



COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

August 30, 2018

Tommy Barnes  
4773 CR 514  
Ignacio, CO 81137

**RE: Governor Mine, Reference No. M-2018-043, Division Response to "Is It Mining?"  
Questionnaire, No Permit Required**

Dear Mr. Barnes,

On August 21, 2018, the Division of Reclamation, Mining and Safety (Division) received information for an "Is It Mining" questionnaire regarding a proposed project to excavate between 60 – 80 cubic yards of material from an existing waste rock pile. The material will be used on the Governor Lode, Governor Millsite patented claim (Governor Mine) for parking areas, campsites and walking paths. The use of material on the 4x4 trail between the Governor Mine and County Road 124 is prohibited. No compensation will be received for the excavated material. Please use the reference number M-2018-043 regarding any correspondence or submittals for this site in the future.

The Mined Land Reclamation Board has requested the Division make determinations as to the need for a Mined Land Reclamation Permit. Based on the information provided in the questionnaire, the Division has determined **a permit is not required for the proposed activity**. Any significant deviation from the described activity could result in review and possible reversal of this determination.

If you disagree with this decision, you may petition to appear before the Board during a formal public hearing for a Declaratory Order concerning this matter. Pursuant to Rule 2.5.2(1), the request must be submitted to the Board in writing and be received no later than 10 days prior to the hearing. The written request must contain the information required pursuant to Rule 2.5.2(2) (copy enclosed). The next available Board hearing will be held on September 26, 2018. All hearings are held at 1313 Sherman St., Room 318, in Denver, Colorado 80203.

If you have questions please contact me at (303) 866-3567 extension 8116.

Sincerely,

Michael A. Cunningham  
Senior Environmental Protection Specialist

CC: Russ Means, DRMS  
Wally Erickson, DRMS  
Lucas West, DRMS

