Form MR-SMO
(Revised January 2003)

This Section for DOGM Use:
Assigned DOGM File No.: S 1001/064
DOGM Lead: TM
Permit Fee $ 150.00 Ck # 395 - Heather Scholz & 2624 - David Penney

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING
1594 West North Temple Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801
Telephone: (801) 538-5291 Fax: (801) 359-3940

NOTICE OF INTENTION TO COMMENCE SMALL MINING OPERATIONS

The informational requirements of this form are based on provisions of the Mined Land Reclamation Act, Title 40-8, Utah Code Annotated 1987, and the General Rules as promulgated under the Utah Minerals Regulatory Program.

"Small Mining Operations" means mining operations which disturb five or less surface acres at any given time.

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I. GENERAL INFORMATION (Rule R647-3-104)

1. Name of Mine: see attached mine patent names

2. Name of Operator/Applicant: Earth's Partners
Company ( ) Corporation ( ) Partnership (X) Individual ( )

A company or corporation must be registered with the State of Utah, Division of Corporations. Are you currently registered to do business in the State of Utah?
☐ Yes ☐ No
Business License # D78209

3. Permanent Address: Box 312
City: Beaver State: UT Zip Code: 84713
Telephone Number: (435) 438 5522 Fax: 435 438 2555

4. Ownership of Land Surface:

Private (Fee) ☒ Public Domain (BLM) National Forest (USFS) ☐
State Trust Land/School Sections ☐ State Sovereign Lands ☐
Other (please describe):

Name_____ Address_____
Name_____ Address_____
Name_____ Address_____
Name_____ Address_____

5. Ownership of Minerals:

Private (Fee) ☒ Public Domain (BLM) ☐ National Forest (USFS) ☐
State Trust Land/School Sections ☐ State Sovereign Lands ☐
Other (please describe):_____

Name_____ Address_____
Name_____ Address_____
Name_____ Address_____
Name_____ Address_____

BLM Lease or Project File Number(s) and/or USFS assigned Project Number(s):_____

Utah State Lease Number(s):_____

Name of Lessee(s)_____

6. Have the above surface and mineral owners been notified in writing?
Yes X No_____

If no, why not?_____

Please be advised that if State Trust Lands are involved, notification to the Division of Oil, Gas and Mining alone does not satisfy the notification requirements of Mineral Leases upon State Trust Lands. Exploration or mining activity on State Trust Lands requires a minimum of 60 days notice to the Trust Lands Administration prior to commencing any activities. Please contact the School Institutional Trust Lands Administration (SITLA) at (801) 538-5508 for notification requirements.

7. Does the operator have legal right to enter and conduct mining operations on the land covered by this notice? Yes X No_____

II. PROJECT LOCATION & MAP (Rule R647-3-105)

1. Project Location (legal description):

County(ies): Beaver

____ 1/4, of ____ 1/4, of ____ 1/4: Section: ____ Township: 27S Range: 11W
____ 1/4, of ____ 1/4, of ____ 1/4: Section: ____ Township: ____ Range: ____
____ 1/4, of ____ 1/4, of ____ 1/4: Section: ____ Township: ____ Range: ____

UTM East _____ (if known) UTM North _____ (If known)

Name of Quad Map for Location: _____

2. A topographic base map showing the location of the proposed small mining operation must be submitted with this notice. A USGS 7.5 minute series map is preferred. The areas to be disturbed should be plotted in sufficient detail so that they can be located on the ground. It is recommended that the operator also photo document, plot and label any pre-existing disturbances in the immediate vicinity that he is not responsible for.

3. The proposed (5 acre or less) disturbed area boundary (including access/haul roads) must be marked in the field ON THE GROUND with metal T-Posts (or with some other marker of equal effectiveness). Markers must be appropriately spaced so that the next marker in either direction is clearly visible with the naked eye.

III. OPERATION PLAN (Rule R647-3-106)

1. Type of mining: Surface ☒ Underground ☐

2. Mineral(s) to be mined: Gem Stones

3. Will any water, liquid chemicals, reagents, or other solutions be used, produced or discharged as part of the mining or milling process?
Yes ☐ No ☒ If yes, please describe (add extra pages if needed)

4. Provide a brief description of the proposed mining operation and onsite processing facilities (add extra pages if necessary). Materials To Be Removed. No onsite processing

5. ☐ New Road(s): Length_____(ft) Width_____(ft)

6. ☐ Improved Road(s): Length_____(ft) Width_____(ft)

7. Total project surface acreage to be disturbed: _____ (acres)

8. Proposed startup date of project (month, year) apr 2003

9. Proposed completion date of project, if known (month, year)_____

IV. OPERATION AND RECLAMATION PRACTICES (Rule R647-3-107, 108 & 109)

The reclamation and operation obligation is to keep the area clean and safe, minimize hazards to public safety, return the land to a useful condition, and reestablish at least 70 percent of the premining vegetative ground cover. To accomplish this, the operator will need to perform reclamation concurrently, or at the completion (within one (1) year) of mining:

1. *Keep the mining operation in a safe, clean, and environmentally stable condition.*
2. *Permanently seal all shafts and tunnels to prevent unauthorized or accidental entry.*
3. *Plug drill holes with a five foot cement surface plug. Holes that encounter fluids are to be plugged in the subsurface to prevent aquifer contamination.*
4. *Construct berms, fences, or barriers, when needed, above highwalls and excavations.*
5. *Remove, isolate, or neutralize all toxic materials in a manner compatible with federal and state regulations.*
6. *Remove all waste or debris from stream channels.*
7. *Dispose of any trash, scrap metal, wood, machinery, and buildings.*

8. *Conduct mining activities so as to minimize erosion and control sediment.*

9. *Reclaim all roads that are not part of a permanent transportation system.*

10. *Stockpile topsoil and suitable overburden prior to mining.*

11. *Stabilize highwalls by backfilling or rounding to 45 degrees or less, where feasible; reshape the land to near its original contour, and redistribute the topsoil and suitable overburden.*

12. *Properly prepare seedbed to a depth of six inches by ripping, discing, or harrowing. Leave the surface rough.*

13. *Reseed disturbed areas with adaptable species. (The Division recommends a mixture of species of grass, forb, and browse seed, and will provide a specific species list if requested.)*

14. *Plant the seed with a rangeland or farm drill, or if broadcast seeded, harrow or rake the seed 1/4-1/2 inch into the soil - fall is the preferred time to seed.*

V. VARIANCE REQUEST (Rule R647-3-110)

Yes ☐ No ☐

Any planned deviations from Rules R647-3-107, Operation Practices, R647-3-108, Hole Plugging Requirements, or R647-3-109, Reclamation Practices, as summarized above, should be identified below and justification given for the variance request(s).

Item Number	Variance Request Justification

VI. PERMIT FEE [Mined Land Reclamation Act 40-8-7(l)]

The Utah Mined Land Reclamation Act of 1975 [40-8-7 (l)] provides the authority for the assessment of permitting fees. Commencing with the 1998 fiscal year (July 1 - June 30), **and revised July 1, 2002**, permit fees are assessed to new and existing notices of intention and annually thereafter, until the project disturbances are successfully reclaimed by the operator and released by the Division.

Small Mining Notices require a $150.00 fee which must accompany this application or it cannot be processed by the Division.

VII. SIGNATURE REQUIREMENT

I hereby commit to conduct mining operations and to reclaim the aforementioned small mine as required by the Utah Mined Land Reclamation Act (40-8) and the rules as specified by the Board of Oil, Gas and Mining. **NOTE: This form must be signed by the owner or officer of the company/corporation who is authorized to bind the company/corporation to this Notice.**

Signature of Operator/Applicant: [signature] [signature]

Name (typed or printed): David L Penney Heather Schotz

Title/Position (if applicable): 1/2 Owner 1/2 owner

Date: 4/14/03

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