



## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

October 11, 2021

Mason A. King  
P.O. Box 68  
Cope, CO 80812

**RE: NOTICE OF VIOLATION NO. M-2021-019,  
CIVIL PENALTIES, AND CEASE AND DESIST ORDER  
King Pit (Permit No. M-2004-036)**

Dear Mr. King:

C.R.S. 34-32.5-116(3)(a) and (b) and Permit No. M-2004-036 require you to submit to the Division of Reclamation, Mining and Safety (the "Division") an annual fee, map and report, due on or before August 5 of each year. The annual fee required for your permit is \$323.00. As of the date of this letter the Division has not received your submittal.

Therefore, you are in violation of the above cited statute and the provisions of your Permit No. M-2004-036. Pursuant to C.R.S. 34-32.5-124, the Mined Land Reclamation Board hereby assesses Notice of Violation M-2021-019, Civil Penalties in the amount of \$323.00, and an Order to Cease and Desist from all mining related activities associated with Permit No. M-2004-036.

Pursuant to C.R.S. 34-32.5-116(3)(b), a Formal Public Hearing before the Mined Land Reclamation Board (the "Board") has been scheduled for **November 17-18, 2021**, for consideration of permit revocation and finding the financial warranty subject to forfeiture. The hearing will be held at 1313 Sherman Street, Room 318, Denver, Colorado, beginning at 9:00 a.m. on November 17, 2021 or as soon thereafter as the matter can be considered.

In order to be considered at the hearing, all exhibits, materials and witness testimony you wish for the Board to consider must be submitted by 5:00 PM on November 5, 2021 via email to the MLRB Administrator. You must also provide a list of all witnesses, if any, to the MLRB Administrator, Camille M. Mojar at [Camille.Mojar@state.co.us](mailto:Camille.Mojar@state.co.us), no later than 5:00 PM, November 5, 2021.

Please note the meeting format is subject to change due to the impacts of COVID-19. You will be notified as soon as possible of any changes to the meeting format. If you have good cause not to appear in person you may submit a request to the MLRB to appear virtually (via ZOOM). To do so please submit an email to the MLRB Administrator, no later than 5:00 PM, November 5, 2021 for Board consideration. If approved you will receive an authorization code to attend the meeting for this matter. **Please note that only Parties and those who will be testifying may attend by ZOOM.** All



other interested persons may attend the hearing via the MLRB YouTube Channel:  
<https://www.youtube.com/channel/UCDrrAO8bIPFIOWce-yH1fWA>

If the Board finds a violation at this hearing, it may issue a Cease and Desist Order and assess a Civil Penalty in the amount of \$100.00 to \$1,000.00 for each day of violation, pursuant to C.R.S. 34-32.5-124(7). Pursuant to C.R.S. 34-32.5-124(6)(a), the Board may suspend, modify, or revoke the permit and find the financial warranty subject to forfeiture. If you have evidence indicating that the possible violation noted above does not exist or has been corrected, please provide it to the Division as soon as possible or bring it to the hearing. Any information to be considered by the Board during the hearing must be received by the Division on or before November 12, 2021.

The Board's agenda may not be finalized until the week of the Board meeting. Therefore, we recommend you contact the Board's Administrator Camille M. Mojar of the Division at (303) 866-3567 ext. 8136 on the Monday prior to the Board Hearing to confirm exactly which day your item will appear before the Board.

If you have any questions about this letter or the hearing, please contact Brock F. Bowles at (303) 866-3567 ext. 8142 or [Brock.bowles@state.co.us](mailto:Brock.bowles@state.co.us).

Sincerely,



Russ Means  
Minerals Program Director

Signing on behalf of:

Virginia Brannon  
Division Director

CERTIFIED MAIL NO. :70182290000189235128  
Return Receipt Requested

cc: Michael A. Cunningham, DRMS  
Brock F. Bowles, DRMS  
Jeff Fugate, AGO

To file your report, upload your map, and pay your fee online now, go to the link below:  
[https://dnrforms.state.co.us/Forms/DRMSForms\\_LandingPage](https://dnrforms.state.co.us/Forms/DRMSForms_LandingPage)

If you have not yet set up your ePermitting account, go to the link below to get started:  
<http://mining.state.co.us/Pages/ePermitting.aspx>

There are detailed instructions on how to file your report, upload your map, and pay your fee in the ePermitting User's Manual at:  
<https://drms.colorado.gov/information/epermitting> M-AF-10