



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

1313 Sherman Street, Room 215
Denver, CO 80203

Date: November 15, 2018

RE: *Need for State Reclamation Permit: "Is It Mining?"*

Name: Lynnartis Wells

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Enclosed are pertinent sections of the Colorado Mined Land Reclamation Board (Board) Rules governing activities that do not require a reclamation permit. To determine if you need a permit for you proposed activity, first check Rule 1.2 which describes activities the Board has determined do not require state reclamation permits. If you find a match, you can proceed based on your interpretation of the rule, but at your own risk. If you are uncertain how the Rule may apply to your activity, you should answer the list of questions below with as much detail as possible. Please feel free to use additional paper, maps, and attachments to explain your project.

Please include in your determination request answers to the following questions:

1. Please provide the legal location of the proposed project and submit a site map that clearly delineates the location of the proposed extraction site and the location of the nearest city, town, and county location name.
Section NW 20; Township 12S; Range 71W; PM 6TH County Park
Or NAD27 GPS X UTM 13S 468994 Y UTM 4315888
Direction and miles to nearest town/city South 1 mile
2. Is the site of material extraction on public or privately owned property? Public Land, Pike National Forest.
3. What type(s) of material or metal is/are proposed to be extracted and describe the physical nature of the site i.e., river terrace, rocky knob, in-stream gravel deposit, etc.? Smokey Quartz, Amazonite and Topaz, hillside digging with pick and shovel. I don't use power equipment of any kind.
4. What processing or extraction method(s) will be used on site? Include any equipment or chemical(s) that will be used in the processing and extraction of the materials.
All excavations will be hand dug with pick and shovel. No hazardous materials on site.
5. Will the extracted material be hauled offsite or used on the same parcel of property where the material is extracted? Any minerals worth money will be removed from the site and all spoils will be used to refill the dig. Photos will be taken before and after to show reclamation and vegetation.
6. How will the extracted material be used on site? Collectible samples will be removed from site.
7. If the material is hauled offsite, where will it be hauled to and what it the intended use?
Material will taken to my home and cleaned with soap and water.
Any extracted material will be kept or sold by operator for jewelry.



8. What is the approximate areal extent of the proposed extraction in acres?
Total of all 3 claims 154 SF or 0.0035 acres per year.
9. To what approximate depth will the extraction extend?
No more than 6', claim sites are mostly rock within 3' of surface.
10. In cubic yards, approximately how much material will be removed?
1-10'x10'x6'=600cf/22.22cy and 6-3'x3'x3'=162cf/6cy or 28.22cy per year all claims. Only 1 excavation will be open at a time.
11. Will material extraction involve the use of explosives?
No explosives will be used at any time.
12. Will site of extraction result in the exposure of tributary ground water?
NO.
13. Will either the landowner or the mine site operator receive any type of compensation, i.e., monetary, in-kind, haulage fees, etc., from the proposed material extraction?
The owner/operator will benefit if minerals extracted are collectible.
14. Please supply a copy of any documents that will ensure that the area of extraction will be reclaimed to some beneficial land use once extraction activities have been completed.
I am enclosing the complete set of documents submitted to the forest service.
15. Do you have permits for this activity from any other governmental agencies such as building, construction, or grading permits, and if so, what are they?
USFS permitted, pending bonding.
16. Are there state/federal/local agency participants in terms of funding (yes)-(no), design (yes)-(no).
What are the percentages? NO
17. What *post mining* uses will be made of the site of extraction and why?
(This question helps us determine the intent of the activity)
This is public land, I am in no way impeding the public now or in the future.
18. What types and sizes of equipment will be used in the extraction?
No equipment of any kind will be used on these claims. All excavations will be hand dug, explored and backfilled.

Please send the completed questionnaire to the Division at the address above for review. The Board has directed the Division to make a decision based on the information you have supplied. We trust that the activities will be performed as represented. If we receive a complaint, we are required by law to conduct an inspection of the site. Which could result in a violation, a cease and desist order, and other corrective actions including submittal of a permit application.

If you have any question, please contact Wally Erickson for Eastern Colorado sites at (303)866-3567, ext. 8176, or Russ Means for Western Colorado sites at (303)866-3567, ext. 8185. If you are unsure which area your project lies please feel free to contact either for further guidance and assistance. Please feel free to visit our web site at: www.mining.state.co.us for further access to the full Act and Rules governing extraction of metals, non-metals, and construction materials in the State of Colorado.

Sincerely,

Division of Reclamation, Mining and Safety Staff

Enclosure: Rule 1.2.1 for both Hard Rock Metal Mines and Construction Materials

1.2 SCOPE OF RULES AND ACTIVITIES THAT DO NOT REQUIRE A RECLAMATION PERMIT

1.2.1 Specified by Rule

The Board has determined that certain types of activities do not need reclamation permits either because the excavated substance is not a mineral as defined in Section 34-32-103(7), Colorado Revised Statutes 1984, as amended or because the activity is not a mining operation as defined by Section 34-32-103(8), C.R.S. 1984, as amended. Such activities include the following:

- (a) the exploration and extraction of natural petroleum in a liquid or gaseous state by means of wells or pipe;
- (b) the development or extraction of coal (refer to the Colorado Surface Coal Mining Reclamation Act Section 34-33-101, et seq., C.R.S. 1984, as amended);
- (c) smelting, refining, cleaning, preparation, transportation, and other off site operations not conducted on affected land;
- (d)
- (e) a custom mill.

1.2 ACTIVITIES THAT DO NOT REQUIRE A RECLAMATION PERMIT

103(3) and (13)

1.2.1 Specified by Rule

The Board has determined that certain types of activities do not need reclamation permits either because the excavated substance is not a construction material as defined in Section 34-32.5-103(3), Colorado Revised Statutes 1984, as amended or because the activity is not a mining operation as defined by Section 34-32.5-103(13), C.R.S. 1984, as amended. Such activities include the following:

- (a) the exploration and extraction of natural petroleum in a liquid or gaseous state by means of wells or pipe;
- (b) the development or extraction of coal (refer to the Colorado Surface Coal Mining Reclamation Act Section 34-33-101, et seq., C.R.S. 1984, as amended);
- (c) cleaning, preparation, transportation, and other off-site operations not conducted on permitted land; and
- (d) the extraction of geothermal or groundwater resources.

1.2.2 Reserved

1.2.3 Reserved

1.2.4 Extraction or Exploration on Federal Lands

Any person who intends to extract or explore for construction materials on federal lands shall apply for a Mined Land Reclamation Board permit or submit a Notice of Intent to conduct exploration operations unless specifically exempted by the Board according to the provisions of this Subsection 1.2.