



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Little Snake Field Office
455 Emerson Street
Craig, Colorado 81625-1129
<http://www.blm.gov/co/st/en/fo/lso.html>



In Reply Refer To:
3809 (CON010)
COC74961

September 4, 2013

RECEIVED
SEP 06 2013
GRAND JUNCTION FIELD OFFICE
DIVISION OF
RECLAMATION MINING & SAFETY

CERTIFIED MAIL - Return Receipt Requested – 7011 0110 0000 9278 2830

DECISION

Jubilee Venture, LLC	:	
Martin R. Bauer	:	Surface Management
19754 E. Euclid Dr.	:	
Centennial, Colorado 80016	:	

DETERMINATION OF REQUIRED FINANCIAL GUARANTEE AMOUNT ONGOING OPERATIONS

The Bureau of Land Management (BLM) Little Snake Field Office (LSFO) has completed a review of the reclamation cost estimate (RCE), as provided for under 43 CFR § 3809.552(b), for the Eagle Mine Plan of Operations, COC74961. Based on this office's review of your reclamation cost estimate on file, the required financial guarantee amount is hereby set at \$35,068.00 for reclamation of the Eagle Mine operation.

Jubilee Venture LLC has previously provided the BLM an acceptable financial guarantee of \$33,726.00 for this operation. The increase of \$1,360 to the amount of financial guarantee must be provided to the Colorado Division of Reclamation, Mining and Safety, (CDRMS) at the following address:

CDRMS
1313 Sherman Street, Room 215
Denver, CO 80203-2243

You must provide an acceptable increase to the financial guarantee to CDRMS within sixty (60) days from receipt of the decision. Failure to provide an acceptable financial guarantee increase within the specified time frame will result in enforcement action(s) under 43 CFR §3809.601 for failure to maintain an adequate financial guarantee.

Appeal of the Decision Determining the Required Financial Guarantee Amount

If you are adversely affected by this decision, you may request that the BLM Colorado State Director review this decision. If you request a State Director Review, the request must be received in the following:

Colorado BLM State Office
2850 Youngfield Street
Lakewood, CO 80215-7210

Your request must be filed no later than thirty (30) calendar days after you receive or have been notified of this decision. The request for State Director Review must be filed in accordance with the provisions in 43 CFR 3809.805. This decision will remain in effect while the State Director Review is pending, unless a stay is granted by the State Director. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

If the State Director does not make a decision on your request for review of this decision within twenty-one (21) days of receipt of the request, you should consider the request declined and you may appeal this decision to the Interior Board of Land Appeals (IBLA). You may contact the Colorado BLM State Office to determine when the BLM received the request for State Director Review. You have thirty (30) days from the end of the twenty-one (21) day period in which to file your Notice of Appeal with this office:

Little Snake Field Office
Attn: Jennifer Maiolo
455 Emerson Street
Craig, CO 81625-1129

Your Notice of Appeal will be forwarded to IBLA.

If you wish to bypass a State Director Review, this decision may be appealed directly to the IBLA in accordance with the regulations at 43 CFR 3809.801(a)(1). Your Notice of Appeal must be filed in this office (see Little Snake Field Office address above) within thirty (30) days from receipt of this decision. As the appellant you have the burden of showing that the decision appealed from is in error. Enclosed is BLM Form 1842-1 that contains information on taking appeals to the IBLA.

This decision will remain in effect while the IBLA reviews the case, unless a stay is granted by the IBLA. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Request for a Stay

If you wish to file a petition pursuant to regulations 43 CFR 4.21 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the IBLA, the petition for a stay must accompany your Notice of Appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the Notice of Appeal and petition for a stay must also be submitted to each party named in the decision and to the Office of the Solicitor at:

Department of the Solicitor,
Rocky Mountain Region
755 Parfet Street, Suite 151
Lakewood, CO 80215

at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted based on the standards listed below.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied;
2. The likelihood of the appellant's success on the merits;
3. The likelihood of immediate and irreparable harm if the stay is not granted; and
4. Whether the public interest favors granting the stay.

Contact - If you have any questions, please contact Jennifer Maiolo at 970-826-5077.

Sincerely,



 Wendy Reynolds
Field Office Manager

Enclosure (1)
Appeal Form 1842-1

cc:

Stephanie Mitchell
Colorado Division of Reclamation Mining and Safety
101 South 3rd St. Suite 301
Grand Junction, CO 81501-2416