



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

1313 Sherman Street, Room 215
Denver, CO 80203

elliott.russell@state.co.us
michael.cunningham@state.co.us

Date: 30 APRIL 2020

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

Name: THOMAS DUFFY RD.
Mailing Address: 34175 ROCK CREEK City: PINE State: CO Zip Code: 80470
Telephone: (303) 838-0662 Cell: (720) 255-8447
Email: tduffydoctrine@aol.com

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 your 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 3; Township 9S; Range 78W; PM 6 County PARK
Or NAD27 GPS X UTM _____ Y UTM _____
SE CORNER Direction and miles to nearest town/city 2.5 MILLS WEST OF ALMA, CO

2. Is the site of material extraction on public or privately owned property?
PUBLIC - US FOREST SERVICE
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.?

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.
PLACER GOLD DEPOSITED IN AN ANCIENT STREAM BED IN A GLACIAL VALLEY ADJACENT TO BUCKSKIN CREEK.
PICK AND SHOVEL EXTRACTION OF PLACER GRAVEL FROM 8'X8' PITS. MATERIAL PROCESSED IN A SMALL 12VOLT BATTERY POWERED SLURCH.
NO CHEMICALS, JUST WATER
5. Will the extracted material be hauled offsite or used on the same parcel of property where the material is extracted?
EXTRACTED GRAVEL WILL NOT BE HAULED OFF SITE, BUT RATHER RETURNED TO THE PIT ONCE EXTRACTION COMPLETE.
6. How will the extracted material be used on site?
WILL FILL EXTRACTION PIT ONCE MINERAL (GOLD) CONTENT DETERMINED
7. If the material is hauled offsite, where will it be hauled to and what is the intended use?
N/A



8. What is the approximate areal extent of the proposed extraction in acres?
APPROXIMATELY 1/8TH ACRE IF ALL EXPLORATION PIT SURFACE AREAS TOTALLED.
9. To what approximate depth will the extraction extend?
10 - 15 FEET
10. In cubic yards, approximately how much material will be removed?
PROBABLY 4 CUBIC YARDS PER PIT, PLANNING 5 EXPLORATION PITS SO ABOUT 20 CUBIC YARDS. THE GRAVEL WILL GO BACK IN THE PIT.
11. Will material extraction involve the use of explosives?
NO EXPLOSIVES AUTHORIZED OR REQUIRED.
12. Will site of extraction result in the exposure of tributary ground water?
THE SITE IS ADJACENT (BISECTED) BY BUCKSKIN CREEK, HOWEVER WADDOLE WILL BE USED TO PREVENT SILT FROM ENTERING CREEK
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?
IF MEASURABLE AMOUNTS OF PLACER GOLD IS FOUND, THERE MAY BE SOME COMPENSATION.
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.
SEE ATTACHED MAPS
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?
YES. I HAVE AUTHORIZATION FROM BLM AND THE FOREST SERVICE. A WATERSHED PERMIT WAS JUST GRANTED BY ALMA.
16. Are there state/federal/local agency participants in terms of funding (yes) (no), design (yes) (no).
What are the percentages?
YES. I HAVE AUTHORIZATION FROM BLM AND THE FOREST SERVICE. A WATERSHED PERMIT WAS JUST GRANTED BY ALMA.
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)
IF EXPLORATION REVEALS SIGNIFICANT DEPOSITS OF PLACER GOLD, THEN A MORE ROBUST MINING OPERATION WILL BE PURSUED. OTHERWISE THIS IS RECREATIONAL GOLD PANNING ON NATIONAL FOREST LAND.
18. What types and sizes of equipment will be used in the extraction?
THE FOREST SERVICE NOW DOES NOT PERMIT MECHANIZED EQUIPMENT.

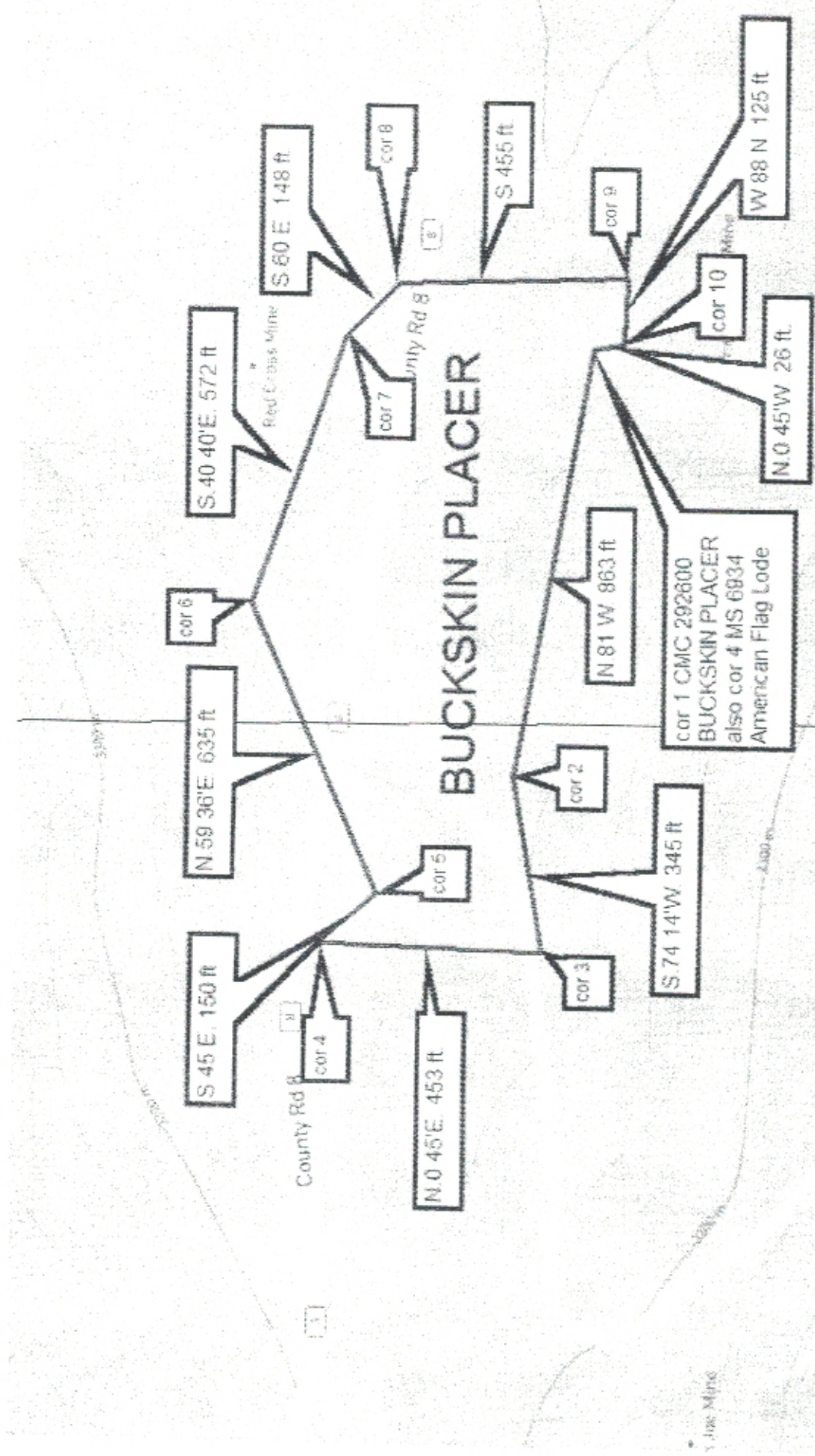
Please send the completed questionnaire to the Division at the address above for review. The Board has directed the Division to make a decision based on the information you have supplied. We trust that the activities will be performed as represented. If we receive a complaint, we are required by law 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



S.E. cor sec 3
T-9S. R-78W. 6th
Princ. Meridian

Buckskin Joe Placer

13 0405760 E 4349759 N

cor 6 13
0405868 E
4349548 N

cor 8 13
0406074 E
4349586 N

cor 9 13
0406237 E
4349528 N

cor 10 13
0406266 E
4349497 N

cor 3 13
0406227 E
4349383 N

cor 4 13
0405968 E
4349427 N

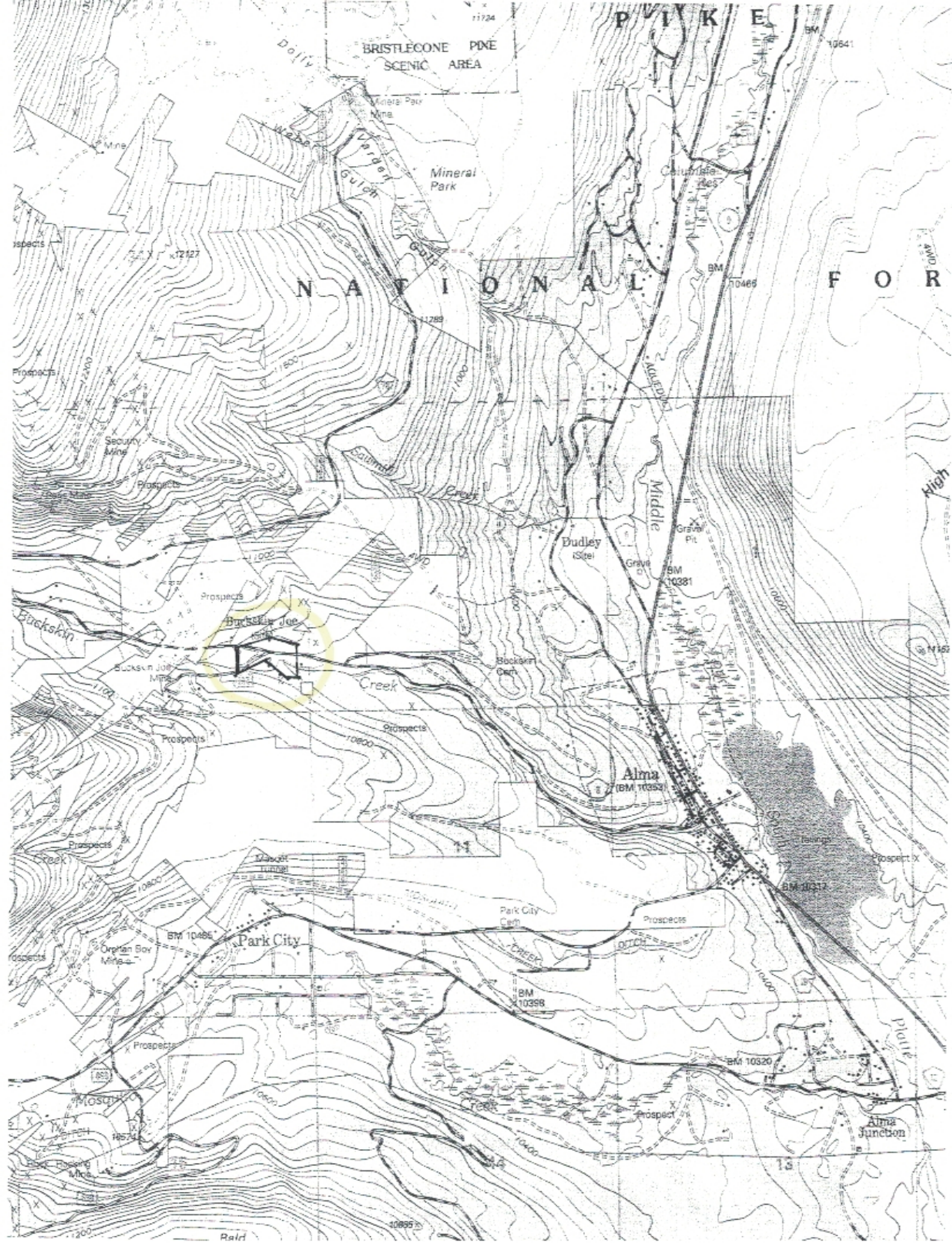
cor 5 13
0405863 E
4349411 N

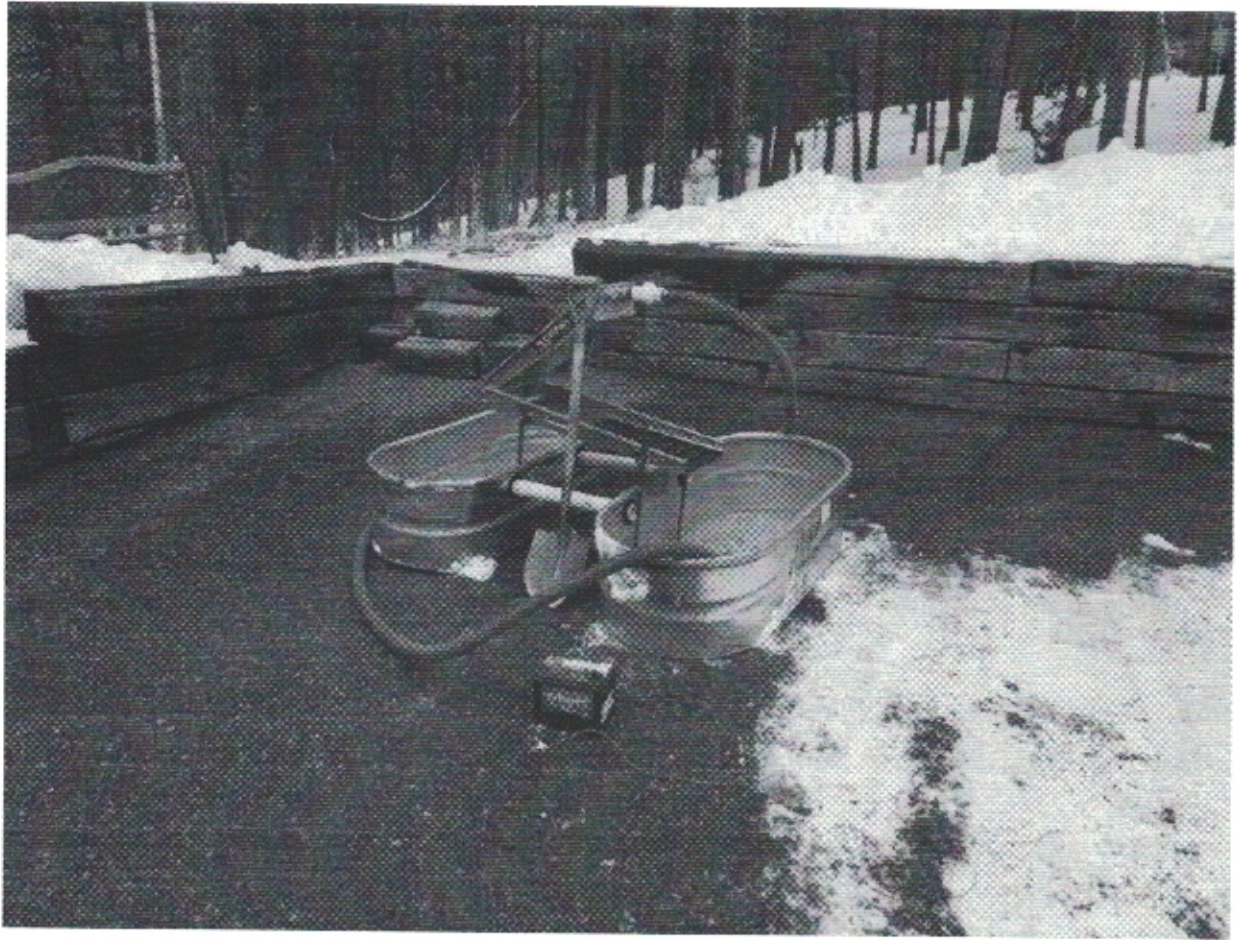
cor 2 13
0406227 E
4349363 N

cor 1 13
0406265 E
4349362 N

X = LOCATION OF PROSPECT HOLES
V = WADOLE

- NO TREES OR BRUSH WILL BE CUT
- DIS MAMMAL TO REMAIN ADJACENT
TO PROSPECT HOLE, THEN BACK FILLED





RE CIRCULATING SWITCH TO BE USED



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Colorado State Office
2850 Youngfield Street
Lakewood, Colorado 80215-7210
www.co.blm.gov



In Reply Refer To:
CMC 292600
3833 (P)
CO-921-SA

April 1, 2019

Thomas Duffy
34175 Rock Creek Rd
Pine, CO 80470-9708

NOTIFICATION OF RECORDATION

The Bureau of Land Management (BLM), Colorado State Office, has received a certificate of location (COL) and map submitted for recordation in accordance with 30 U.S.C. § 28g and the Federal Land Policy and Management Act of 1976, 43 U.S.C. § 1744 (2006). The mining claim has been recorded and serial number assigned as shown on the enclosed Recordation Receipt Report and the table below:

CLAIM/SITE NAME
Buckskin Joe Placer

SERIAL NUMBER
CMC 292600

A copy of your filings and receipt of payment are enclosed for your records. *Please reference your claim name and serial number in all future correspondence and annual filing documents.*

Pursuant to 43 C.F.R. §3832.11, when locating mining claims/sites, you must follow both state and Federal law, and COLs must be recorded in the county in which they are located as referenced in 43 C.F.R. §3833.11: "you must record in the proper BLM State Office a copy of the notice of certificate of location (COL) that you recorded or will record in the local recording office by the 90th day after the date of location."

In order to maintain the mining claim for each assessment year, under 30 U.S.C. §28f and implementing regulations under 43 C.F.R. §3834 Required Fees for Mining Claims or Sites, and 43 C.F.R. §3835 Waivers from Annual Maintenance Fees a claimant must either:

Pay the annual maintenance fee of \$155 per lode claim, mill or tunnel site or \$155 for every 20 acres or portion thereof contained in a placer claim on or before September 1st for the upcoming assessment year. The maintenance fee payments can now be paid online at: <https://www.blm.gov/payportal/home.html>.

OR

RECEIVED F 2024 10/1

753 831 (MAR 19)

WALLY ROBINSON
303-277-1578

Qualify for and file a Maintenance Fee Waiver Certification (Form 3830-2) on or before September 1st for the upcoming assessment year AND later complete the assessment work and file an Affidavit of Assessment Work (Form 3830-004) along with the \$15 per claim/site non-refundable processing fee on or before December 30th in the assessment year for which the maintenance fee was waived.

In situations where the assessment work is not yet required, or a mining site is being held by a waiver, a Notice of Intent to Hold (no official form available) along with the \$15 per claim/site processing fee is required by December 30th. It is important to know the regulations at 43 C.F.R. §3834 and 43 C.F.R. §3835 when applying for a Maintenance Fee Waiver. The failure to meet the annual FLPMA requirements stated above will deem the mining claim or site forfeited by operation of law (43 C.F.R. § 3830.91).

This Notification of Recordation does not address the validity of your mining claim nor the issue of whether the location complies with the regulations at 43 C.F.R. § 3832, Locating Mining Claims or Site. We will notify you of any deficiencies in the filings or issues with the location of the mining claim when this office completes the adjudication of the claim.

The Interior Board of Land Appeals has ruled that the public is responsible for knowing the status of public lands as shown on the official records. In addition, locators of mining claims/sites are responsible for determining the status of the land embraced by claims/sites, and the limitations upon their rights, as the holders of unpatented claims/sites.

Prior to conducting any surface-disturbing activities you **MUST** contact the Surface Management Agency (SMA), as well as the Colorado Division of Reclamation, Mining and Safety (CDRMS) to ensure the proper paperwork is filed and the appropriate financial guarantees are secured. Using the legal land description for the mining claim, this office has determined the appropriate SMA for you to contact, and it is listed below as a courtesy copy of this Notice will be sent to them.

The Archaeological Resources Protection Act of 1979 (Title 16 USC § 470), as amended, mandates the protection of archaeological resources (including historic mining structures and artifacts at least 100 years of age) on public lands. These resources are defined in part at Title 16 USC Section 470bb and under 36 CFR 296.3 and 43 CFR 7.3. Under Title 16 USC § 470ee(a)-(g) of the Act no person may excavate, remove, damage, or otherwise alter or deface, or attempt to excavate, remove, damage, or otherwise alter or deface any archaeological resource located on public lands. Any person who knowingly violates or counsels, procures, solicits, or employs any other person to violate any prohibition contained in subsection (a), (b), or (c) of this section shall, upon conviction, be fined not more than \$10,000 or imprisoned not more than one year, or both: Provided, however, that if the commercial or archaeological value of the archaeological resources involved and the cost of restoration and repair of such resources exceeds the sum of \$500, such person shall be fined not more than \$20,000 or imprisoned not more than two years, or both. In the case of a second or subsequent such violation upon conviction such person shall be fined not more than \$100,000, or imprisoned not more than five years, or both. The Act further provides for civil penalties found at Title 16 USC § 470ff.

Please take a moment to review the data entered for your mining claim at <http://www.blm.gov/lr2000/>, and review the current Mining Claim Information Packet available on our website at <http://www.blm.gov>.

If you have any questions or concerns, you may contact Shelea Alonso, Land Law Examiner at 303-239-3892.

Enclosures

cc: Pike, San Isabel National Forests
2840 Kachina Drive
Pueblo, CO 81008

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
MINING CLAIMS

MC Recordation Receipt

Receipt Number: 4404256
Case Type: PLACER CLAIM Lead File Number: CMC292600
Location Date: 2/15/2019 MC Count: 1
Claimant Name: Address: City, State, Zip
DUFFY THOMAS 34175 ROCK CREEK RD PINE CO 80470-9708

Serial Number	Claim Name	Case Disposition	Meridian Township Range Section	Aliquot Part
CMC292600	BUCKSKIN JOE PLACER	ACTIVE	06 0090S 0780W 003	SE

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

MAINTENANCE FEE WAIVER CERTIFICATION

SEE INSTRUCTIONS ON PAGE 2

FORM APPROVED
OMB NO. 1004-0114
Expires: January 31, 2020

1. This small miner waiver is filed for the assessment year beginning on September 1, 2019 and ending on September 1, 2020.
2. The undersigned and all related parties owned ten or fewer mining claims, mill, or tunnel sites located and maintained on Federal lands in the United States of America on September 1, 2019.
3. The undersigned have performed the assessment work required by law for each mining claim listed prior to filing this waiver and understand that by filing this form, the undersigned must file an affidavit of assessment work with the Bureau of Land Management (BLM) by the December 30th following the filing of this waiver.
4. The undersigned understand that if the assessment work obligation has not yet come due under 30 U.S.C. 28 (for those claims in their first assessment year only), a notice of intent to hold reciting this condition must be recorded by the December 30th following the filing of this waiver.
5. The undersigned understand that mill and tunnel sites may also be listed on this waiver and be waived from payment of the maintenance fee, and that a notice of intent to hold for these sites is required to be filed with the BLM by the December 30th following the filing of this waiver.
6. The undersigned understand and acknowledge that pursuant to 43 U.S.C. 1212 and 18 U.S.C. 1001, the filing or recording of a false, fictitious, or fraudulent document with the BLM may result in a fine of up to \$250,000, a prison term not to exceed five years, or both.
7. The mining claims, mill or tunnel sites for which this waiver from payment of the maintenance fees is requested are:

CLAIM OR SITE NAME

BLM RECORDATION SERIAL NUMBER

1. BUCKSKIN JOE PLACER

CME 292600

The owner(s) (claimants) of the above mining claims and sites are:

THOMAS DUFFY

(Owner's Name - Please Print)

34175 ROCK CREEK ROAD, PINE, CO 80470

(Owner's Mailing Address)

THAD

(Owner's Signature)

(City)

(State)

(Zip Code)

(Owner's Name - Please Print)

(Owner's Signature)

(Owner's Mailing Address)

(City)

(State)

(Zip Code)

(Owner's Name - Please Print)

(Owner's Signature)

(Owner's Mailing Address)

(City)

(State)

(Zip Code)

(Owner's Name - Please Print)

(Owner's Signature)

(Owner's Mailing Address)

(City)

(State)

(Zip Code)

Notice of Intention to Hold

Pursuant to the Federal Land Policy and Management Act of 1976
and 43 CFR 3835

THOMAS C. DUFFY JR. (claimant)/agent

34175 ROCK CREEK ROAD, PINE, CO 80470 (address)

intend to hold the claim/sites listed below. This Notice of Intention to Hold is filed
in lieu of the proof of labor for annual assessment year ending September 1 2020
because

- ☒ assessment work is required in the assessment year the claim was located.
- ☐ no affidavit of assessment work is required for mill or tunnel sites.
- ☐ Other: _____

Mining Claim/Site Name(s) and BLM Serial Number(s)

Buckskin Joe Placer CMC 292600

Date: 22 MARCH 2019

Signature: 



File Code: 2810

Date: August 26, 2019

CERTIFIED MAIL - RETURN

RECEIPT REQUEST

NUMBER: 7018 1130 0000 9295 0486

Mr. Thomas Duffy
Claimant/ Operator
24175 Rock Creek Road
Pine, CO 80470

Dear Mr. Duffy,

I received your revised Notice of Intent (NOI) on August 23, 2019, to conduct prospecting and exploration – level activities on the Buckskin Joe Placer unpatented mining claim administered by the South Park Ranger District in portions of Section 3, T. 9 S., R. 78 W., 6th Principal Meridian, Park County, Colorado. Your NOI for the Buckskin Joe Placer claim was previously assigned an identification number of **2810-021210-NOI-2019-021**; please use this identification number for future correspondence.

In reviewing your NOI, it has been determined that a mine Plan of Operation (MPO) is not needed at this time. An MPO and reclamation performance bond will be required for my review and approval if you *create significant resource disturbance to surface resources* as a result of proposing or doing any of the following:

- Failing to backfill any holes, pits or trenches;
- Cutting any trees;
- Using mechanized equipment;
- Using roads that are not National Forest System (NFS) roads with mechanized vehicles (including OHV);
- Creating new access routes or roads;
- Constructing any structure or facilities;
- Placing signage other than mine claim corner post identification;
- Do anything that might cause a significance disturbance.

No deviation from this NOI is authorized without my prior written approval. Your Notice of Intent is valid for 2019 until December 31, 2019. You will need to submit a new NOI for any proposed activities after December 31, 2019. For your next NOI submission, please follow the



enclosed NOI instruction guide 36 CFR 228.4(a)-Locatable Minerals.

I have also enclosed information on the reclamation standards for this district for your review. You are required to follow these standards to be in compliance with your NOI.

Please note that where not otherwise restricted, it is prohibited to camp more than 28 days within a continuous 60-day period, and/or occupy any campsite for more than 14 days during this 60-day continuous period within three miles of the previous campsite. In addition, Forest Service MVUM rules and regulation require vehicles to park in areas immediately adjacent to NFS roads, preferable in areas without vegetation.

As a reminder, you are required to follow all local, State, and Federal mining and water quality rules and regulations. Additionally, I am requiring you to obtain an approved Watershed Permit from the Town of Alma, prior to starting your operations.

Lastly, please keep a copy of this letter and documents for your records.

If you have any further questions or comments, please call Amy Titterington, Geologist, at 719-836-2031, or email her at amy.j.titterington@usda.gov.

Sincerely,



acting for
JOSHUA S. VOORHIS
District Ranger

Enclosures:

- 1) NOI Instruction Guide 36 CFR 228.4(a) - Locatable Minerals
- 2) South Park District Reclamation Standards

cc: Nancy Comer; Elliott Russell; Sheila Cross