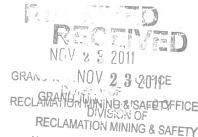


November 22, 2011

Mr. G. Russell Means
Environmental Protection Specialist
Division of Reclamation, Mining and Safety
101 South 3<sup>rd</sup> Street, Suite 301
Grand Junction, CO 81501
Russ.Means@state.co.us



and via email to

RE: Uranus Patented Notice of Intent to Conduct Prospecting Operations For uranium and vanadium on patented claims on Davis Mesa

Dear Russ,

As previously discussed, Nuvemco is seeking to further explore its patented claims on Davis Mesa. Enclosed are two signed copies of both forms 1 and 2 and an electronic copy. One copy is bound for your convenience, the other is not. Nuvemco does not require confidentiality on the application, but if more appropriate for publication on the DRMS website, Form 2 could be filed with only Maps 3 and 4. Those maps provide the requisite information, but we added Maps 1 and 2 for more visibility and a larger scale.

### Also enclosed are:

- \$86.00 application fee;
- The form to be used for Financial Warranty which as described in text is a continuing drilling operation very little disturbance and continuing reclamation as drill holes are plugged and abandoned. Based on the fact that it will never disturb more than 1 acre, we propose a \$2000.00 bond.
- A cd with electronic copy of NOI including maps
- A copy of Notice to County Commissioners and Federal Express copy.

Please advise if you need any further information.

Sincerely,

Nuvemco, LLC

By: EMSU, LLC, Its Manager By: Jacob D. Eisel, Its Manager

## SIALL OF COLOKADO

### **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 NOTICE OF INTENT TO CONDUCT PROSPECTING OPERATIONS
FOR HARD ROCK/METAL MINES



Form 1
All confidential and public information
For DRMS use, and confidential filing

Form 2
Public information only
For public filing

### **GENERAL:**

To conduct prospecting activities in the State of Colorado, a person or organization must file a Notice of Intent to conduct Prospecting Operations (NOI or Prospecting Notice) and provide a financial warranty for the prospecting operations to the Mined Land Reclamation Board (MLRB or Board). All prospecting operations must comply with the Colorado Mined Land Reclamation Act, as amended (34-32-101 et seq. C.R.S.), and the Colorado Mined Land Reclamation Board Hard Rock/Metal Mines Rules and Regulations 2 CCR 407-1 and amendments to those rules ("Rules"). This NOI form is for all minerals except coal and construction materials. The Division shall determine (where there is a question) if an operation is prospecting or mining.

### The New Law:

Senate Bill (SB) 228 became law on June 2, 2008. SB 228 revised portions of C.R.S. 34-32-113 pertaining to confidentiality and filing requirements and requiring that certain aspects of Prospecting Notices will no longer be confidential.

As revised, C.R.S. 34-32-113 (3) now requires, in part, that "All information provided to the Board in a notice of intent to conduct prospecting or a modification of such a notice is a matter of public record subject to the Open Records Act, Part 2 of Article 72 of Title 24, C.R.S., including, in the case of a modification, the original notice of intent; except that information relating to the mineral deposit location, size, or nature and, as determined by the Board, other information designated by the operator as proprietary or trade secrets or that would cause substantial harm to the competitive position of the operator shall be protected as confidential information by the Board and shall not be a matter of public record in the absence of a written release from the operator or until a finding by the Board that reclamation is satisfactory. Such information designated as exempt shall remain confidential until a final determination by the Board". If the Board determines that information is not confidential, the Division shall treat it as public information thirty (30) days from the Board's written order.

C.R.S. 34-32-113 (9) now requires that the applicant provide the NOI in an electronic version in addition to the paper form and that DRMS post on the Division's website the NOI upon submittal. Specifically, this subsection states: "Upon the submittal of a notice of intent to conduct prospecting or a modification of such a notice, the person submitting such notice or modification shall give an electronic version of the notice or modification, except for that information exempted from public disclosure under subsection (3) of this section and that information designated by the person as exempt from disclosure under subsection (3) of this section, to the Board in a format determined by the Board. The Division shall post such version of the notice or modification on its web site". The new requirements of the Act apply to NOIs or modifications thereto submitted or approved on or after June 2, 2008.

The Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal and Designated Mining Operations were also revised as a result of the changes to the Act and became effective September 30, 2010.

A summary of new requirements of the rules are as follows and apply to NOI's or modifications thereto submitted or approved on or after September 30, 2010.

Rule 1.3 addresses the designation of confidential materials submitted to the Division in an NOI and the public review and appeal processes associated with the confidential designation process.

Rule 3.1.6(4) authorizes the Division to require the submission of baseline site characterization data for surface and ground water on a case by case basis.

Rule 3.1.6(5) authorizes the Division to implement environmental protection measures associated with drill pits on a case-by-case basis.

Rule 5.1.2 identifies application requirements for NOI's including new requirements to submit two (2) forms (one confidential and one non-confidential) and an electronic version of any application.

In addition, Rule 5.1.2 (m) (i) & (ii) identifies a new requirement for prospectors to notify the Local Boards of County Commissioners at the time of application submittal for an NOI and to provide certification that such notice was submitted.

Rule 5.1.3 identifies office review procedures for processing NOI's including confidential dispute timelines.

Rule 5.2 describes confidentially as it pertains to NOI filings pre and post June 2, 2008.

### **DEFINITION:**

"Prospecting" is defined in Rule 1.1(43) of the Hard Rock/Metal Mining Rules and Regulations as the act of searching for or investigating a mineral deposit. "Prospecting' includes, but is not limited to, sinking shafts, tunneling, drilling core and bore holes and digging pits or cuts and other works for the purpose of extracting samples prior to the commencement of development or extraction operations, and the building of roads, access ways, and other facilities related to such work. The term does not include those activities which cause very little or no disturbance, such as airborne surveys and photographs, use of instruments or devices which

are hand-carried or otherwise transported over the surface to make magnetic, radioactive, or other tests and measurements, boundary or claim surveying, location work, or other work which causes no greater land disturbance than is caused by the ordinary, lawful use of the land by persons not prospecting. The term does not include any single activity which results in the disturbance of a single block of land totaling 1600 square feet or less of the land surface, not to exceed two such disturbances per acre; except that the cumulative total of such disturbances will not exceed five acres statewide in any prospecting operation extending over 24 consecutive months" (Rule 1.1.43).

### **APPLICATION FEE: \$86**

NOIs and modifications require an \$86 fee, which must accompany this notice or it cannot be processed by the Division (C.R.S. 34-32-127(2) (a) (I) (K)).

### **RECOMMENDATIONS PRIOR TO FILING:**

The Hard Rock/Metal Mining Rules and Regulations, the Colorado Mined Land Reclamation Act 34-32-101 and the Colorado Mined Land Reclamation Board regulate the filing, operational and reclamation requirements for prospecting operations in Colorado. It is your obligation to comply with the Act and Regulations. You are encouraged to obtain and review a copy of the Rules, available from the Division or accessed on line at <a href="https://www.mining.state.co.us">www.mining.state.co.us</a>. In order to file your NOI properly, it is recommended that you review the Act and

Rule 1.1	Definitions
Rule 1.3	Public Inspection of Documents (Confidentially and dispute resolution)
Rule 3.1	Reclamation Performance Standards
Rule 3.1.6	Water-General Requirements ((4) & (5))
Rule 3.3.1	Operating without an NOI - Penalty
Rule 4	Financial Warranties
Rule 5	Prospecting Requirements

### **FILING REQUIREMENTS:**

If you plan to conduct prospecting on any lands in Colorado, you must provide all information described in this form. To file an NOI, submit the following:

- One (1) signed and completed NOI packet including Form 1 (confidential) and Form 2 (non-confidential) with maps and attachments (original signatures must be done in blue ink) along with electronic copy;
- One (1) unbound copy of the original NOI packet, including Forms 1 & 2 with maps and attachments;
- OR One (1) signed and completed NOI Non-Confidential Form (Form 2) plus 1 (one) copy and electronic copy, if entire NOI submittal is Non-Confidential;
- Application fee (\$86); and
- Financial Warranty and applicable warranty form.
- Notice of Filing with the Board(s) of County Commissioners where prospecting will occur. (See section VIII-Signature Requirements)

### New and Additional NOI Filing Requirements for Confidentiality Designations:

- 1. Applicants of NOIs must specifically designate each portion of the submittal that the applicant believes should be confidential. This designation must comply with the provisions of SB08-228 as discussed above and should include not only information relating to the mineral deposit location, size, or nature but also other information the applicant believes is proprietary or trade secrets or that would cause substantial harm to the competitive position of the applicant. The applicant should distinguish in the submittal between those portions of the NOI that are confidential because they relate to the mineral deposit and those portions that the applicant believes are proprietary, trade secret or harmful to its competitive position. Those portions of the submittal that are not designated as confidential will be available as public record.
- 2. The applicant must submit two separate forms. One form will contain all information, including both public and confidential information (with the confidential information designated as such). This complete form will be used by the DRMS for review and will be held as confidential.

The second form will contain only the information the applicant believes is public with the applicant redacting all information to be held as confidential.

- 3. The submittals must be provided in both paper and electronic format.
- 4. All public portions of the submittal will be made available on the Division website and in the Division's public files.
- 5. All portions of the submittal that are confidential by law, or as designated by the prospector, will remain secured from public access, *i.e.*, not on the website and not in the Division's public files. If the Board rules that some portion of the file should be public, then that portion will be made available and no longer held from public view.

### **Processing Requirements:**

The Division will review the NOI and associated Financial Warranty information within twenty (20) working days of receipt by the Division. If the prospector has not been notified of any deficiencies of the NOI Form within twenty (20) working days of receipt, prospecting operations may commence upon approval of the financial warranty. The Prospector has 60 days from the date of filing to correct any deficiencies. For activities on BLM or USFS Lands, the twenty (20) working-day period begins on the day when the appropriate Federal Land Management agency has been notified by the Prospector (see below). Incomplete NOI forms will be terminated and returned to the person or organization, if deficiencies are not corrected within 60 days of filing (Rule 5.1.3).

### The New Review Process Regarding Confidentiality Designations

Hard Rock Rule 5.1.3 (Office Review), Rule 5.2 (Confidentially) and Rule 1.3 (Public Inspection of Documents) will apply. These rules will guide office review of determinations regarding confidentiality designations. The Division will review the submittal for technical adequacy as stated above, including the

review of the submittal in regard to information the applicant has designated as confidential. If the Division identifies any deficiencies in the submittal including any disagreement regarding the designation of confidential materials, then the prospector will be notified by the Division in accordance with the timeframes identified within these rules, but no later than 20 working days of NOI receipt.

Any disputes concerning whether information in an NOI is confidential or public shall be resolved by following the procedures and timelines outlined in Rule 1.3.

Disputes relating to designation of confidentiality may be resolved by the Prospector removing the confidentiality designation by the Prospector or by Board determination. The DRMS will not issue an approval decision and the applicant is not authorized to commence prospecting operations until all deficiencies, including confidentiality issues, are resolved.

### **PROSPECTING ON FEDERAL LAND:**

The Division has entered into cooperative agreements with the U.S. Bureau of Land Management (BLM) or the U.S. Forest Service (USFS) to coordinate the review of NOIs and the posting of financial warranties. The primary goal is to ensure that the agencies minimize duplication of functions and thereby minimize regulatory duplication imposed upon prospecting operations. The Division assumes the primary responsibility for the administration, review, and permitting of NOIs. The prospector is required to document that the NOI has been sent to the BLM or the USFS. Upon receipt of the NOI, the Division will notify the appropriate BLM or USFS office and forward a copy of the NOI. 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.

### **FINANCIAL WARRANTY:**

A financial warranty must be provided and approved prior to the entry upon lands for the purpose of prospecting. The prospector can either file a "One Site Prospecting Financial Warranty" or a "Statewide Prospecting Financial Warranty." The One Site Prospecting Financial Warranty is usually filed by individuals or small companies where prospecting activities are limited to a single area. It must be filed in the amount of \$2,000 per acre for the land to be disturbed, or such other amount as determined by the Division, based on the projected costs of reclamation, taking into account the nature, extent, and duration of the prospecting operation and the magnitude, type and estimated cost of the planned reclamation. A Statewide Financial Warranty is usually filed by larger 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.) The financial warranty must be submitted and approved by the Division prior to entry upon lands for the purpose of prospecting. The financial warranty will be retained by the Board until the prospector has completed reclamation of the prospecting site and has been released, in writing, of reclamation responsibility. Financial warranty forms can be downloaded from the Division's Internet web page located at <a href="http://mining.state.co.us">http://mining.state.co.us</a>.

### **PLAN MODIFICATIONS:**

Modifications to an existing NOI must be submitted in writing and approved in advance of such activity. Modifications shall be reviewed by the Board or Office in the same manner as new NOIs, use the same NOI forms, include confidentiality designations, and a fee for \$86. Prospectors must fill out sections of the NOI

form that will change and indicate the sections that will not change. Prospectors must designate each portion of the modified NOI they believe are to remain confidential. Please note that under SB08-228, all information provided to the Board in an NOI or a modification of an NOI is a matter of public record including, in the case of a modification, the original notice of intent, unless that information relates to the mineral deposit location, size, or nature or is designated by the Prospector as proprietary or trade secrets, or that would cause substantial harm to the competitive position of the Prospector. Accordingly, the Prospector should also designate the information in the <u>original</u> NOI that it believes is confidential if it has not already done so.

The Board shall determine (where there is a question) if an NOI can be modified or requires the filing of a new NOI in accordance with Rule 1.4.11. If the Division determines that the proposed modification (or new NOI) requires the posting of an additional reclamation bond amount to cover increased costs of reclamation caused by the modification (or new NOI), the NOI holder must submit, and the Division must approve, the supplemental or additional bond to cover such increased reclamation costs before the NOI holder may undertake any additional or different activities described in the modification (or new NOI). A separate prospecting notice shall be filed with the Office for each non-contiguous land survey quarter section in which a proposed prospecting activity is to occur. The requirement for separate notices may be waived by the Office for good cause (Rule 5.1.1).

### **ANNUAL REPORTS:**

Effective as of December 31, 2006, Annual Reports are required for all active prospecting operations. By the anniversary date of each year that the NOI is in effect, the prospector must file an annual reclamation report detailing the exploration and reclamation activities that occurred during that year and whether prospecting has been completed (Rule 5.6). Annual Reports filed on or after June 2, 2008 shall be a matter of public record unless designated by the prospector as confidential pursuant to the provision of Rule 1.3. Failure to submit an Annual Report for two (2) consecutive years shall constitute evidence of abandonment of the prospecting activities. The report must be accompanied by an annual fee in the amount of \$86.

### **RECLAMATION:**

Reclamation shall be completed in a timely manner and within five (5) years of completion of prospecting activities (Rule 5.1.2(g)). The time period to complete site reclamation commences on the date that prospecting has been completed, as stated in the Annual Report. New or significantly upgraded roads, structures, or other features on private lands that are planned to be retained following prospecting may be identified in the NOI submittal and may be excluded from the financial warranty amount at the discretion of the office. The prospector must submit a notarized letter from the landowner requesting that the roads, structures or other features remain on site and demonstrate that it meets the applicable County zoning and code requirements.

### RELEASE OF FINANCIAL WARRANTY AND TERMINATION OF THE NOI:

Upon completion of any phase of reclamation, you should consult Rule 3.1 for reclamation standards and Rule 4.16 for details on how to request a reclamation responsibility release from the MLRB. Following the completion of reclamation, the prospector may request a release of the reclamation responsibility sent by certified mail. The Division will conduct an inspection within 30 days of receiving the request (or as soon

thereafter as weather conditions permit). If the operation is located on Public Land or State Land, the Division will coordinate the inspection with the appropriate land management agency.

### **COMPLIANCE WITH OTHER LAWS:**

Compliance with the Act and Rules and Regulations of the Mined Land Reclamation Board does not relieve you of responsibility to comply with all other applicable local, state and federal laws. We recommend that you contact the following agencies and any others to determine whether you need to comply with their legal requirements:

- The Colorado State Historical Preservation Office regarding properties of potential historical significance;
- Colorado Division of Water Resources regarding water rights;
- Colorado Department of Public Health and the Environment, Water Quality Control Division, regarding the potential to discharge pollutants into the State waters;
- Colorado Department of Public Health and the Environment, Air Pollution Control Division, with regard to the potential need for a fugitive dust permit;
- U.S. Bureau of Land Management or the U.S. Forest Service if the proposed operation is on federal lands;
- U.S. Army Corps of Engineers regarding a dredge and fill (404) permit; and
- The County Planning Department for the county or counties in which the proposed operation is located.

### **AUTHORIZED SIGNATURE:**

You, or a person authorized by you, must sign the NOI. By doing so you are stating that the information provided in the NOI is true and correct as of the date specified. For individuals, the NOI must be signed by the NOI holder or the person authorized to sign on the NOI holder's behalf. For companies or partnerships, the NOI must be signed by a person acting under the company's/partnership's express or implied authority, or by an authorized agent.

### SUBMIT COMPLETED NOIS TO ONE OF THE OFFICES BELOW:

Denver Office (main):

Division of Reclamation, Mining and Safety 1313 Sherman St., Rm. 215

Denver, CO 80203

Telephone: 303.866.3567

FAX: 303.832.8106

Grand Junction Field Office:

Division of Reclamation, Mining and Safety

101 South 3<sup>rd</sup>, Ste. 301 Grand Junction, CO 81501

Telephone: 303-866-3567

FAX: 970.241.1516

Durango Field Office:

Division of Reclamation, Mining and Safety

701 Camino Del Rio, Rm. 125

Durango, CO 81301

Telephone: 303-866-3567

FAX: 970.247.5104

Office hours are Monday to Friday, 8:00 a.m. to 5:00 p.m., excluding State Holidays.

## SIAI E OF COLOKADO

### **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



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

DATE NOI RECEIVED BY THE DIVISION: PROJECT NAME: Uranus Patented NOI	(office use only)
	(office use only)
PROJECT NAME: Uranus Patented NOI	totrice use only)
B. PROSPECTOR: Jacob D. Eisel Name:	PERSON MLRB SHOULD CONTACT:  Name: E. Thomas Cavanaugh
Title: Manager	Title: Consultant
Company Name: Nuvemco, LLC	Company Name: AMEC
Street: 125 Continental View Drive	Street: 2000 S. Colorado Blvd, Ste 2-1000
P.O. Box:	P.O. Box:
City: Boulder	City: Denver
State: Colorado	State: Colorado
Zip Code: 80303	Zip Code: 80222
Telephone Number: (303) 666-7852	Telephone Number: (303) 935-6505
Fax Number: (303) 666-6164	Fax Number (303) 935-6575
<ul> <li>APPLICATION FEE: \$86. (NOIs and modifications requiprocessed by the Division).</li> </ul>	ire an \$86 fee which must accompany this notice or it cannot be
0. LOCATION INFORMATION:  County: Montrose	
PRINCIPAL MERIDAN (check one)6 <sup>th</sup> (Colorado)	10 <sup>th</sup> (New Mexico) (Ute)
SECTION (write number): S Sever	al sections included. See Exhibit A for details

		2 (FORM 2 - Public filing)
	QUA QUA GEN	ARTER SECTION (check one):  NE NW SE SW Many, see Exhibit A  ARTER/QUARTER SECTION (check one):  NE NW SE SW Many, see Exhibit A  NERAL DESCRIPTION: (the number of miles and direction to the nearest town and the approximate elevation):  Deproximately 11 miles west of Naturita, CO, south of State Hwy 90 off County Rd DD19; elevations from 6100 to 6900 ft ASL
	this	TE: Supply longitude and latitude or UTM coordinates if lands have not been surveyed or as supplemental information to NOI. GPS measurements will be acceptable for this purpose:e surveyed latitude and longitude on in Exhibit A and on maps of Exhibit B
11.	Priv State	State Sovereign LandsOther (please describe):
		prospecting is located on BLM or USFS land the remaining section must be completed, nerwise go to section II Maps & Drawings
12.	PRO	OSPECTING ON BUREAU OF LAND MANAGEMENT (BLM) LAND AND U.S. FOREST SERVICE (USFS)
		ND
	The	ND  Division and the BLM/USFS have entered into cooperative agreements that eliminate the need for a prospector to post a uncial warranty with each agency and allow them to coordinate the review of the NOI in order to minimize administrative cessing time and effort.
	The fina	e Division and the BLM/USFS have entered into cooperative agreements that eliminate the need for a prospector to post a uncial warranty with each agency and allow them to coordinate the review of the NOI in order to minimize administrative
	The fina	e Division and the BLM/USFS have entered into cooperative agreements that eliminate the need for a prospector to post a uncial warranty with each agency and allow them to coordinate the review of the NOI in order to minimize administrative cessing time and effort.
	The fina	e Division and the BLM/USFS have entered into cooperative agreements that eliminate the need for a prospector to post a uncial warranty with each agency and allow them to coordinate the review of the NOI in order to minimize administrative cessing time and effort.  CLAIMANT:  Name:
	The fina	e Division and the BLM/USFS have entered into cooperative agreements that eliminate the need for a prospector to post a uncial warranty with each agency and allow them to coordinate the review of the NOI in order to minimize administrative cessing time and effort.  CLAIMANT:  Name:  Address:  Telephone:
	The fina proof	E Division and the BLM/USFS have entered into cooperative agreements that eliminate the need for a prospector to post a uncial warranty with each agency and allow them to coordinate the review of the NOI in order to minimize administrative cessing time and effort.  CLAIMANT:  Name:

		3 (FORM 2 - Public filing)	
	I.	LOCATION MAP: Attach a USGS 7.5 minute quad, or similar map of adequate scale, which local site(s).	tes the prospecting
	J.	Are prospect sites (e.g., drill holes, trench locations, etc) staked on the ground? Yes No	
	K.	Specify the Land Management Agency, Address and Telephone Number:	
	L.	The prospector is required to document that the NOI has been sent to the BLM or the USFS. Processing not begin until the prospector has submitted evidence acceptable to the Division that the NOI was subsets. 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	
		MAPS & DRAWINGS  te topographic base map showing the location of the proposed project must be submitted with this notice. bmit a U.S.G.S. 7.5 minute quadrangle, or similar map of adequate scale that:	The prospector
	ider	entifies the proposed prospecting site(s) or activity areas involving surface disturbance. Activity areas included pits, excavations, trenches, adits, shafts, tunnels, rock dumps, stockpiles, impoundments and prospecting	
4.	are tuni date	cludes sufficient detail to identify and locate known prospecting features and facilities that may be affected not anticipated to be affected. This includes the location of all drill holes, mud pits, excavations, trenched nels, rock dumps, stockpiles, impoundments and prospecting roads. Color photographs, adequately labelies, orientation and location), of the prospecting site may be used to fulfill this requirement if included with	es, adits, shafts, led (including
	sub	omittal. See attached Exhibit B for Maps on both topographic and aerial photo	base maps.
III		PROJECT DESCRIPTION	
7.	Mi	ineral(s) and/or Resource(s) being Investigated: uranium and vanadium	
8.	Est	timated dates of commencement and completion:	
	Cor	mmencement: 01/09/2012 ,	
	Cor	mpletion: 12/01/2022 ,	None, drilling onl
9.	Am	nount of material to be extracted, moved or proposed to be moved:	and on existing
10.	Ide	entify the type or method of prospecting proposed and quantity (place an "X")	roads

Pits

Tunnels

Fluid Drilling

Trenches

\_Drilling & Blasting

Adits

## 4 (FORM 2 - Public filing)

more th	nan 50 ho	les will be open at	any time, with pluggin	g and abandonment	TOLIOWIN	g geophysical logging
-	r, depth, lo Drill Pa Drill H Mud Pa Averag Descril	cation, etc Subminds: Quantity 0.00 cles: Quantity 0.00 cles: Quantity 0.00 cles Depth 0.00 cles proposed undergr	t additional pages if nece Average Width 0.00 Depth 400.00 Average Width 0.00 t) ound work, including recomps, or other types of dist	ssary:(ft) Average Length(ft) Diameter 6.00(ft) Average Length pening of old workings	0.00 0 0.00	anticipated number of holes, No pads or pits will to required. Drilling is to the company on existing the company of the compa
	-					
F. <u>N</u> OV	<u>one anti</u>	Disturbances (please of cipated. If existilliam Burnett, wo	describe): ng roads and trails ould like the improv	are improved by rements to remain	mainte	nance, the land
G. E. E.	one anti wner, W Indica uel tanks atented o	cipated. If existing illiam Burnett, we see Chemicals and Fue are present on Italiams. Some lubin of the adjacent	ng roads and trails ould like the improv  Is used or stored on site. Nuvemco's Monogra ricants are kept in Cand nearby Uranus	List type, quantity and am Mine 112d DMC-cans at that vehics Patented NOI wil	method t O, at the	

### IV.

- 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. In addition to the aerial photographic basemap, photos and radiometric surveys have been taken, and additional photographs will be taken prior to drilling.
- 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.

The site is almost exclusively composed of piñon juniper community. Major plant species include piñon pine (Pinus edulis), Utah juniper (Juniperus osteosperma), one-seed juniper (Juniperus monosperma), Wyoming big sagebrush (Artemisia tridentada wyomingensis), and mountain mahogany (Cercocarpus montanus). There are significant areas of bare ground throughout scattered piñon juniper clusters. Much is rock outcrop, south facing slopes, limited soil, thin due to cattle grazing, and current recreational use and past mining activities. Drilling will be limited to existing roads with minimal impact. If necessary, the ground will be scarified and the recommended seed mixture broadcast.

## (FORM 2 - Public filing)

6

the estimated topsoil depth and how topsoil will be salvaged, stockpiled and redistributed for the re-establishment on. Specify approximate topsoil redistribution depth:				
No significant topsoil disturbance will occur.				
Describe how drill holes will be plugged (refer to Rule 5.4 of the Rules for required abandonment procedures):				
The holes will be drilled by air rotary through the Salt Wash Member of the Morrison Formation.				
Locations will be on existing roads and trails and are not yet plotted, affording the operator the ability to avoid trees and minimize site preparations. After geophysical and geological sample logging, the holes will be plugged by backfilling with cuttings, pouring in bentonite from about 8				
to 3 feet below ground surface, and cement to the surface. Any excess drill cuttings or sample				
piles will be raked into the surrounding ground and if necessary and soil exists, the ground will be scarified and re-seeded. A 2 x 2-inch wooden stake with a metal tag will mark the drill site				
and the actual location will be surveyed and mapped.				
NA, none planned with this NOI				
Describe how roads will be reclaimed or returned to their pre-prospecting (or better) condition:				
Describe how roads will be reclaimed or returned to their pre-prospecting (or better) condition:  Existing roads will be used with little or no new disturbance expected. any improvements required will be left at the request of the landowner, Mr. William Burnett.				
Existing roads will be used with little or no new disturbance expected. any improvements				
Existing roads will be used with little or no new disturbance expected. any improvements				
Existing roads will be used with little or no new disturbance expected. any improvements				

12. 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.

See attached Exhibit C

A. Provide plant name and seeding rate

B.

Seeding Rate (PLS/acre)
L

Broadcast as described in Exhibit C	

### V. TERMS AND CONDITIONS FOR PROSPECTING OPERATIONS:

- 3. Reclamation measures shall be fulfilled in a timely manner and completed within five (5) years of completion of prospecting activities.
- 4. 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 preprospecting 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

- 4. The prospector will supply a copy of this NOI to the appropriate BLM and/or USFS office.
- 5. The prospector authorizes the MLRB to discuss the information in this Notice of Intent with the BLM and/or USFS.
- 6. 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.

An 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	you initials on the line provided:
	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.
	I have enclosed the required permit fee.
	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.
	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.
	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.
	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.
	I herby 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.
Reclamation	as been approved by the Mined Land Reclamation Board pursuant to section 34-32-113, C.R.S., of the Mined Land Act. Any alteration or modification of this form shall result in voiding any NOI issued on the altered or modified bject the operator to cease and desist orders and civil penalties for operating without a NOI pursuant to section 34- S.
	igned, being the NOI holder or the person authorized to sign on behalf of the NOI holder, declare that the information NOI form is true and correct.

SIGNATURES MUST BE IN BLUE INK

day of NOVEMBER 2011.

Signature of NOI holder or person authorized to sign:

Name (typed or print)

by EMSU, LLC, its Manager

Title/Position: by Jacob D. Eisel, its Manager

### Exhibit A – Location and Legal Description

### **Uranus Patented NOI - Location Information**

The Uranus Patented NOI site includes 27 contiguous patented mining claims and eight, separate, but critical nearby patented claims on four blocks, covering a total of 498.2 acres, more or less. The area is approximately 11 miles west of Naturita, Colorado including portions of sections 7, 17, 18 and 20 of Township 46 North, Range 18 West. In the adjacent Township 46 North, Range 18 West, claims are located on parts of sections 12, 13 and 24. The site is reached by travelling northwest from Naturita on Colorado State Highway 141 about 2.4 miles, then turning left or southwest at the intersection of Highway 90. Highway 90 goes west-north-west through the Paradox Valley. At approximately 8.5 miles County Road DD19 intersects Highway 90 and provides access to the public lands on Davis and Monogram Mesas. Turn left (south) and follow DD19 about 2 miles to DD16. At about road DD16 begins the southern part of the NOI on the A No. 1 Extension claim. Refer to the topographic and photo base maps.

### **Contiguous Patented Claims:**

1.	Anna May No. 1	10. Wilson	19. Jo Dandy
2.	Bat	11. Bob Tail	20. Yellow Bird 1
3.	Bill Bady	12. Green Back	21. Yellow Bird 3
4.	Buckhorn	13. Happy Thought	22. A No 1 Extension
5.	Continental	14. Iola	23. Black Diamond
6.	Great Hespar	15. Monogram	24. Last Dollar
7.	IT	16. Occidental	25. Blackburn
8.	Little Dot	17. Susquehanna	26. Black Tom
9.	Lucky Boy	18. Uranus	27. Hummer

### Satellite Patented Claim Blocks

1.	Cresent	4.	Sunny Side	7.	Black Point
2.	Leader	5.	Banner	8.	Gray
3.	San Pedro	6.	Bull Moose		

The legal description of the permit boundary follows (latitude and longitude from surveys by E. Schaaf & Associates):

To find the north central starting point of the claim block in Section 18 of Township 46 N, Range 18 W, in the New Mexico Principal Meridian:

- Beginning at the NE corner of section 18, T. 46 N., R. 17 W., N.M.P.M. bear S. 34°57'49" W., 1402.36 ft. distant to the east corner of the Buckhorn claim. Latitude, Longitude = (in decimal degrees). (38.244523, -108.781721)
- Then S. 30°00'00" W., 300.00 ft. distant to north edge of Monogram;
- Then N. 60°00'00" W., 400.00 ft. distant to north corner of Monogram 112d Permit Boundary; (38.24435, -108.783441)
- Then S. 30°00'00" W., 698.81 ft. distant to the northwest corner of Monogram Permit;
- Then S. 60°01'30" E., 399.97 ft. distant to the east corner of Anna May No. 1;
- Then S. 30°00'08" W., 601.15 ft. distant, coincident with and to the southwest corner of the Monogram Permit;
- Then S. 60°00'00" E., 667.71 ft. distant to corner of Monogram Permit;

- Then N. 30°00'00" E, 100.00 ft. distant to corner of Monogram Permit;
- Then S. 60°00'00" E., 800.00 ft. distant to southeast corner of Monogram Permit;
- Then N. 30°00'00" E., 600.00 ft. distant to common corner of Monogram, Green Back and Iola claims;
- Then S. 60°00'00" E., 400.00 ft. distant to the NE corner of lola;
- Then S. 30°00'00" W., 300.00 ft. distant to the north corner of Occidental;
- Then S. 60°00'00" E., 1500.00 ft. distant to the east corner of Occidental; (38.237005, -108.773661):
- Then S. 30°00'00" W., 600.00 ft. distant to the south corner of Occidental;
- Then N. 60°00'00" W., 400.00 ft. distant to the east corner of Susquehanna;
- Then S. 30°00'00" W., 200.00 ft. distant to the north corner of A No. 1 Extension; (38.235675, -108.776278);
- Then S. 60°00'00" E., 640.00 ft. distant to the west corner of Black Diamond;
- Then N. 30°00'00" E., 600.00 ft. distant to the north corner of Black Diamond;
- Then S. 60°00'00" E., 1500.00 ft. distant to the east corner of Black Diamond;
- Then S. 30°00'00" W., 158.00 ft. distant to the north corner of Last Dollar;
- Then S. 60°00'00" E., 1500.00 ft. distant to the east corner of Last Dollar; (38.231628, -108.764595);
- Then S. 30°00'00" W., 442.00 ft. distant to the south corner of Last Dollar;
- Then N. 60°00'00" W., 2140.00 ft. distant to the east corner of A No. 1 Extension;
- Then S. 30°00'00" W., 600.00 ft. distant to the south corner of A No. 1 Extension;
- Then N. 60°00'00" W., 1500.00 ft. distant to the west corner of A No. 1 Extension; (38.234188, -108.777391);
- Then N. 30°00'00" E., 200.00 ft. distant to the south corner of Susquehanna;
- Then N. 60°00'00" W., 2968.00 ft. distant to the west corner of Happy Thought; (38.23881, -108.785924);
- Then S. 30°00'00" W., 100.00 ft. distant to the south corner of Anna May No. 1;
- Then N. 60°00'00" W., 1200.00 ft. distant to the west corner Wilson; (38.240252, -108.789695);
- Then N. 30°00'00" E., 300.00 ft. distant to the south corner of Uranus;
- Then N. 60°00'00" W., 1500.00 ft. distant to the west corner of Uranus; (38.24304, -108.79366);
- Then N. 30°00'00" E., 200.00 ft. distant to the south corner of Bill Bady:
- Then N. 60°00'00" W., 3000.00 ft. distant to the west corner of Lucky Boy; (38.247706, -108.802291);
- Then N. 30°00'00" E., 600.00 ft. distant to the north corner of Lucky Boy;
- Then S. 60°00'00" E., 3000.00 ft. distant to the east corner of Bill Bady;
- Then N. 30°00'00" E., 400.00 ft. distant to the north corner of Continental;
- Then N. 60°00'00" W., 1800.00 ft. distant to the west corner of Little Dot; (38.248391, -108.796924);
- Then N. 30°00'00" E., 935.00 ft. distant to the north corner of Bat;
- Then S. 60°00'00" E., 1500.00 ft. distant to the east corner of Bat:
- Then S. 30°00'00" W., 335.00 ft. distant to the north corner of It;
- Then S. 60°00'00" E., 1500.00 ft. distant to the east corner of It;
- Then N. 30°00'00" E., 400.00 ft. distant to the north corner of Buckhorn; (38.246618, -108.786201;
- Then S. 30°00'00" E., 1495.82.00 ft. distant to the east corner of Buckhorn; the point of beginning.

The contiguous patented claims of the Uranus Patented NOI contain 338.34 acres, more or less.

Proximate to and on the same Mesa are eight additional patented claims which are included in this NOI because they are critical to establishing the presence or absence of perched groundwater tables, stratigraphic controls, and continuity of sandstone host. Nuvemco may construct potential groundwater monitoring and sampling wells on each of these four separate claim blocks for background data compilation preparatory to applying for a mining permit.

### Gray and Black Point claims boundary:

- Beginning at the southeast corner of Section 13 of Township 46 N, Range 18 W, in the New Mexico Principal Meridian, bear N. 39°15′16″ W., 819.85 ft. to the southern corner of the Black Point claim; (38.235083, -108.798871) 38° 14.10498, -108° 47.93226′;
- Then North, 1000 ft. distant to a bend in claim boundary;
- Then N. 76° W. 480 ft. distant to the west corner of Black Point where it terminates at the Gray claim, (38.238247, -108.800496);
- Then S. 45° W. 125 ft. distant to the south corner of Gray;
- Then N. 45° W. 600 ft. distant to the west corner of Gray;
- Then N. 45° E. 1500 ft. distant to the north corner of Gray; (38.242078, -108.798554);
- Then S. 45° E. 600 ft. distant to the east corner of Gray;
- Then S. 45° W. 680 ft. distant to the north corner of Black Point;
- Then S. 76° E. 600 ft. distant to the east edge of Black Point;
- Then South, 900 ft. distant to a bend in claim boundary;
- Then S. 45° W., 850 ft. distant to the southern corner of Black Point, the point of beginning.

This pair of patented claims is about 1200 ft. south of the contiguous Uranus Patented NOI, is part of that NOI, and contains 41.30 acres, more or less.

### San Pedro, Leader, and Cresent claims boundary:

- Beginning at the southwest corner of Section 13 of Township 46 N, Range 18 W, in the New Mexico Principal Meridian, bear N. 8.2° E. 2050 ft. distant to the southwest corner of San Pedro claim; (38.238719, -108.814464);
- Then North 1500 ft. distant to the northwest corner of San Pedro;
- Then East 1040 ft. distant to the northeast corner of Leader; (38.242821, -108.810799;
- Then South 1500 ft. distant to the southeast corner of Leader and north edge of Cresent:
- Then East 472.18 ft. distant to the corner
- Then S. 56° E. 1500 ft. distant to the southeast corner of Cresent; (38.236329, -108.804908);
- Then West 1000 ft. distant to the southwest corner of Cresent;
- Then N. 56° W. 1500 ft. distant to the northwest corner of Cresent, and the southern common corner of San Pedro and Leader;
- Then West 440 ft. to the southwest corner of San Pedro and point of beginning.

These three patented claims are about 3000 ft. southwest of the northwest end of the contiguous Uranus Patented NOI, are part of that NOI, and contain 56.62 acres, more or less.

### Sunny Side claim boundary:

- Beginning at the northwest corner of Section 24 of Township 46 N, Range 18 W, in the New Mexico Principal Meridian, bear S. 52° E. 1280 ft. distant to the northwest corner of patented Sunrise claim (38.231108, -108.811936);
- Then S. 80° E., 600 ft. distant to the northeast corner of Sunrise;
- Then S. 10° W., 1500 ft. distant to the southeast corner of Sunrise (38.226758, -108.810845);
- Then N. 80° W., 600 ft. distant to the southwest corner of Sunrise;
- Then N. 10° E., 1500 ft distant to the northwest corner of Sunrise and point of beginning.

This claim is about 1.2 miles southwest of the contiguous Uranus Patented NOI, is part of that NOI, and contains 20.66 acres, more or less.

### Banner and Bull Moose claims boundary:

- Beginning at the southeast corner of Section 12 of Township 46 N, Range 18 W, in the New Mexico Principal Meridian, bear N. 31°45'00" W. 2040 ft. distant to the southeast corner of the Banner claim (38.252631, -108.800711);
- Then N. 77° W. 600 ft. distant to the southwest corner of Banner;
- Then N. 13° E. 1500 ft. distant to the northwest corner of Banner; (38.25702, -108.801511;
- Then S. 77° E. 600 ft. distant to the northeast corner of Banner;
- Then S. 13° W. 530 ft. distant to the north corner of Bull Moose where it intersects Banner;
- Then S. 51° E. 1500 ft. distant to the east corner of Bull Moose; (38.252593, -108.795894;
- Then S. 11.5° W. 660 ft. distant to the south corner of Bull Moose;
- Then N. 51° W. 1500 ft. distant to the west corner of Bull Moose where it intersects Banner; (38.253445, -108.800382);
- Then S. 13° W. 310 ft. distant to the southeast corner of Banner and point of beginning.

These claims are about 300 ft. northwest of the Uranus Patented NOI, are part of that NOI, and contain 41.30 acres, more or less.

Thus, the Uranus Patented NOI contains a total of 498.22 acres, more or less.

## Exhibit B – Topographic and Aerial Photographic Maps

Map 1-1 inch = 1000 feet, Topographic Map of Uranus NOI and surrounding area

Map 2 - 1 inch = 1000 feet, Aerial Photographic Map of Uranus NOI and surrounding area

Map 3 – 1 inch = 2000 feet, Topographic Map of Uranus NOI and surrounding area

Map 4 – 1 inch = 2000 feet, Aerial Photographic Map of Uranus NOI and surrounding area

### Exhibit C – Seed Mixture for re-establishment of Vegetation

The following seed mixture has been approved by the Bureau of Land Management for use in Montrose County, Colorado within the pinyon/juniper/sagebrush environment and will be used in the application rates shown for re-seeding of disturbed areas.

Table E-2. Seed Mixture

Scientific Name	Common Name	Application pounds PLS/acre		
Pascopyrum smithii	Arriba western wheat grass	2.8		
Elymus elymoides	Bottlebrush squirreltail	1.6		
Oryzopsis hymenoides	Paloma Indian ricegrass	0.6		
Sporobolus cryptandrus	Sand drop seed	0.02		
	Sandberg bluegrass	0.3		
Hilaria jamesii (florets)	Galletta grass	0.3		
Stipa comata	Needle & Thread grass	0.4		
	White Yarrow	0.03		
	Northern sweet vetch	0.1		
	Annual sunflower	0.2		
Perstemon strictus	Rocky Mt. Penstemon	0.06		
Sphaeralcea coccinea or Sphaeralcea parvifolia	Scarlet or Paraifolia Globe mallow	0.09		
	Big sagebrush	0.05		
Atiplex canecens	Rincon fourwing saltbrush	0.03		
Ceratoids lanata	Winterfat	0.05		
	Total pounds of seed mix/acre	6.63		

The pound per acre figures applies to drilling or other applications methods, which incorporate seed into the soil surface. The column that is bolded shows the pounds *Pure Live Seed* for each species that is needed to be applied for each acre.

The seed will be accompanied by an official seed analysis report that provides documentation to show no noxious weed seed per Colorado State weed law and no more than 0.5% other weed seed. The seed documents will be one of the following, a certified *Blue Tag*, an independent seed lab test, or a seed lab analysis supplied by the vendor.

### NOTICE OF FILING PROSPECTING APPLICATION FOR COLORADO MINED LAND RECLAMATION Notice of Intent to conduct Prospecting Operations For Hard Rock/Metal Mines

## NOTICE TO THE BOARD OF COUNTY COMMISSIONERS MONTROSE COUNTY

Nuvemco, LLC has submitted an NOI to the Colorado Mined Land Reclamation Board (the "Board") to conduct exploration operations in Montrose County on patented claims located on Davis Mesa. Pursuant to Section 34-32-113(2)(b) Rule 5.1.2(m), C.R.S., prospectors are required to notify Local Board of County Commissioners. This is being provided to notify you of the location and nature of the proposed operation. The entire application is on file with the Division of Reclamation, Mining and Safety (the "Division") and will be posted on their web site.

The applicant/operator proposes to explore by drilling on the privately owned patented claims. Drilling will be on existing roads and trails with minimum impact. Plugging and abandonment and any reclamation will be done in accordance with the Division requirements.

If you would like to discuss any aspects of this NOI, please contact Nuvemco, LLC, 125 Continental View Drive, Boulder, Colorado, 303-666-7852; or the Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567.

From: (303) 630-0782 Tom Cavanaugh AMEC Earth & Environmental, Inc. 2000 S. Colorado Blvd. Suite 2-1000 Denver, CO 80222

Origin ID: TADA



Ship Date: 21NOV11 ActWgt: 1.0 LB CAD: 5618961/INET3210

Delivery Address Bar Code



J11201108050225 SHIP TO: (970) 249-3362 **BILL SENDER** 

**Montrose Board of County Commission** 320 S. 1st Street **Room 101** Montrose, CO 81401

Ref# Invoice #

PO# Dept#

> TUE - 22 NOV AA PRIORITY OVERNIGHT

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