



**COLORADO**  
Division of Reclamation,  
Mining and Safety  
Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

May 7, 2018

Robert Berry  
3871 Black Feather Trail  
Castle Rock, CO 80104

**RE: Robert Michael #1; DRMS File No. P-2018-008; NOI Application Denial Notice**

Dear Mr. Berry,

The Division of Reclamation, Mining and Safety (Division) received your Notice of Intent to Conduct Prospecting Operations Application (NOI) on April 18, 2018. In accordance with Rule 5.1.1(2), and after review of the NOI application forms, the Division has determined that the activities proposed in the NOI are mining rather than prospecting. As a result of this determination, you will need to file and receive approval for the appropriate Reclamation Permit application in order to proceed with your proposed activities.

Therefore, on May 7, 2018 the Division denied the Notice of Intent to Conduct Prospecting Operations Application. In accordance, with Rule 1.4.11, if you wish to appeal this decision you must petition a hearing before the Mined Land Reclamation Board within sixty (60) days of the date of the Office decision. Such a petition for a hearing must state how you are directly and adversely affected or aggrieved by the Office's decision, and how your interests are entitled to protection under the Act. The petition must list and explain any issues you believe should be considered by the Board at the Hearing on the matter. The petition for a hearing must specifically state the application or file number assigned by the Office (P-2018-008).

If you have any questions, please contact me at (303)866-3567 x8116.

Sincerely,

Michael A. Cunningham  
Environmental Protection Specialist

CC: Wally Erickson, DRMS

