hand and official seal.

Notary Public

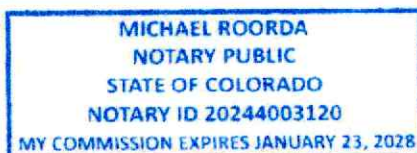
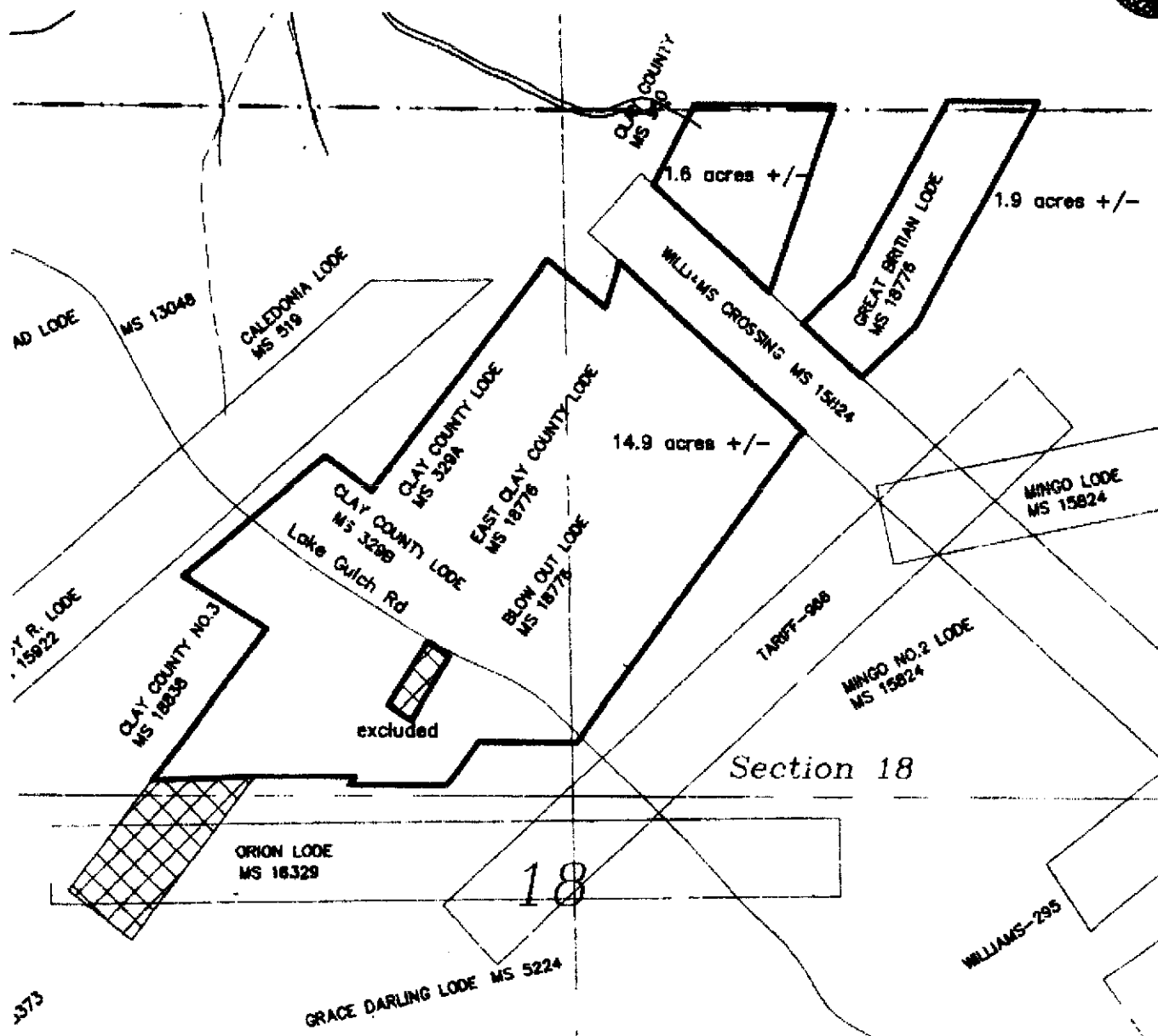


EXHIBIT A

IN SECTION 18, T3S, R72W, 6th P.M., COUNTY OF GILPIN, STATE OF COLORADO

06/04/2025 04:05 PM 178421
SAHARI MCCORMICK GILPIN COUNTY, CO
Receipt #85622 Page 17 of 21
257 NOTICE OF INTENT TotalFee:113.00 DocFee:0.00



Surface and Mineral rights

Mineral rights only

Scale 1"=300'

His Consultants, Inc.

Lakewood, Colorado

720-273-9940

2/12/2020

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED ON ANY DEFECT IN THIS SURVEY WITHIN SIX YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED ON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.



5.0 NOTICE OF INTENT TO CONDUCT PROSPECTING – Supplemental Information

5.1.1(1)(a) – Date of Filing

This Notice of Intent to Conduct Prospecting (“NOI”) was filed on: June 2, 2025

5.1.1(1)(b) – Prospector

The organization responsible for the prospecting is:

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

5.1.1(1)(c) – Contact Person

The person to contact concerning information in the NOI and reclamation of affected lands:

Stephen Humphray
269 West Drive
Golden, CO 80403

5.1.1(1)(d) – Description of Lands affected by this NOI

5.1.1(1)(d)(i) – Site Name: Clay County Mine

5.1.1(1)(d)(ii) – Location of the site: T3S, R72W, Section 18, NW Quarter Section

5.1.1(1)(d)(iii) – Public Land Agency: No public lands involved

5.1.1(1)(d)(iv) – Acreage of Land Surface to be Affected by Prospecting Activities: 1.0

5.1.1(1)(d)(v) – Map of adequate scale including (A) proposed activity area, and (B) sufficient detail to identify known prospecting features and facilities that may be affected and those not anticipated to be affected. SEE EXHIBIT A

5.1.1(1)(d)(vi) – Documentation of Legal Right to Enter: SEE EXHIBIT B

5.1.1(1)(e) – Date of Anticipated Commencement and Date of Completion

Commencement: 7/1/2025

Completion: 7/1/2030



5.1.1(1)(f) – Description of Methods to be Used

General Information: The Clay County Mine is an historically mined site (USGS Professional Paper 94, 1917, pg. 228, USGS Professional Paper 359, 1963, pg. 172) which has been mined as recently as 1985 (DRMS Permit #1980076, MSHA ID#0503530). During the 1980's, a decline was developed to access several levels of the historic workings. This decline was re-ported with 10' diameter culverts and has a steel grated door closure on it. All access to the mine will be via this portal and the DRMS closed shafts on the north and south slopes proximal to the portal through grated closures. Prospecting work will include channel sampling, core drilling from the underground workings, removal of historic mine muck for pilot milling, rehabilitation of the shafts for secondary egress and some drilling and blasting for bulk sampling where freshly broken rock can be developed. No changes to the surface are anticipated. The surface at the decline portal is graded flat with remnant concrete slabs where materials will be handled for transport. Some stormwater controls are already in place and will be maintained to prevent stormwater from coming in contact with any mineralized rock. The portal area is entirely surrounded by historic mine dump and is in a final state of reclamation which will not be disturbed by the prospecting activity.

Methods to be used to conduct prospecting operation: Exploration and prospecting for economic mineralization will be conducted via sampling the mesothermal/hydrothermal vein-type geologic mineralized faults. This sampling may include grab samples with simple hand tools to channel sampling using electric or pneumatic saws or chipping hammers. Additional sampling via core drilling may be conducted using air powered or electric/diesel-hydraulic core drills capable of being used within the underground workings. Rehabilitation of existing openings will likely consist of scaling, timbering, installation of utility piping for air/water and ventilation. To comply with Federal safety regulations, secondary egress may be established to allow for 30CFR compliance during removal of bulk materials for mineralogical/metallurgical process design. Conventional drilling and blasting may occur where access is needed for exploration activities. No surface expression of the underground activities is proposed beyond the areas immediately proximal to the decline portal and the two (2) existing shaft accesses which will see use but no modification.

Surface Blasting/Road or Access Route Construction/Excavation: No surface blasting, road construction or other excavations are proposed under this NOI.

Potential equipment to be used at this site includes: Elmac or equivalent 5-ton underground haul truck(s), Eimco 911 LHD, Wagner ST1 LHD or equivalent LHD machines, Kubota UTVs, Diesel powered generator of 200kVa or less, Diesel powered air compressor of 1600cfm or less, electric mine fans, pneumatic and/or electric drills ranging from ¼ inch to 2.5 inch in diameter. Other small support tools and equipment typical of small mine/narrow vein prospecting operations.



Use of Explosives: Explosives use may range from non-ATF regulated equipment (microblaster – UN 0323/1.4S) to ATF regulated (1.1B-1.4B/D-1.5D) non-electric blasting caps and emulsions. Blasting may occur in the development of underground space necessary to accommodate core drilling equipment or in the generation of bulk samples. These will typically consist of face or breast rounds of less than 100 pounds of total 1.1/1.5 explosive materials.

Encountering Surface or Subsurface Water: The Clay County site was traversed at the 6th level (

5.1.1(1)(g) – Measures to Reclaim Affected Land

No reclamation beyond removal of machinery, tools, supplies and samples is anticipated, as no changes to the surface are proposed under this prospecting work. No topsoil will be disturbed nor replaced. All work will be limited to the areas immediately proximal to the two (2) shaft collars, the decline portal, and the existing access roads. No revegetation is needed or planned.

5.1.1(1)(h)(i) - Designation of Information Deemed Confidential

At this time, no information contained in this NOI is deemed confidential.

5.1.1(1)(h)(ii) - Designation of Information Deemed Confidential

At this time, no information contained in this NOI is deemed confidential.

5.1.1(1)(i) – NOI Submittal

This NOI is submitted in both paper and electronic form.


5.1.1(1)(j) – Modification: N/A

5.1.1(1)(k) – Confidential Dispute: N/A

5.1.1(1)(j) – Modification: N/A

5.1.1(1)(l) – Statement of Compliance

The Prospector will conduct all prospecting activity at the Clay County mine pursuant to the terms and conditions listed on the approved NOI form.

Signature:  Date: June 3 2025

5.1.1(1)(m) – Notice to Local Boards of County Commissioners in the county where the prospecting activities will occur

5.1.1(1)(m)(i) – Certification:



The Prospector hereby certifies that the Gilpin County Board of County Commissioners was notified on June 4, 2025. Evidence of this notification is attached as Exhibit C.

Signature: *Paula Long* Date: *June 3 2025*

5.1.1(1)(m)(ii) – Certification:

The Prospector hereby certifies that the Gilpin County Board of County Commissioners was notified on June 4, 2025. Evidence of this notification is attached as Exhibit C and the notification is available to the public at the Gilpin County Clerk's Office located at 203 Eureka St, Central City, CO 80427.

Signature: *Paula Long* Date: *June 3 2025*