UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region08

# CONSENT FOR ACCESS TO PROPERTY
## Bonita Peak Mining District Superfund Site, San Juan County, Colorado

**Name of Property Owner**: Todd Hennis, individually, and on behalf of San Juan Corporation, Salem Minerals Inc., and Pride of the West LLC.

**Location of Property**: Mining claims within the Bonita Peak Mining District Superfund Site included in the attached Exhibit A.

I hereby give my consent to officers, employees, and authorized representatives and contractors of the U.S. Environmental Protection Agency, U.S. Department of Interior, U.S. Department of Agriculture, and the State of Colorado entering and having continued access to the above referenced property for the following purposes, hereinafter referred to as the "Work":

1. Conducting field inspections and investigations to evaluate the mine waste, adit discharges and related seepage, and the associated impacted lands, and cultural resource surveys;

2. Sampling and monitoring water, soil, and mine waste material from waste rock dumps, tailings impoundments, and mine workings or other areas as necessary to evaluate releases of hazardous substances;

3. Conducting remedial actions associated with the interim record of decision for Operable Unit 1 of the Bonita Peal Mining District Superfund Site signed on May 20, 2019; and

4. Any other actions the EPA determines are necessary to address releases of hazardous substances from the Bonita Peak Mining District Superfund Site.

This Consent for Access shall remain in effect until the EPA completes the remedial investigation/feasibility study for the Site or December 31, 2025, whichever first occurs. The EPA represents that the contractor performing Work is required by the EPA to obtain and maintain for the duration of the Work commercial general liability insurance (including coverage for bodily injury, death, property damage, and contractual liability).

By granting this access to and the use of the property for the Work, the property owner assumes no liability for any claims which may be asserted against the property owner by third parties solely as a result of the Work authorized under this Consent for Access.

The EPA shall use best efforts to conduct the Work in a manner that will allow the property owner to have reasonable access to the buildings and stored equipment, provided, however, that the property owner's access shall not interfere in any manner with the EPA's ongoing Work. EPA shall not permanently deprive property owner of access to building and stored equipment.

At the written request of property owner, after consultation with and written agreement of the EPA, the EPA shall leave certain improvements and remedy features on the property.

Without the prior consent of the property owner, EPA will not construct a building, settling pond or similar improvements on the property. Within a reasonable time after completion of the Work, the EPA shall (a) remove all EPA constructed or installed improvements or remedy features that property owner has not requested in writing to be left or the EPA has not agreed to leave on the property, and (b) restore the surface of the property to a condition that is reasonably similar to the conditions that existed on the date that the EPA accessed the property.

The EPA may allow visitors to access the property for tours, excluding building interiors, as long as an EPA officer, employee, authorized representative or contractor is present at the property and accompany the visitors on the tour.

I recognize these actions are undertaken pursuant to the EPA's response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9601 *et seq.*, as amended.

Todd Hennis — 11-21-19
Todd Hennis — Date
PRESIDENT
San Juan Corporation

Todd L. Hennis — 11-21-19
BY: Todd Hennis — Date
Title: President

Salem Minerals Inc.

Todd L. Hennis — 11-21-19
BY: Todd Hennis — Date
Title: President

Pride of the West LLC

Todd L. Hennis — 11-21-19
BY: Todd Hennis — Date
Title: Managing Member

# Exhibit A

| Owner | Claim Name | Mineral Survey No. | Parcel No. | Associated Mine |
|---|---|---|---|---|
| HENNIS TODD C. | SAMPSON MILLSITE | 1618 B | 47750160050014 | GOLD KING |
| HENNIS TODD C. | SAMPSON NO. 2 MILLSITE | 1619 B | 47750160050014 | GOLD KING |
| HENNIS TODD C. | SUCCESS PLACER | 1914 | 47750160050014 | GOLD KING |
| SAN JUAN CORPORATION | A.P. HILL | 1922 | 47750160050027 | GOLD KING |
| SAN JUAN CORPORATION | ALICE | 17371 | 4750160050027 | GOLD KING |
| SAN JUAN CORPORATION | AMERICAN | 14704 | 47750150050009 | GOLD KING |
| SAN JUAN CORPORATION | CALUMET£ | 1203 | 47750100050009 | MOGUL-GRAND MOGUL |
| SAN JUAN CORPORATION | CAUCASUS | 468 | 47750150050009 | MOGUL-GRAND MOGUL |
| SAN JUAN CORPORATION | CROSS CUT AND NARROW GAUGE | 16523 | 47750100050009 | MOGUL-GRAND MOGUL |
| SAN JUAN CORPORATION | E. PLURIBUS | 520 | 47750090050008 | MOGUL-GRAND MOGUL |
| SAN JUAN CORPORATION | GOLD KING | 5689 | 47750150050009 | GOLD KING |
| SAN JUAN CORPORATION | GOLD KING EXTENSION | 19965 | 47750150050003 | GOLD KING |
| SAN JUAN CORPORATION | GOLD KING EXTENSION NO. 1 | 19965 | 47750150050003 | GOLD KING |
| SAN JUAN CORPORATION | GOLD KING EXTENSION NO. 3 | 19965 | 47750150050003 | GOLD KING |
| SAN JUAN CORPORATION | GOLD KING NO. 1 | 14707 | 47750150050009 | GOLD KING |
| SAN JUAN CORPORATION | GOLD KING NO. 2 | 11640 | 47750150050009 | GOLD KING |
| SAN JUAN CORPORATION | GOLD KING NO. 3 | 14709 | 47750150050009 | GOLD KING |
| SAN JUAN CORPORATION | GOVERNOR | 17371 | 4770160050027 | GOLD KING |

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| SAN JUAN CORPORATION | GRAND MOGUL | 521 | 4775010005009 | MOGUL-GRAND MOGUL |
| SAN JUAN CORPORATION | HOFFMAN | 5782 | 4775016005019 | RED AND BONITA |
| SAN JUAN CORPORATION | I.X.L. | 1923 | 4775016005027 | GOLD KING |
| SAN JUAN CORPORATION | LIBBIE BAUDER | 14704 | 4775015005009 | GOLD KING |
| SAN JUAN CORPORATION | LIBBIE BAUDER EXTENSION | 17371 | 4775016005027 | GOLD KING |
| SAN JUAN CORPORATION | M.E. HARRISON | 469 (west half) | 4775010005009 | MOGUL-GRAND MOGUL |
| SAN JUAN CORPORATION | N.G. | 466 | 4775010005013 | MOGUL-GRAND MOGUL |
| SAN JUAN CORPORATION | PAUL | 2387 A | 4775016005007 | GOLD KING |
| SAN JUAN CORPORATION | PORTLAND CONSOLIDATED | 13330 | 4775016005019 | GOLD KING |
| SAN JUAN CORPORATION | ROB THE RANTER | 778 | 4775009005014 | MOGUL-GRAND MOGUL |
| SAN JUAN CORPORATION | ROSS | 491 | 4775010005013 | MOGUL-GRAND MOGUL |
| SAN JUAN CORPORATION | SAMPSON | 1618 A | 4775015005009 | GOLD KING |
| SAN JUAN CORPORATION | SAMPSON NO. 2 | 1619 A | 4775016005027 | GOLD KING |
| SAN JUAN CORPORATION | SIDE DISH | 5475 | 4775009005014 | MOGUL-GRAND MOGUL |
| SAN JUAN CORPORATION | SUNSHINE | 14704 | 4775016005027 | GOLD KING |
| SAN JUAN CORPORATION | THERESA | 15968 A | 4775009005008 | MOGUL-GRAND MOGUL |
| SAN JUAN CORPORATION | WATERVILLE | 14704 | 4775015005009 | GOLD KING |
| SAN JUAN CORPORATION | WINCHESTER | 467 | 4775010005013 | MOGUL-GRAND MOGUL |
| SAN JUAN CORPORATION | YOUNG | 16523 | 4775009005008 | MOGUL-GRAND MOGUL |
| SALEM MINERALS, INC. | BROUILLET | 19125 | 4775031001009 | YUKON TUNNEL |
| SALEM MINERALS, INC. | MAY | 19125 | 4775031001009 | YUKON TUNNEL |

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| PRIDE OF THE WEST, LLC | HOWARDSVILLE PLACER | 942 | 48290010010091 | HOWARDSVILLE COLO GOLDFIELDS TAILINGS |
| PRIDE OF THE WEST, LLC | LITTLE NATION MS | 169 | 48290010010091 | HOWARDSVILLE COLO GOLDFIELDS TAILINGS |