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N-2009-056 RECEIVED

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JUL 162013

Debra A Green Park County Clerk

DIVISION OF RECLAMATION MINING AND SAFETY

DESTINY GRAVEL PIT

PARK COUNTY

DESTINY MINING, LLC

110-CONSTRUCTION MATERIALS PERMIT

PREPARED BY BOYD ASTEMBORSKI P.O. BOX 51314 COLORADO SPRINGS, CO 80949 (719)260-1296

JULY 20, 2009

The following is an example that you may wish to use for the Notice required for Rule 1.6.2(1)(b).

NOTICE

This site is the location of a proposed mining operation. (Name of the Applicant/Operator) <u>DESTINY MINING UC</u> whose address and phone number is (Address and Phone Number of the Applicant/Operator) <u>Z19 290-9205</u>, has applied for a Reclamation Permit with the Colorado Mined Land Reclamation Board. Anyone wishing to comment on the application may view the application at the (County Name) <u>PARK</u> County Clerk and Recorder's Office, (Clerk and Recorder's Office Address) ______, and should send comments prior to the end of the public comment period to the Division of Minerals and Geology, 1313 Sherman St., Room 215, Denver, Colorado 80203.

Certification:

I, <u>DOYD' ASTEMBORSHY</u>, hereby certify that I posted a sign containing the above notice for the proposed permit area known as the (Name of Operation) <u>DESTINYMUZNULL</u>on (Date Posted) <u>AUGUST</u> ZA ZO/Z</u>

DATE

M:\min\share\vsforms\Hardrock110.doc

of the Complaint file with the dount in this action, by filing with the clerk of this court an answer of other response you court an answer of other response you are required to file your answer or other response within thirty five (35) days after service of this summons upon you. Ser-vice of this summons shall be complete an the days of the summons shall be complete on the day of the last publication. A copy of the Complaint may be obtained from the clerk of the court.

If you fall to file your answer or other response to the Complaint in writing within thirty-five (35) days after the date of the last publication, judgment by default may be entered against you by the court for the relief demanded in the Complaint, without any further notice to you.

This is an action to quiet the title of the Plaintiffs in and to the real property situate in Park County, Colorado, more particularly described as:"

THE WEST 225 FEET OF THE NORTH 195 FEET OF THE SOUTH 1575 FEET OF E1/2 NW1/4 SECTION 13. TOWNSHIP 8 SOUTH. RANGE 72 WEST OF THE 6TH P.M., (also known as Tract 47, LOST ACRES), COUNTY OF PARK, STATE OF COLORADO.

Dated: August 6, 2012

THE HULBERT LAW OFFICE, LLC By: Tracie J. S. Hulbert, #33058 First Publication Date: Aug. 10, 2012 Last Publication Date: Sept. 7, 2012

As published in the Park County Republican and Fairplay Flume.

(12CV148)

NOTICE OF SALE

Unless past due amounts are paid in full, contents unknown and many boxes of personal items belonging to Laura Vantime, whose last known address is 233 Gross Road, Balley, CO 80421, and stored in Unit #41 at STORAGE ONE/Pine Junction, CO 80421, will be sold at auction or otherwise disposed of at this location after September 7, 2012.

First Publication Date: Aug. 24, 2012 Last Publication Date: Aug. 31, 2012 As published in the Park County Republican and Fairplay Flume.

(Notice of Sale)

NOTICE OF SALE.

Unless past due amounts are paid in full, contents unknown and many boxes of personal items belonging to Robert Reinwalt, whose last known address is P.O. Box 104, Shawnee, CO 80475, and stored in Unit #105 at STORAGE ONE/Pine Junctioh, CO 80421, will be sold at auction or otherwise disposed of at this location after September 7, 2012. First Publication Date: Aug. 24, 2012 Last Publication Date: Aug. 31, 2012 As published in the Park County Republi-

can and Fairplay Flume. (Notice of Sale)

NOTICE OF SALE Unless past due amounts are paid in full. contents unknown and many boxes of personal items belonging to Ówan Bent, whose last known address is 702 Desperado Road, Bailey, CO 80421, and stored in. Unit #27 at STORAGE ONE/Pine Junction, CO 80421, will be sold at auction or otherwise disposed of at this location after September 7, 2012.

PARK COUNTY REPUBLICAN AND FAIRPLAY FLUME

First Publication Date: Aug. 24, 2012 Last Publication Date: Aug. 31, 2012 As published in the Park County Republican and Fairplay Flume.

(Notice of Sale)

1 **1** -NOTICE OF SALE Unless past due amounts are paid in full, contents unknown and many boxes of personal items belonging to Lynn Bigham, whose last known address is 56 Lark Lane, Bailey, CO 80421, and stored in Unit #38 at STORAGE ONE/Pine Junction, CO 80421, will be sold at auction or otherwise disposed of at this location after September 7, 2012.

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NOTICE OF SALE

Unless past due amounts are paid in full, contents unknown and many boxes of personal items belonging to Steve Lovejoy, whose last known address is P.O. Box 274, Commerce City, CO 80037, and stored in Unit #95/107 at STORAGE ONE/Pine Junction, CO 80421, will be sold at auc-tion or otherwise disposed of at this location after September 7, 2012.

First Publication Date: Aug. 24, 2012 Last Publication Date: Aug. 31, 2012 As published in the Park County Republican and Fairplay Flume. (Notice of Sale)

NOTICE TO CREDITORS Estate of James A. Wiederhold, Deceased

Case No. 12PR30 All persons having claims against the above-named estate are required to present them to the Personal Representative or to the District Court of Park County, Colorado on or before December 24, 2012, or

the claims may be forever barred. Kenneth Scott Attorney for Estate P.O. Box 4046 Buena Vista, CO 81211

First Publication Date: Aug. 24, 2012 Last Publication Date: Sept. 7, 2012 As published in the Park County Republican and Fairplay Flume.

(12PR30)

PUBLIC NOTICE Destiny Mining LLC; 902 Collins Rd., Colo-rado Springs, CO 80920, 719-373-3738, has filed an application for a Hard Rock/ Metal Mining Limited Impact (110) Reclamation Permit with the Colorado Mined Land Reclamation Board under provisions of the Colorado Mined Land Reclamation" Act. The proposed mine is known as the Destiny Pit, and is located at or near Section 33, Township 9 South, Range 77 West,

FRIDAY, AUGUSI

Prime Meridian. The proposed date of commer May 2013, and the proposed da pletion is November 2023. The future use of the land is Public I Additional information and tent sion date may be obtained from sion of Reclamation, Mining, a 1313 Sherman Street, Room 21 Colorado 80203, (303) 866-3567 Park County Clerk and Records 501 Main St., Fairplay, CO, or t named applicant. A complete the application is available at t named County Clerk and Record

and at the Division's office. Comments concerning the a and exhibits must be in writing be received by the Division of tion, Mining, and Safety by 4:0 September 10, 2012.

Please note that under the pro

C.R.S. 34-32-101 et seq. Comme to noise, truck traffic, hours of visual impacts, effects on prope and other social or economic are issues not subject to this Of diction. These subjects, and sin are typically addressed by your ernments, rather than the Divisi lamation, Mining, and Safety or Land Reclamation Board.

As published in the Park Count can and Fairplay Flume on Aug, (Public Notice)

of the Complaint file with the court in this action; by filing with the clerk of this court an answer of other response. You are required to file your, answer or other response within thiny five (35) days after service of this summon you. Ser vice of this summons shall be complete on the day of the last publication. A copy of the Complaint may be obtained from the clerk of the court.

If you fail to file your answer or other response to the Complaint in writing within thirty-five. (35) days after the date of the last publication, judgment by default may be entered against you by the court. for the relief demanded in the Complaint, without any further notice to you.

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By:Tracie J. S. Hulbert, #33058 First Publication Date: Aug. 10, 2012 Last Publication Date: Sept. 7, 2012

As published in the Park County Republican' and Fairplay Flume. (12CV148)

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Case No. 12PR30 All persons having claims against the above-named estate are required to present them to the Personal Representative or to the District Court of Park County, Colorado on or before December 24, 2012, or the claims may be forever barred.

Kenneth Scott Attorney for Estate P.O. Box 4046

Buena Vista, CO 81211

First Publication Date: Aug. 24, 2012 Last Publication Date: Sept. 7, 2012 As published in the Park County Republican and Fairplay Flume. (12PR30)

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FRIDAY, AUGUST 24,

Prime Meridian.

The proposed date of commenceme May 2013, and the proposed date of c pletion is November 2023. The prop future use of the land is Public Use. Additional information and tentative. sion date may be obtained from the sion of Reclamation, Mining, and Sa 1313 Sherman Street, Room 215, Der Colorado 80203, (303) 866-3567, or, at Park County Clerk and Recorder's of 501 Main St., Fairplay, CO, or the ab named applicant. A complete cop the application is available at the ab named County Clerk and Recorder's o and at the Division's office.

Comments concerning the applica and exhibits must be in writing and r be received by the Division of Recla tion, Mining, and Safety by 4:00 p.m. September 10, 2012.

Please note that under the provision C.R.S. 34-32-101 et seq. Comments rela to noise, truck traffic, hours of operat visual impacts, effects on property va and other social or economic conce are issues not subject to this Office's ju diction. These subjects, and similar o are typically addressed by your local (ernments, rather than the Division of lamation, Mining, and Safety or the Mi Land Reclamation Board.

As published in the Park County Repu can and Fairplay Flume on Aug, 24, 20 (Public Notice)

July 14, 2013

Division of Reclamation, Mining and Safety Department of Natural Resources 1313 Sherman Street, Room 215 Denver, Colorado

RE: Destiny Pit: DRMS File No. M-2009-056; Preliminary Adequacy Review

Dear Mr. Kaldenbach;

Enclosed please find the information and clarification comments for the Preliminary Adequacy Review requested by the Division of Reclamation, Mining and Safety for your review.

Thank you for your assistance with this matter and should you have any questions or need any additional information, please feel free to contact me at 719-290-4205.

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Sincerely;

Byl Cotinbell

Boyd Astemborski

- 14) The mining operation will not be inactive for more than 180 days. The operation will continue for a period which will exceed 180 days per year.
- 15) Enclosed please find a list provided to me by Weed Management of Teller and Park County, which indicates the types of noxious weeds in the area and how to treat them by weed management, which may include chemical, mechanical or hand pulling processes. We will follow the guidelines established by the Teller/Park County Conservation District and will continue to monitor weed controls until released of the bond by the BLM and DRMS. Please see enclosure of Weed Management Preferences for Teller & Park Counties.
- 16) I will go by the BLM requirements of salvage. This will be 18 inches of topsoil for the final reclamation process.
- 17) If trees are removed, trees will be planted at the access road along Thompson Park Road. The plan is that no trees will be removed in the mining area. Current plans show that there are no trees where the open pit will be located as it is open land.
- 18) Yes, the term backfilling refers to returning mined materials to the interior pit wall as part of the reclamation process. We anticipate the maximum number of linear feet of interior pit wall which will need to be reclaimed/backfilled at any one time to be 20 feet.
- 19) The water will come from the South Platte River Basin. We are members of Hasp, Head Water Authority of the South Platte, and have paid dues back to 2007.
- 20) This is included on Exhibit A.
- 21) We have moved the area back 200 feet from any permanent manmade structure. See Mining Plan map and Reclamation map.
- 22) Refer to Mining Plan map.
- 23) Can confirm that the interior walls will slope to the center of the pit at a 3 to 1 or flatter slope.
- 24) During the reclamation process, the materials disturbed during the mining process will be returned to their natural state. The overburden that was removed will be returned to the mined area as part of the reclamation and 18" inches of top soil will be added as by the BLM.
- 25) No, the 60 feet is from shoulder of the road to shoulder -- width of the road. Thomson Road is a county dirt road.
- 26) Yes, please see enclosure. The permit is permanently on file for public review.
- 27) Please see enclosed receipts.
- 28) The revised mining plan indicates that the permitted area will be over 200 feet from any manmade structures. Please see enclosed mining and reclamation map.
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Preliminary Adequacy Review Answers

- 1) Please see enclosed signed affidavit.
- 2) The revised mining plan indicates that the permitted area will be over 200 feet from any manmade structures. Please see enclosed mining and reclamation map.
- 3) The total amount of material removed is approximately 288,888,082 yards with 72,222,025 yards of swell material which would be sold as sand and gravel. Approximately 216,666,057 yards of material would be used for backfill. I believe the figure of 34,000 cubic yards was a calculation error, when the report was previously submitted. The figure of 216,666,057 yards is accurate to complete the reclamation. The material will consist of sand and gravel after the gold has been washed from the material with everything going back into the ground, but the gold, silver and the swell material.
- 4) The settling pond will be lined.
- 5) The wash plant will consist of two (2) tanks -
 - The first tank would receive water from the de-watering screw or sand screw which carries the fine sediment in the water and would settle in the first tank. The sediment free water will overflow to the second tank.
 - The second tank would be used to pump the water and recycle the water received from the first tank back through the wash plant.

The first tank would have a 6" gate valve located at the bottom of the tank and drain water into the lined pond.

- 6) All buildings on the property will be portable. There will be no permanent structures on the site.
- 7) There will be a temporary stockpile of waste material for 1 to 2 years until the first bench is dug and backfilled. At that time, reclamation of the property would begin with mining and reclamation continuing collectively until the mining process is complete. The mining and reclamation processes would complement each other.
- 8) The road will be made of dirt and a driveway permit will be required from Park County Road and Bridge Department. The road construction will require an 18" by 40' culvert at the entrance. This will satisfy the specifications required by the Park County Road and Bridge Department.
- The water will be obtained from the South Platte River Basin. We belong to the HASP (Headwater Authority of the South Platte). We have paid dues to belong to HASP since 2007.
- 10) As previously discussed with the BLM during the environmental assessment, 2 to 3 times a week.
- 11) Since filing the permit application, the stockpile of gravel that was on the BLM property has been removed by the land developr, who owns the land next to the property.
- 12) High walls will be 1H:1V during the mining operation.
- 13) A 500 gallon fuel tank will be located on site. The fuel tank will include a liner which will be used in case of tank rupture and the liner will be large enough to contain twice the amount of fuel in the fuel tank.







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Euphorbia esula

- Spreads by deep root system and seeds which explode up to 20 feet from plant
- milky sap which can irritate open cuts or sores on the human body Entire plant contains white
- Flowers are hard with the bar to see but are surrounded by heart shaped leaves that turn yellow-green near maturity
- Grows erect 1 to 3 feet tall
- Perennial

THIS IS DIFFUSE KNAPWEED Centurea diffusa Lam.



Elongated taproot

Flowers solitary, white to rose, sometimes purplish Seedhead bracts end with a sharp, ngid yellow spine

Annual or short

Rosette formed first year, flowering stalk elongates 2nd year

ived perennial, I-2 feet tall

Noxious Weed Control

is the Law

Individual property owners are required by state law CRS 35-5.5 to control noxious weeds on their property. Why did the state of Colorado make a persistent ability to grow in places they usually establish anywhere and once plant community is a key element to a Noxious weeds earn their name for their Because of the reduces plant diversity and reduces established are quick to spread and aggressive nature of noxious weeds. they tend to dominate an area, which plant species that are desirable forage for wildlife and livestock. A diverse Noxious weeds will law against noxious weeds? difficult to control. healthy ecosystem. are not desired.

graze on weeds only if the desirable Horses, cattle and wildlife tend to grass species have been grazed out and Some noxious to animals and can cause serious weeds are toxic or otherwise harmful illness or death if ingested. only weeds remain.

lands making the land less desirable Noxious weeds can force out desired native species on reclamation and state for many types of wildlife and/or recreation.

NOXIOUS WEEDS:

- Cause the loss of wildlife habitat
 - Displace threatened and endangered species
 - Displace native plant species
- Reduce forage production for
 - livestock and crops
 - Increase soil erosion
- Affect recreational value and uses
 - Can reduce the value of your property

plan for your property, or to report a noxious weed infestation, developing a weed management assistance in spraying weeds, For more information, or contact:

Teller-Park Conservation District CSU Extension, Teller County (719) 686-9405 (719) 689-2552

Wyoming Weed and Pest Council Photos Complements of:

Colorado Department of Agriculture www.ag.state.co.us/CSD/Weeds Upper Arkansas Cooperative Weed Teller-Park Conservation District Natural Resources Conservation United States Forest Service Colorado Weed Management Special thanks to: Management Area Service

Presed by Peeb Paper Chees, Int. Parche Springs, Colonado SUN

Her & Park Counties

www.cwma.org Association

Wanted Most Noxious Weeds



Centaurea repens KNAPWEED RUSSIAN THIS IS

Spreads by seeds and creeping root

- Roots are dark brown and heavily scaled growing to a depth of 8 feet Grows erect 1 to 3 feet tall, but stock
 - tends to appear in dense clumps
- Leaves and stems covered with hair giving the appearance of knap
- Spotted knapweed (a relative to Russian) costs the state of Montana \$42 million a year in lost income, lost wages, and lost taxes
 - Perennial

Linaria dalmatica DALMATIAN TOADFLAX THIS IS (L) Mill

- & vigorous, deep, Spreads by seeds
- creeping roots Leaves: light green, broad, heart-shaped, clasping the stem Snapdragon type, bright yellow
- flower, tinged with orange to 11/2"long spur Grows erect, often over 3 feet tall
 - Perennial

TOADFLAX Spreads by secds and YELLOW vulgaris L THIS IS Linaria

- bright yellow creeping root Grows crect 1 to 2 feet tall Flowers are stock
- orange center with deep
 - and similar
- · Leaves are pale green, narrow, pointed at both ends, and 2 1/2 inches or to a snapdragon in shape
 - more long Also called "butter and eggs" and mistakenly planted by homeowners in their flower beds
 - Perennial

THIS IS

SCENTLESS CHAMOMILE Anthemis arvensis L

- Spreads by dark brown seeds Leaves alternate, finely divided several
- Grows erect to 2 times into narrow segments



Flower daisy-like, 114 inches in diameter, white many fibers but not creeping Annual, biennial disk flowers) yellow center solitary I to aproot with or perennial petals with feet tall



- THIS IS MUSK Carduus nutans L. THISTLE
- to 20,000 seeds Spreads by up per plant

nodding, deep purple to rose flower with 1 1/2 to 3 inch Solitary, diameter

- Grows erect 4 to 6 feet tall
- - Long sharp spines on leaf with
 - · Has a single tap root hairless stem
 - Biennial or winter annual .



- leucantheumum L. Chrysanthemum
- Escaped ornamental that invades
 - meadows and roadsides
- Perennial, erect to 2 feet tall
 - shaped 2-5 inches long, margins obed or deeply parted Lower leaves, lance
- Upper leaves lance shaped, attached directly to stem, margins toothed
 - Stems numerous from crown Flowers solitary 1 1/2 inches wide, yellow center

- Cirsium THISTLE THIS IS CANADA arvense
- Spines on leaf margins (edges) with a slightly hairy stem
- Perennial

alternate, coarsely toothed, shallow **JENBANE** Hyoscyamus **THIS IS** BLACK niger L. Leaves

RIE

lobes, very hairy

بالمراجع

- Medium taproot Foliage has foul odor
 - Stems erect, branched, 1-3
- · All parts of plant are toxic feet tall
- Erect, bushy, annual or biennial, reproduces by seed only

