



Adam C. Davenport  
General Counsel  
The Bar Star Companies  
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Golden, Colorado 80401  
adam.davenport@barstarland.com

June 25, 2021

Elliot Russell  
State of Colorado  
Division of Natural Resources  
Reclamation, Mining & Safety  
303-903-4456  
Elliott.russell@state.co.us

***Via Email Only***

**Re: Access to and across Bar Star Ranch, Park County, Colorado**

Mr. Russell,

This letter serves to provide additional information regarding Bar Star Land, LLC's ("Bar Star") surface and subsurface ownership in Park County, Colorado, as it relates to the Desert Gold Placers 1-6 (the "Mining Claim").

As you know, on or about April 1, 2021, Bar Star granted Casey Evans written permission to cross the lands it owns in Section 17 and 18, Township 9 South, Range 75 West, Park County, Colorado. Provided with this letter is a plat showing the extent of Bar Star's surface ownership in the aforementioned Sections.<sup>1</sup> As we discussed, the City of Aurora, not JJWM, LLP, owns the surface of the Northerly portions of Section 17 and 18 as indicated on the plat. However, Bar Star was conveyed a permanent 60 foot right of way along the boundary between the S1/2 and N1/2 of Section 18, as shown on the attached warranty deed for the surface from JJWM, LLP to Bar Star. In addition, Bar Star owns the subsurface mineral rights on the entire parcel. Finally, Bar Star utilizes the surface owned by Aurora for its cattle ranching operations via a perpetual license.

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<sup>1</sup> Surface owned by Bar Star in fee is shown in the close diagonal crosshatching while surface owned currently owned by Aurora but for which Bar Star owns the mineral rights is shown in the wide crosshatching.

I trust that the foregoing explanation and attachments to this letter will be sufficient for your purposes but please do not hesitate to be in touch with any additional questions or concerns.

Sincerely,



Adam C. Davenport  
General Counsel  
The Bar Star Companies

## WARRANTY DEED

THIS DEED, made this 28th day of August, 2015, between JJWM, LLP, Grantor, and Bar Star Land, LLC, whose legal address is 112 North Rubey Drive, Suite 101, Golden, Colorado 80218, Grantee:

WITNESSETH, that Grantor, for and in consideration of the sum of ten dollars (\$10), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, and conveyed, and by these presents does grant, bargain, sell, convey, and confirm, unto Grantee and Grantee's heirs, successors, and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Park, and the State of Colorado as described as follows:

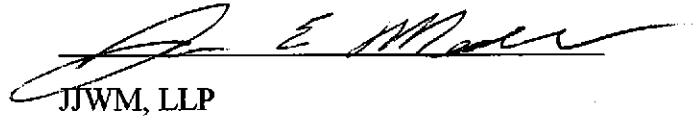
All of the real property and improvements, if any, described in the attached **Exhibit A**.

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof, and all the estate, right, title, interest, claim, and demand whatsoever of Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto Grantee and Grantee's heirs, successors, and assigns forever. And Grantor, for Grantor and Grantor's heirs and personal representatives, does covenant, grant, bargain, and agree to and with Grantee and Grantee's heirs, successors, and assigns, that at the time of the ensealing and delivery of these presents, Grantor is well seized of the premises above conveyed, has good, sure, perfect, absolute, and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power, and lawful authority to grant, bargain, sell, and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances, and restrictions of whatever kind or nature whatsoever, except taxes and assessments for 2015, payable January 1, 2016.

Grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of Grantee and Grantee's heirs, successors, and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

IN WITNESS WHEREOF, Grantor has executed this deed on the date set forth above.

  
JJWM, LLP

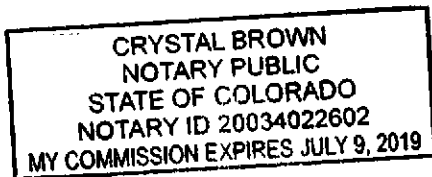
By its General Partner, James E. Medema

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF Jefferson )

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of August, 2015,  
by James E. Medema, general partner of JJWM, LLP.

Witness my hand and official seal.

My commission expires: 070919



  
Notary Public

**EXHIBIT A TO WARRANTY DEED FROM JJWM, LLP TO BAR STAR LAND, LLC**

By the attached Warranty Deed, Grantor has granted, bargained, sold, and conveyed, and by these presents does grant, bargain, sell, convey, and confirm, unto Grantee and Grantee's heirs, successors, and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Park, and the State of Colorado as described as follows:

**In Township 9 South, Range 75 West of the 6<sup>th</sup> P.M.:**

Section 6: SW/4SW/4

Section 18: SE/4; NE/4SW/4

Section 17: NW/4SW/4; S/2SW/4

Section 19: NE/4; SE/4

Section 20: NW/4; SW/4

Section 30: N/2NE/4

**In Township 9 South, Range 76 West of the 6<sup>th</sup> P.M.:**

Section 1: SE/4; that portion of the E/2SW/4 lying northerly of the County Road

By the attached Warranty Deed, Grantor has granted, bargained, sold, and conveyed, by these presents does grant, bargain, sell, convey, and confirm, unto Grantee and Grantee's heirs, successors, and assigns forever, all right, title and interest in the following easements and rights of way:

1. A non-exclusive easement in, under, above and across the following described parcels for the purposes of ingress, egress and the installation of utilities.

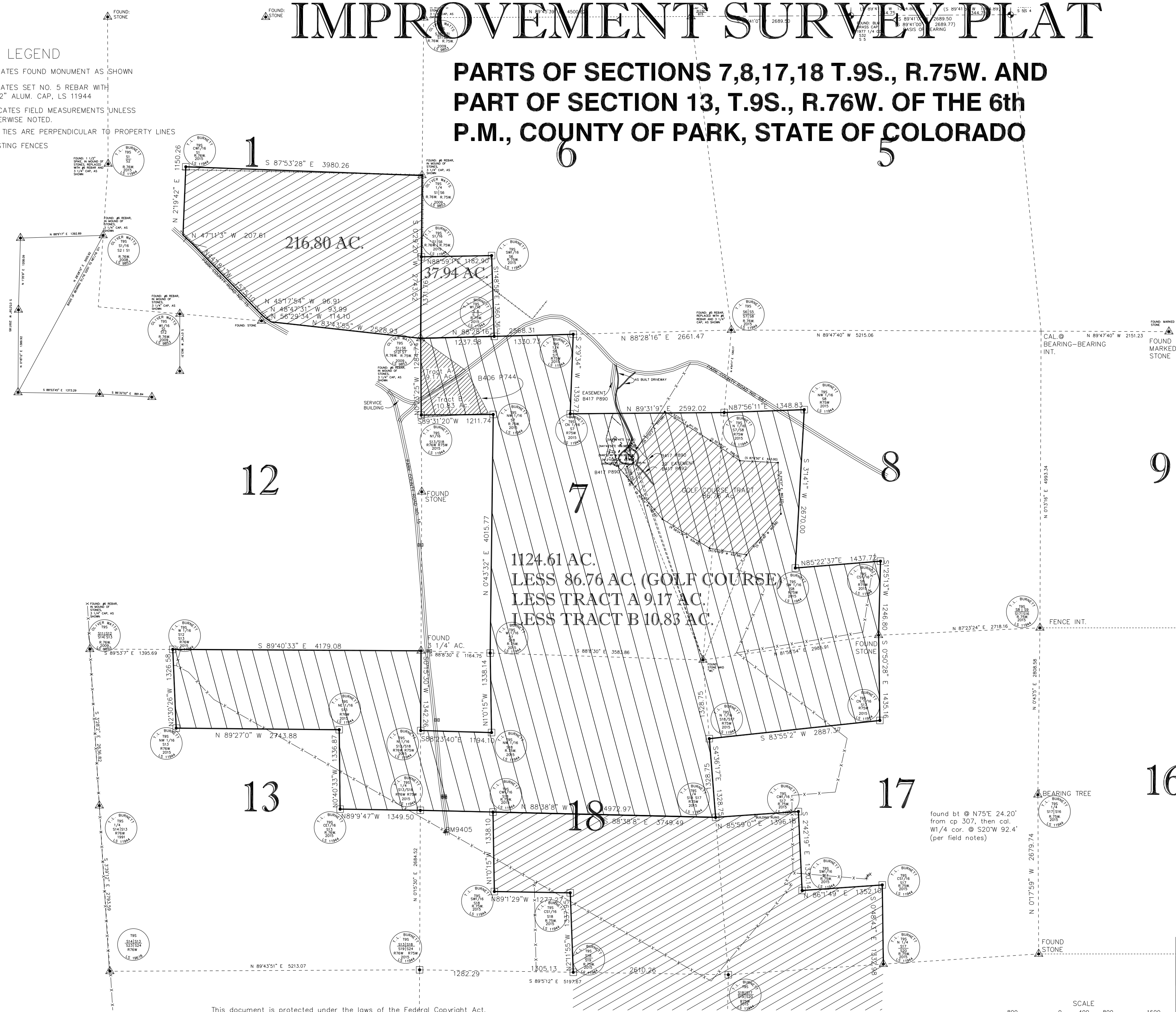
Parcel Number One: A permanent right of way 60 feet wide along the Northern Section Line of Section 7, North and West of the County Road #32 (Indian Mountain Road) to 60 feet west of the SW/4SE/4 quarter corner of Section 6 all in Township 9 South, Range 75 West of the 6<sup>th</sup> P.M.

Parcel Number Two: A permanent 60 feet wide right of way along the south line of the SW/4NW/4 Quarter Section line of Section 18, West of the County Road #15 (Elkhorn Road) to 60 feet east of the NE/4SW/4 of Section 18 all in Township 9 South, Range 75 West of the 6<sup>th</sup> P.M.

# IMPROVEMENT SURVEY PLAT

## PARTS OF SECTIONS 7,8,17,18 T.9S., R.75W. AND PART OF SECTION 13, T.9S., R.76W. OF THE 6th P.M., COUNTY OF PARK, STATE OF COLORADO

- LEGEND
- INDICATES FOUND MONUMENT AS SHOWN
  - INDICATES SET NO. 5 REBAR WITH 1 1/2" ALUM. CAP, LS 11944
  - INDICATES FIELD MEASUREMENTS UNLESS OTHERWISE NOTED.
  - ALL TIES ARE PERPENDICULAR TO PROPERTY LINES
  - EXISTING FENCES



SURVEYOR'S CERTIFICATE

THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED IN THE STATEMENT HEREON, SAID STATEMENT DOES NOT EXTEND TO ANY UNNAMED PERSON OR ENTITY WITHOUT AN EXPRESSED RESTATEMENT BY THE SURVEYOR NAMING SAID PERSON OR ENTITY. I, THOMAS L. BURNETT, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY TO JWMM, LLP THAT THE PLAT AND SURVEY OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON WAS PERFORMED BY ME OR UNDER MY DIRECT RESPONSIBILITY, SUPERVISION AND CHECKING, IN STRICT COMPLIANCE WITH COLORADO STATUTES, AND THAT BOTH THE SURVEY AND PLAT ARE TRUE, ACCURATE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

I FURTHER CERTIFY THAT THE IMPROVEMENTS ON THE ABOVE DESCRIBED PARCEL ON THIS DATE, JULY 3, 2015, EXCEPT UTILITY CONNECTIONS, ARE ENTIRELY WITHIN THE BOUNDARIES OF THE PARCEL, EXCEPT AS SHOWN, THAT THERE ARE NO ENCROACHMENTS UPON THE DESCRIBED PREMISES BY IMPROVEMENTS ON ANY ADJOINING PREMISES, EXCEPT AS INDICATED, AND THAT THERE IS NO APPARENT EVIDENCE OR SIGN OF ANY EASEMENT CROSSING OR BURDENING ANY PART OF SAID PARCEL, EXCEPT AS NOTED.

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

PROFESSIONAL LAND SURVEYOR, COLO. LICENSE NO. 11944  
© 2015 BURNETT LAND SURVEYING, INC.

N O T I C E : ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

DEPOSITED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ AT \_\_\_\_ M., IN BOOK \_\_\_\_ OF THE COUNTY SURVEYOR'S LAND SURVEY PLATS \RIGHT-OF-WAY SURVEYS AT PAGE \_\_\_\_ AT RECEPTION NO. \_\_\_\_

- NOTES:
- 1) THE BASIS OF BEARING IS A CALCULATED BEARING OF A LINE BETWEEN THE S1/16 S.2&S.11 COR. AND THE NE1/6 S.11 COR. AS BEING S.28°28'15"W, WITH BOTH CORNERS BEING FOUND MONUMENTS AS SHOWN.
  - 2) THE PURPOSE OF THIS SURVEY IS FIND OR SET THE PROPERTY CORNERS.
  - 3) MEASUREMENTS SHOWN IN PARENTHESIS ARE FIELD MEASUREMENTS, UNLESS OTHERWISE NOTED.
  - 4) CERTIFICATION NOT VALID WITHOUT ORIGINAL SEAL AND SIGNATURE, THIS SURVEY AND ALL RELATED DOCUMENTS ARE FOR THE SOLE USE OF THE CLIENT AT THE DATE OF CERTIFICATION, AND DOES NOT EXTEND TO ANY UNNAMED PERSON OR ENTITY WITHOUT AN EXPRESSED RESTATEMENT BY THE SURVEYOR NAMING SAID PERSON OR ENTITY.
  - 5) ANY PERSON WHO KNOWINGLY REMOVES, ALTERS, OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.

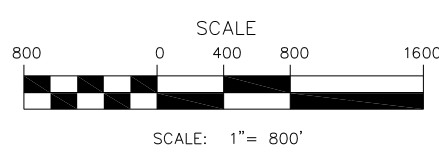
LIMITATIONS OF ACTIONS AGAINST LAND SURVEYORS

ALL ACTIONS AGAINST ANY LAND SURVEYOR BROUGHT TO RECOVER DAMAGES RESULTING FROM ANY ALLEGED NEGLIGENT OR DEFECTIVE LAND SURVEY SHALL BE BROUGHT WITHIN THREE YEARS AFTER THE PERSON BRINGING THE ACTION EITHER DISCOVERED, OR IN THE EXERCISE OF REASONABLE DILIGENCE AND CONCERN, SHOULD HAVE DISCOVERED THE NEGLIGENCE OR DEFECT WHICH GAVE RISE TO SUCH ACTION AND NOT THEREAFTER, BUT IN NO CASE SHALL SUCH AN ACTION BE BROUGHT MORE THAN TEN YEARS AFTER THE COMPLETION OF THE SURVEY UPON WHICH SUCH ACTION IS BASED.

TITLE COMMITMENT NOTES:

THIS LAND SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY BURNETT LAND SURVEYING, INC., TO DETERMINE OWNERSHIP OF THIS TRACT, VERIFY THE DESCRIPTION SHOWN, VERIFY THE COMPATIBILITY OF THIS DESCRIPTION WITH THAT OF ADJACENT TRACTS, OR VERIFY EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHT-OF-WAY OR TITLE OF RECORD, BURNETT LAND SURVEYING, INC., RELIED UPON THE TITLE COMMITMENT BY: FIDELITY NATIONAL TITLE COMPANY. COMMITMENT NO. F0515346.

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IMPROVEMENT SURVEY PLAT		
PARTS OF SEC. 7,8,17,18, 19, 20 & 30 T.9S.,R.75W., SEC. 1, 13, T.9S., R.76W. 6th P.M. PARK COUNTY, COLORADO		
BURNETT LAND SURVEYING, INC. P.O. BOX 1953, 361 HWY 285, STE 104 FAIRPLAY, COLORADO 80440 (719) 836-1425	ADDRESS: PARK COUNTY SPORTSMENS RANCH	
	DATE: JULY 4, 2015	PREPARED FOR: JWMM, LLP
	SCALE: 1"= 800'	
	DRAWN BY: TLB	
JOB NO. 2015-062		SHEET 1 OF 3

**PARTS OF SECTIONS 7,8,17,18 T.9S., R.75W. AND  
PART OF SECTION 13, T.9S., R.76W. OF THE 6th P.M.,  
COUNTY OF PARK, STATE OF COLORADO**

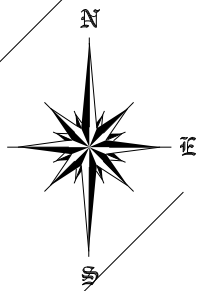
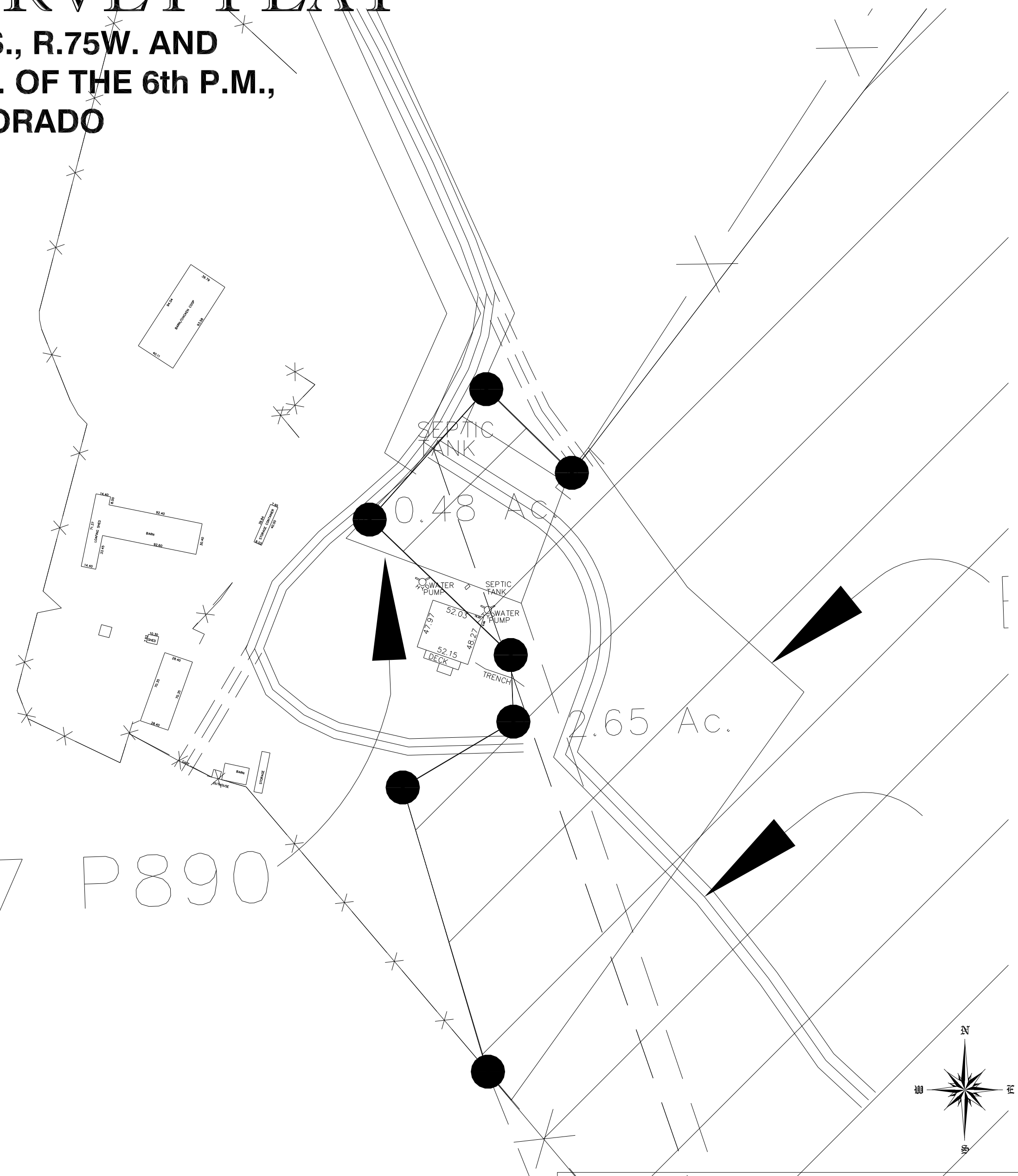
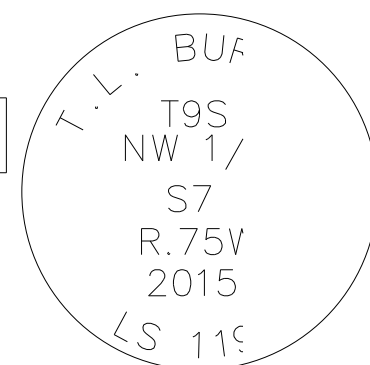
● INDICATES FOUND MONUMENT AS SHOWN

■ INDICATES SET NO. 5 REBAR WITH  
1 1/2" ALUM. CAP, LS 11944

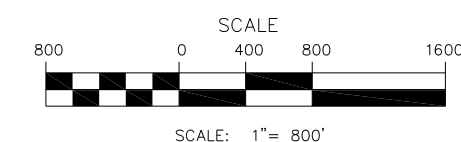
( ) INDICATES FIELD MEASUREMENTS UNLESS  
OTHERWISE NOTED.

ALL TIES ARE PERPENDICULAR TO PROPERTY LINES

—X— EXISTING FENCES



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BURNETT LAND SURVEYING, INC. P.O. BOX 1953, 951 HWY 265, STE 104 FAIRPLAY, COLORADO 80440 (719) 836-1425	ADDRESS: PARK COUNTY SPORTSMENS RANCH	
	DATE: JULY 4, 2015	PREPARED FOR: JUWM, LLP
	SCALE: 1"= 800'	
	DRAWN BY: TLB	
	JOB NO. 2015-062	SHEET 2 OF 3

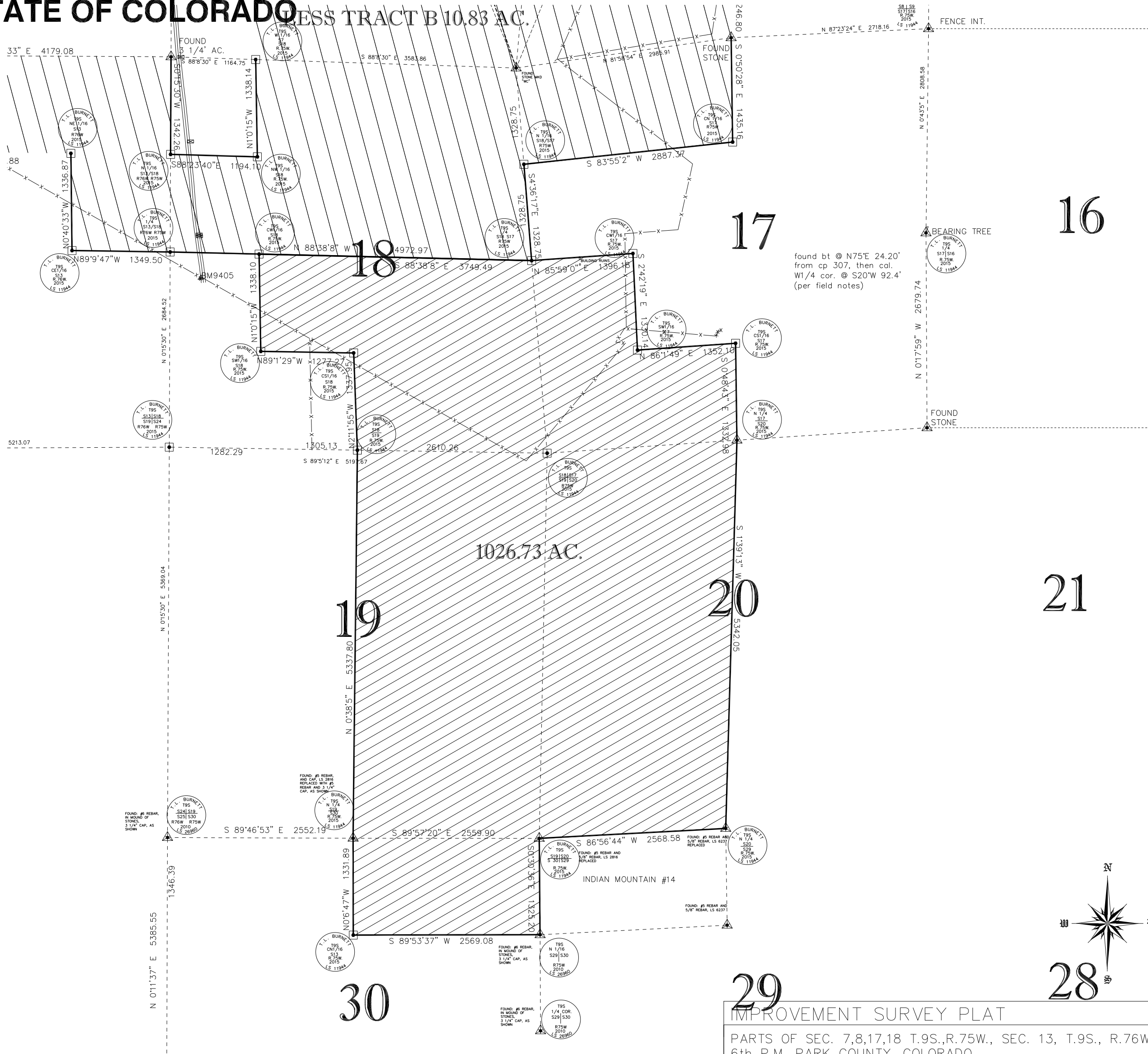
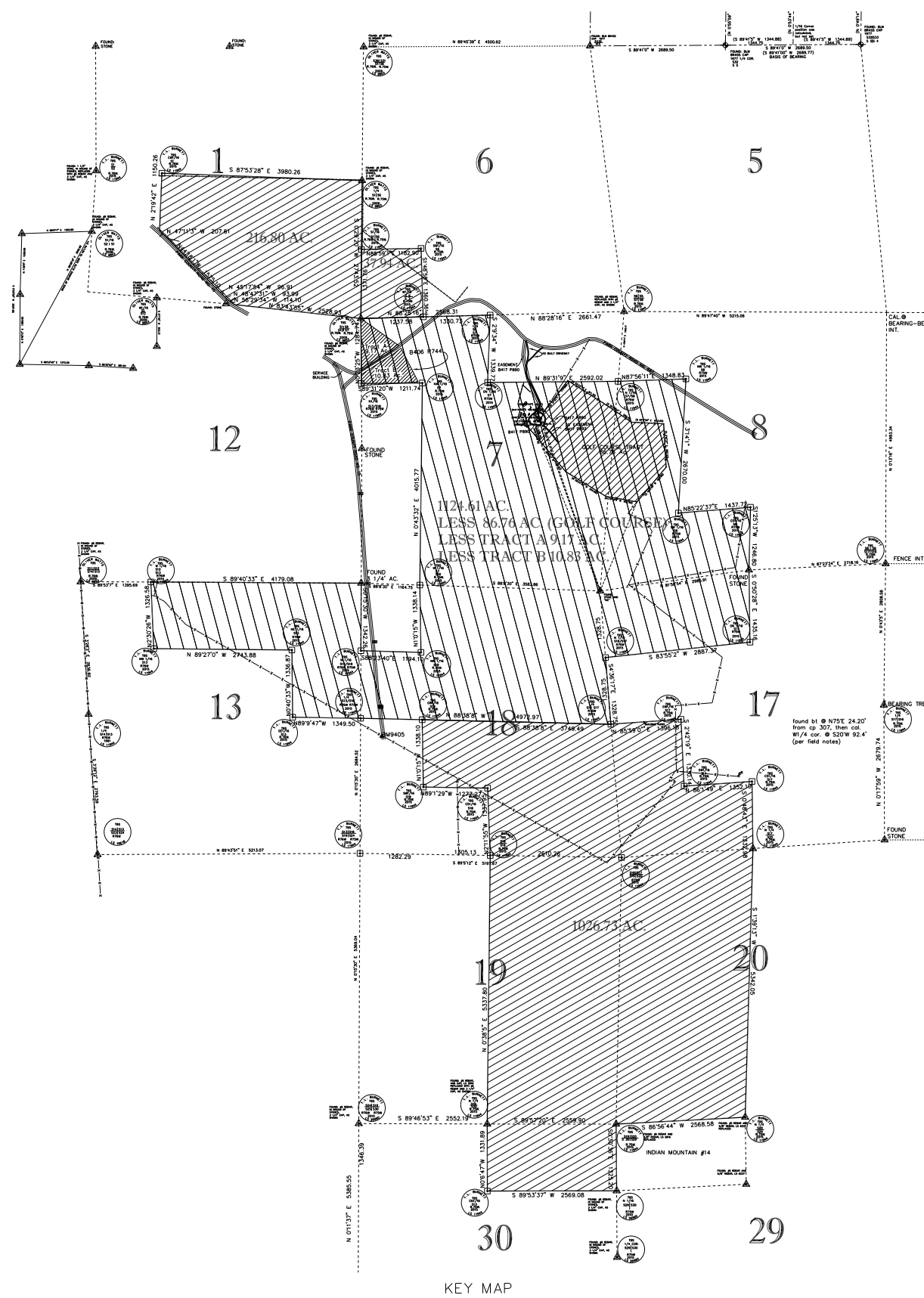


LEGEND

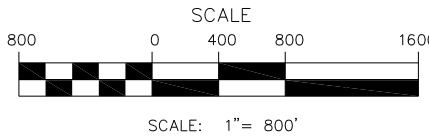
- ▲ INDICATES FOUND MONUMENT AS SHOWN
- ▣ INDICATES SET NO. 5/6 REBAR WITH 3 1/4" ALUM. CAP, LS 11944
- ( ) INDICATES FIELD MEASUREMENTS UNLESS OTHERWISE NOTED.
- ALL TIES ARE PERPENDICULAR TO PROPERTY LINES
- X— EXISTING FENCES

# IMPROVEMENT SURVEY PLAT

## PARTS OF SECTIONS 7,8,17,18 T.9S., R.75W. AND PART OF SECTION 13, T.9S., R.76W. OF THE 6th P.M., COUNTY OF PARK, STATE OF COLORADO



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ADDRESS: PARK COUNTY SPORTSMEN'S RANCH	
DATE: JULY 4, 2015	PREPARED FOR: JJJWM, LLP
SCALE: 1"= 800'	DRAWN BY: TLB
JOB NO. 2015-062	
SHEET 3 OF 3	

BURNETT LAND SURVEYING, INC.  
P.O. BOX 1953, 351 HWY 285, STE 104  
FAIRPLAY, COLORADO 80440  
(719) 836-1425





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## Letter re Access to and Across Bar Star Ranch

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Adam Davenport <Adam.Davenport@barstarland.com>

Fri, Jun 25, 2021 at 3:25 PM

To: "elliott.russell@state.co.us" <elliott.russell@state.co.us>

Cc: casey evans <caseyevans69@gmail.com>, James Ingalls <james.ingalls@dtsservices.com>

Good afternoon Elliott,

Please see attached letter and exhibits per our conversation earlier this week.

Feel free to be in touch with additional questions or if you would like to discuss further.

Best,

Adam

Adam C. Davenport

General Counsel

Bar Star Land, LLC

1501 Washington Ave., C-1

Golden, Colorado 80401

Cell: (970) 217-7387

Tele: (720) 627-6151

Fax: (720) 216-2055

[adam.davenport@barstarland.com](mailto:adam.davenport@barstarland.com)



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### 3 attachments

 **20210625 - Letter re Access.pdf**  
381K

 **20150901 - 718316 - WD JJWM to Bar Star Land, LLC - Sportsmen's Ranch.pdf**  
129K

 **FINAL PLAT.pdf**  
2587K