



STATE OF
COLORADO

Ebert - DNR, Jared <jared.ebert@state.co.us>

Highway 72 Mill Site, M-2020-044, MLRB Packet

Ebert - DNR, Jared <jared.ebert@state.co.us>

Fri, Aug 12, 2022 at 2:39 PM

To: Paul Danio <paulydanio@gmail.com>, David Emslie <dave@prospectorsgoldandgems.com>

Good afternoon Mr. Danio and Mr. Emslie,

Division staff has amended the MLRB packet to include the attached documents including:

- 1.) August 30, 2013 - Mined Land Reclamation Board Order for File No. M-1981-184
- 2.) September 11, 2009 - Mined Land Reclamation Board Order for Venture Resources, Inc.
- 3.) July 1, 2022 - Jefferson County Sheriff Office Report

Jared

[Quoted text hidden]

3 attachments



8.30.13 Red Arrow Board Order (1).pdf
175K



JeffersonCountySheriffOffice_1July2022_Report.pdf
96K



2009-09-11_VentureResource_BoardOrder.pdf
248K

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

Phone: (303) 866-3567

FAX: (303) 832-8106



John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta E. Piñeda
Director

August 30, 2013

Craig Liukko
Red Arrow Gold Corporation
623 Grand Avenue
Mancos, CO 81328

Red Arrow Gold Corporation
P.O. Box 531
Mancos, CO 81328

**Re: Findings of Fact, Conclusions of Law and Order, Red Arrow Gold Corporation
File No. M-1981-184, MV-2013-024**

On August 30, 2013 the Mined Land Reclamation Board (MLRB) signed the enclosed Board Order for the above captioned operation. We strongly advise that you read this document carefully since it may contain provisions which must be satisfied by specific dates to avoid future Board actions.

Failure to submit payment for the unsuspended portion of the civil penalty, by the date specified in the attached MLRB Order, will result in immediate submittal of those penalties to Central Collection Services for further processing and the addition of collection fees.

Sincerely,

Sitira Pope
Secretary to the Board
Enclosure(s)

CERTIFIED MAIL NO.
7010 1060 0001 0936 4794
7010 1060 0001 0936 4787
7010 1060 0001 0936 4800

Cc's
Kate Pickford
Russ Means
John Roberts
Julie Murphy
Mark Reider

BEFORE THE MINED LAND RECLAMATION BOARD
STATE OF COLORADO

Violation No.MV-2013-024

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

IN THE MATTER OF A POSSIBLE VIOLATION BY RED ARROW GOLD CORPORATION, CEASE AND DESIST ORDER, CORRECTIVE ACTIONS, AND CIVIL PENALTIES, File No. M-1981-184

THIS MATTER came before the Mined Land Reclamation Board ("Board") on August 14, 2013 in Denver, Colorado for a hearing to consider possible violations by Red Arrow Corporation ("Operator"), cease and desist order, corrective actions and civil penalties for mining without a permit, failing to comply with the conditions of a permit, and other violations, file number M-1981-184. There were no appearances on behalf of the Operator. Assistant Attorney General Julie M. Murphy, Russ Means, and Kate Pickford appeared on behalf of the Division of Reclamation, Mining and Safety ("Division").

The Board, having considered the parties' presentations and having been otherwise fully informed of the facts in the matter, hereby enters the following:

FINDINGS OF FACT

1. The Operator holds a 110(2) permit for a 9.95-acre silver and gold mine operation located in Section 14, Township 36 North, Range 12 West, 10th Principal Meridian in Montezuma County, Colorado, permit number M-1981-184. The site, located outside of Mancos, Colorado, is known as the Outwest Mine and Mill (Red Arrow Mine).
2. On June 11, 2013, the Division received notice that on April 17, 2013, Jaeger Kottmeier Associates ("Receiver") was appointed receiver of certain assets of the Operator by order of the Montezuma County District Court.
3. On June 13, 2013, the Division completed a file review of the Outwest Mine and Mill (Red Arrow Mine). The site is approved for a mill within the permit boundaries and to use the following processes and chemicals for processing: gravity and flotation, petasol, xanthate, and soda ash.
4. On June 18, 2013, the Division inspected the permitted mine site ("mine site"). Marcie Jaeger, representing the Receiver, attended the inspection. At the mine site, the Division found, among other things:

- a. the Gold Run portal location has a new roof over the tracks leaving the portal;
- b. the roof is not incorporated into the permit and the Operator has not provided adequate financial warranty for the roof;
- c. a drainage crossing by the road leading to the main portal is not included in the permit;
- d. a discharge hose leads from the portal to nearby Gold Run Creek instead of leading to an evaporative pond, as approved in the permit;
- e. the mill building near the River Level Adit is unsecured with portions of the galvanized siding missing;
- f. two 55-gallon drums in the mill building that appeared to be full of used oil and rested directly on bare ground with no secondary containment;
- g. approximately 10 cubic yards of tailing material being stored in the mill building;
- h. the Red Arrow Cross Cut Adit has roof structures that are not identified in the permit; no financial warranty has been posted for the roof structures;
- i. a prospecting area at the site with an apparent drill hole covered by a cap and surrounding oil staining; no drill hole abandonment report has been submitted;
- j. noxious weeds; and
- k. some roads around that require water bars to mitigate erosion.

5. The Receiver notified the Division that possible mercury amalgamation was occurring at a mill site approximately ten miles from the permitted area, located at 1000 West Grand Avenue in Mancos ("mill site"). The Division inspected the mill site on June 18, 2013. The mill site property is owned by William and Teri Sanders. At the mill site, the Division observed one metal building and one cinder block building, a crusher, and multiple stockpiles of fine-grain materials on the ground behind the buildings. Much of the stockpiles were uncovered and the Division observed no liner under the stockpiles. In the east building, the Division observed a milling operation that included flotation tanks, a crusher and conveyor system, a retort heater with a pipe venting out the roof of the building, and an amalgamator drum. The Division found droplets of mercury on a

drain spout of the amalgamator. The Division also observed a stack of five-gallon buckets with a note indicating that the contents are ready for amalgamation, an empty plastic bottle labeled "21.5 lbs Mercury," a bottle labeled "Lead Acetate," and a drum labeled "Hg #3" near the amalgamator. In the west building, the Division observed a crusher, conveyors, sieves, large flotation tanks, and an open trailer. The Division also observed a stockpile of fine-grain material on a concrete pad in front of the west building.

6. The Receiver or its agent informed the Division that tailings from the mine site, the mill site, or both were stored at the Western Excelsior site and Dana Gawthrop's pasture, both located near the mill site. The Division visited the Western Excelsior site and Dana Gawthrop's pasture on or about June 19, 2013. At both sites, the Division found tailings material from the mine site, the mill site, or both, and the Western Excelsior site is located within two hundred feet of the Mancos River.

7. On June 19, 2013, the Division posted a written cease and desist order both on the gate to the mine site and on the main doors of the buildings at the mill site. The Division hand-delivered the cease and desist order to the Receiver and sent the cease and desist order to the Operator by U.S. mail. The cease and desist order prohibits any further mining or milling activity at either site until it is lifted by the Board.

8. Permit number M-1981-184 allows milling within the permit area. However, neither the permit nor its revisions specify an approved processing plans for milling within the permit area.

9. Permit number M-1981-184 allows the use of certain chemicals; the permit does not allow the use of mercury.

10. On June 21, 2013, the Division sent the Receiver and the Operator a Reason to Believe a Violation Exists letter. The Division's letter provided notice regarding the alleged violations and information about the August 14 and 15, 2013 hearing on the matter.

11. The Operator does not possess a reclamation permit for the mill site located at 1000 West Grand Avenue in Mancos.

12. The Division retained Walter Environmental & Engineering Group, Inc. ("Walter") to provide environmental sampling activities at the mine site and the mill site. Walter's environmental sampling activities at the mine site and mill site began on June 25, 2013 and concluded on June 27, 2013. The Division received sampling results and a written report from Walter on August 1, 2013. Among other

things, the Walter report found levels of mercury and arsenic exceeding acceptable levels established by the U.S. Environmental Protection Agency.

13. On August 6, 2013, the Division received a letter dated August 2, 2013 from the Operator, signed by Craig Liukko, President/CEO, in response to the Division's June 21, 2013 Reason to Believe a Violation Exists letter.

14. The Board received a letter from attorney Mark Reider, representing Craig Liukko, Red Arrow Gold Corporation, dated August 8, 2013. Mr. Reider's letter requests that the Board postpone the hearing in this matter thirty to sixty days.

15. On August 8, 2013, the Division, William Sanders, and Teri Sanders entered a stipulated agreement captioned the Division of Reclamation, Mining, and Safety and Sanders Stipulated Agreement to Allow Access for Remediation and Reclamation, dated August 8, 2013.

16. On August 9, 2013, the Division submitted a reply to both the Operator's August 2, 2013 letter and Mr. Reider's August 8, 2013 letter.

17. On August 9, 2013, the Division and the Receiver entered into a Memorandum of Understanding regarding possible sanctions against the Receiver.

CONCLUSIONS OF LAW

18. The Board has jurisdiction over this matter pursuant to the Colorado Mined Land Reclamation Act, Article 32 of Title 34, C.R.S. (2012).

19. Operators are required to minimize disturbances to the prevailing hydrologic balance of the affected land and the surrounding area. C.R.S. § 34-32-116(7)(g) (2012). The Operator failed to gain approval and construct environmental protection facilities for the stockpiling of toxic materials on bare soil at the mill site and exported toxic materials to other sites, including locations within two hundred feet of the Mancos River, in violation of section 34-32-116(7)(h), C.R.S.

20. Operators are required to protect areas outside of the affected land from slides or damage. C.R.S. § 34-32-116(7)(h) (2012). The Operator failed to gain approval for mining and milling activities outside the approved permit boundary and failed to construct environmental protection facilities for the stockpiling of toxic materials, outside the approved permit boundary, in violation of section 34-32-116(7)(h), C.R.S.

21. Under section 34-32-116(7)(i), C.R.S., Operators are required to stabilize and protect affected land, including spoil piles, so as to effectively control

erosion, attendant air, and water pollution. The Operator failed to gain approval for mining and milling activities, failed to stabilize and protect affected land, including spoil piles, from slides or damage, and failed to construct environmental protection facilities for the stockpiling of toxic materials, in violation of section 34-32-116(7)(i), C.R.S.

22. The mill site in Mancos, Colorado is not authorized by reclamation permit number M-1981-184, is not within the boundary for that permit, and is not authorized by any other reclamation permit issued by the Division or the Board. Therefore, the Operator conducted a mining operation without a permit and without amending its Permit number M-1981-184, in violation of sections 34-32-109(2) and -123(2), C.R.S.

23. Under section 34-32-124, C.R.S. the Board may issue a cease and desist order where it determines that an operator violated any provision of a permit. As set forth in the findings of fact above, the Operator failed to comply with the conditions of its Permit number M-1981-184.

24. The Operator, without authority, used mercury in the milling of ore, imported toxic materials to the mine site and the mill site, exported toxic materials from the mine site or the mill site or both, and heated mercury for retort with unapproved inadequate ventilation and filtering. As such, the Operator engaged in an activity or activities (*i.e.*, extractive metallurgical processing) not sanctioned by, or which constitutes a material violation of, a permit for a mining operation, where such activity constitutes an immediate, undue, and unwarranted risk of serious harm to persons, property, or the environment, in violation of section 34-32-124.5(1)(a), C.R.S.

25. Pursuant to section 34-32-123(1), C.R.S., the Board may issue a cease and desist order if it determines that an operator failed to obtain a permit before operating. The mill site constitutes a "mining operation" as that term is defined by section 34-32-103(8), C.R.S. The Operator failed to obtain a permit before operating a mining operation.

26. The Board may impose a civil penalty of not less than \$1,000 per day nor more than \$5,000 per day for each day during which a violation occurs. C.R.S. § 34-32-123(2) (2012). The Board may impose a penalty against the Operator based on 57 days of violation at \$1,000 to \$5,000 per day for a civil penalty of \$57,000 to \$285,000.

ORDER

The Board APPROVES the Division of Reclamation, Mining, and Safety and Sanders Stipulated Agreement to Allow Access for Remediation and Reclamation, dated August 8, 2013.

The Board DENIES Craig Liukko and the Operator's August 8, 2013 request to postpone the hearing.

The Operator did not appear in this matter to present any mitigating factors. There is no information before the Board indicating that any action other than the requested action is appropriate. Therefore, based on the foregoing findings of fact and conclusions of law, the Board hereby enters the following order:

Based on the foregoing findings of fact and conclusions of law, the Board hereby finds the Operator in violation of:

1. section 34-32-109(2) and -123(2), C.R.S. for operating without a permit;
2. section 34-32-124, C.R.S. for failing to comply with the conditions of a permit;
3. section 34-32-124.5(1)(a), C.R.S. for engaging in an activity not sanctioned by, or which constitutes a material violation of, a permit for a mining operation, where such activities constitutes an immediate, undue, and unwarranted risk of serious harm to persons or property, or the environment;
4. section 34-32-116(7)(g), C.R.S. for failing to protect the prevailing hydrologic balance of the affected land and of the surrounding area.
5. section 34-32-116(7)(h), C.R.S. for failing to protect areas outside of the affected land from slides or damage;
6. section 34-32-116(7)(i), C.R.S. for failing to stabilize and protect spoil piles so as to effectively control erosion, attendant air, and water pollution.

The Board AFFIRMS the June 18, 2013 cease and desist order the Division issued against the Operator. The cease and desist order shall remain effective with regard to both the Outwest Mine and Mill (Red Arrow Mine) and the unpermitted milling operation until the Division or any other governmental agency overseeing reclamation or remediation of contamination caused by the Operator's mining and milling operations determines that remediation or reclamation activities have been completed, except to the extent that the Operator is performing activities required by this order. Prior to removal of the cease and desist order, the Operator shall submit a full report, including quantitative data, to the Board, certified by the Division or other governmental agency, of the completion of remediation and reclamation.


The Board imposes the following CORRECTIVE ACTIONS:

1. The Operator shall cooperate and not materially interfere with any investigation, reclamation, or remediation of the Operator's mining and milling operations conducted by the Division, the U.S. Environmental Protection Agency, or any other governmental agency relating to the Outwest Mine and Mill (Red Arrow Mine) and the Operator's unpermitted milling operation.
2. The Operator shall, on or before September 12, 2013, pay \$52,167.00 to the Division emergency response cash fund.
3. The Operator shall, on or before September 12, 2013, provide a complete inventory of locations at which tailings from the Outwest Mine and Mill (Red Arrow Mine) have been deposited.
4. The Operator shall, within thirty (30) days from the effective date of this order, submit an interim financial warranty in the amount of \$73,234.09 (an increase of \$56,451.09) to cover the reclamation liability for the unapproved roof structures and remediation of contaminated tailings and petroleum and mercury contaminated liquids present at the permitted mine site. This financial warranty does not address any reclamation or remediation costs outside the permit area; the Division will determine a revised financial warranty upon full review of the submitted technical revision.
5. The Operator shall, within thirty (30) days from the effective date of this order, submit a complete technical revision application and fee to address the following items in permit number M-1981-184 for the Outwest Mine and Mill (Red Arrow Mine):
 - a. Incorporating into the permit the new roof constructed over the tracks leaving the Gold Run portal;
 - b. Incorporating into the permit the metal roof over the Red Arrow Cross Cut Adit and the metal roof used for storage;
 - c. Providing written and photographic documentation of the implementation of the approved weed control plan; and
 - d. Submitting a plan to install water bars on sections of the roadway that are at risk of erosion.

The Board imposes a CIVIL PENALTY for 57 days of violation at \$5,000 per day for a total civil penalty of \$285,000. All but \$100,000 of the civil penalty is suspended if the Operator complies with the corrective action in the time specified. The portion of the civil penalty not suspended, \$100,000, shall be due and payable within thirty (30) days of the effective date of this Order. Failure to submit the unsuspended portion of the civil penalty by the date specified above shall result in immediate submittal of such penalties to State collections. Permit number M-1981-184 is subject to forfeiture and the suspended portion of the civil penalties (\$185,000.00) will be due if Red Arrow fails to comply with any one of the corrective actions by the corrective action date.

DONE AND ORDERED this 30th day of August 2013.

FOR THE COLORADO MINED LAND
RECLAMATION BOARD


Thomas E. Brubaker, Chair

NOTICE OF APPEAL RIGHTS

This order becomes effective and final upon mailing. Any party adversely affected or aggrieved by agency action may commence an action for judicial review by filing a notice of appeal with the district court within thirty-five (35) days after the effective date of this order, pursuant to section 24-4-106, C.R.S. (2012). In the event that an appeal is filed, designations of record made in accordance with section 24-4-106(6), C.R.S. should be served on the Board at 1313 Sherman Street, Room 215, Denver, CO 80203, Attention: Sitira Pope.

CERTIFICATE OF SERVICE

This is to certify that I have duly served the within FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER upon all parties herein by depositing copies of same in the United States mail, first-class postage prepaid, at Denver, Colorado, this 30th day of August 2013 addressed as follows:

Craig Liukko
Red Arrow Gold Corporation
623 Grand Avenue
Mancos, CO 81328

Red Arrow Gold Corporation
P.O. Box 531
Mancos, CO 81328

Mark Reider, Esq.
Mark Reider Law Office
360 West 1st, Suite B
Cortez, CO 81321

Marcie Jaeger
Jaeger Kottmeier Associates, LLC
1425 Market Street, Suite 225
Denver, CO 80202

William Boyd & Teri A. Sanders
P.O. Box 607
Mancos, CO 81328

By inter-office or electronic mail to:

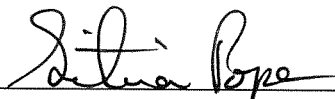
Kate Pickford
Division of Reclamation, Mining and Safety
Durango Field Office
691 CR 233, Suite A-2
Durango, CO 81301

Russ Means
Division of Reclamation, Mining and Safety
Grand Junction Field Office
101 S. 3rd Street, Suite 301
Grand Junction, CO 81506

By intra-office or electronic mail to:

John J. Roberts
Senior Assistant Attorney General
Department of Law
Business and Licensing Section
Ralph L. Carr Colorado Judicial Center
1300 Broadway, 8th floor
Denver, CO 80203

Julie M. Murphy
Assistant Attorney General
Department of Law
Natural Resources and Environment Section
Ralph L. Carr Colorado Judicial Center
1300 Broadway, 7th floor
Denver, CO 80203



✓M-2009-071

STATE OF COLORADO

✓DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

Phone: (303) 866-3567

FAX: (303) 832-8106



Bill Ritter, Jr.
Governor

Harris D. Sherman
Executive Director

Ronald W. Cattany
Division Director
Natural Resource Trustee

✓September 11, 2009

Ryan J. McHale, Vice President

✓Venture Resources, Inc.

PO Box 1974

Idaho Springs, CO 80452

Re: **Declaratory Board Order, Venture Resources, Inc.**

Dear Mr. McHale:

On September 11, 2009, the Mined Land Reclamation Board signed the enclosed Board Order for the above captioned operation. We strongly advise that you read this document carefully since it contains provisions which must be satisfied by specific dates to avoid future Board actions.

Sincerely,

A handwritten signature in cursive script that reads "Sitira Pope".

Sitira Pope

Secretary to the Board

Enclosure(s)

CERTIFIED MAIL NO.

Return Receipt Requested

Cc's

Tony Waldron

✓Allen Sorensen

Jillian Allison

Peter Hack

BEFORE THE MINED LAND RECLAMATION BOARD
STATE OF COLORADO

ORDER

IN THE MATTER OF VENTURE RESOURCES, INC.'S PETITION FOR A
DECLARATORY ORDER

THIS MATTER came before the Mined Land Reclamation Board ("Board") on August 12, 2009, in Denver, Colorado for a hearing to consider the request of Venture Resources, Inc. ("Petitioner") for a Declaratory Order exempting the Petitioner from the need to obtain a reclamation permit. Ryan McHale appeared on behalf of the Petitioner. Allen Sorensen, Tony Waldron, and Assistant Attorney General Peter Hack appeared on behalf of the Division of Reclamation, Mining and Safety ("Division"). JoAnn Sorenson from Clear Creek County also testified.

The Board, having considered the Division's and the Petitioner's presentations and having been otherwise fully informed of the facts in the matter, hereby enters the following findings of fact, conclusions of law and Board Order:

FINDINGS OF FACT

1. The Petitioner filed a Petition for Declaratory Order on July 24, 2009 pursuant to the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal and Designated Mining Operations ("Hard Rock Rules"). Petitioner seeks a Declaratory Order exempting it from the need to obtain a reclamation permit for the proposed remediation activities on its land.
2. The Petitioner owns approximately 270 non-contiguous acres in Clear Creek and Gilpin Counties. The properties have approximately 60 patented mining claims. The mining claims are in the Russell Gulch and Virginia Canyon vicinity of Clear Creek and Gilpin counties, near Central City, Colorado. The claims are all located within a 1.5 mile radius of each other.
3. The Petitioner's property has about 200,000 tons of abandoned mine waste rock dumps that originate from the late 1800's. The piles range in size from 50,000 tons to 2,000 tons. The impacted footprint of each of the various dumps is generally under 1.5 acres.
4. The Petitioner proposes to remove and transport the waste rock tailings piles and process the waste rock in a central processing facility. The processing facility would remove the heavy metals and precious metals from the waste rock and then impound the newly processed and cleaned tailings.
5. The Petitioner currently has a small mobile processing facility capable of processing 40 tons of rock per 24 hours. The Petitioner has plans for a larger 400 tons per

day processing facility. The processing facility uses gravity and flotation concentration processes to extract heavy and precious metals. Water and additives are used in the multi-stage process. Eventually, the inert tailings will be impounded and the water used to process them will be recycled through the plant.

6. The proposed impoundment area is located in the upper portion of Hukill Gulch, a dry gulch. The impoundment area will contain up to 700,000 tons of waste rock and have a 7.6 acre footprint. The plans call for five benches stair-stepped up the gulch. The bench faces will be 40 feet high and 60 feet deep. The water used for processing will be decanted from the tailings and pumped back to the processing facility and recycled. The impoundment will be reclaimed in phases using biosolids and woodchips as a soil foundation.

7. The Petitioner's proposed plan has significant environmental impacts. The old mine waste dumps are chemically reactive, acidic and metalliferous. They require specialized handling to minimize off-site impacts during excavation. The water used in the processing mill and resulting impoundments must be regulated. Also, the design and safety of the impoundments must be regulated.

8. The Petitioner argues that the proposed activities do not require a reclamation permit because they will be regulated by the counties and possibly the Colorado Department of Health and Environment ("CDPHE"). Also, the Petitioner argues that the activities should not be considered mining because it is not extracting the materials from their natural occurrence, but rather processing materials that have already been extracted from their natural occurrence.

9. The Division argues that the activities proposed by the Petitioner need a reclamation permit. Overall, the Division asserts that it has the expertise and regulatory authority over these activities. Also, the Division has permitted other similar "re-mining" operations.

CONCLUSIONS OF LAW

10. The Board has jurisdiction over this matter pursuant to §§ 34-32-104, 105, and 107, of the Colorado Mined Land Reclamation Act, § 34-32-101 through 125, C.R.S. (2008) (the "Act").

11. Hard Rock Rule 2.5.1 allows any person who may be directly and adversely affected and whose interests are entitled to legal protection under the Act to "petition the Board for declaratory order to terminate controversies or to remove uncertainties as to the applicability to the Petitioner of any statutory provision of or any rule or order of the Board," made pursuant to the Act.

12. Pursuant to § 34-32-103(8), C.R.S., the term "mining operation" includes "surface operations and the disposal of refuse from underground mining." The term also includes transportation, concentrating, milling, evaporation, and other processing on affected

lands. Here, the Petitioner's proposed operation will process waste rock from abandoned mining operations. The process described by the Petitioner includes transporting the waste rock to the processing center, milling the rock, and processing out the heavy and precious metals using concentrating techniques. The Petitioner's proposed activities are within the statutory definition of mining. Therefore, should the Petitioner proceed with the proposed activities, a reclamation permit from the Division is necessary.

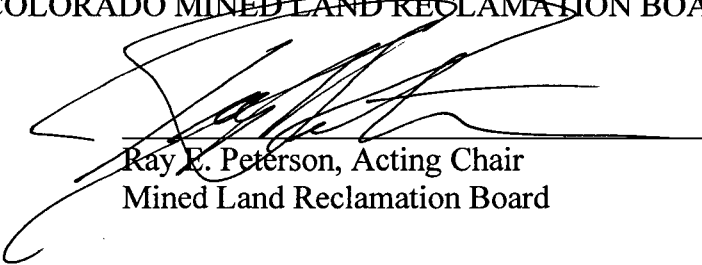
13. The Board finds that the Petitioner's proposed activities are mining and that a reclamation permit is required.

ORDER

Based on the foregoing findings of fact and conclusions of law, the Board hereby denies the Petitioner's request for a Declaratory Order exempting it from the need to obtain a reclamation permit. A reclamation permit is required for the activities described by the Petitioner.

DONE AND ORDERED this 11th day of September, 2009.

FOR THE COLORADO MINED LAND RECLAMATION BOARD



Ray E. Peterson, Acting Chair
Mined Land Reclamation Board

NOTICE OF APPEAL RIGHTS

Please refer to Hard Rock Rule 2.5.6 and § 24-4-106, C.R.S., for information regarding judicial appeal of this matter. Please refer to § 24-4-106(6), C.R.S., regarding the record of this matter. A Designation of Record filed in accordance with § 24-4-106(6), C.R.S., should be served on the Board at: 1313 Sherman Street, Room 215, Denver, CO 80203, Attention: Sitira Pope.

CERTIFICATE OF SERVICE

This is to certify that I have duly served the within FINDINGS OF FACT,
CONCLUSIONS OF LAW AND BOARD ORDER upon all parties herein by depositing
copies of same in the United States mail, first-class postage prepaid, at Denver, Colorado,
this 11th day of September 2009 addressed as follows:

Ryan J. McHale, Vice President
Venture Resources, Inc.
PO Box 1974
Idaho Springs, CO 80452

By Inter-office mail to:

Tony Waldron
Division of Reclamation, Mining and Safety
1313 Sherman St., Room 215
Denver, CO 80203

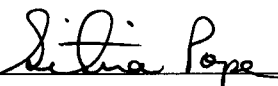
By certified mail no: 70081140 0004 5017
9795

Allen Sorensen
Division of Reclamation, Mining and Safety
1313 Sherman St., Room 215
Denver, CO 80203

By intra-office mail to:

Jillian H. M. Allison
Assistant Attorney General
Office of the Attorney General
1525 Sherman Street, 7th Floor
Denver, CO 80203

Peter Hack
Assistant Attorney General
Office of the Attorney General
1525 Sherman Street, 7th Floor
Denver, CO 80203



22-10985

Supplement No
ORIG

Jefferson County Sheriff Office

Reported Date
07/01/2022
Member#
PETERSON, TANNER D

Nature of Call
-AOA

Administrative Information

Agency Jefferson County Sheriff Office	Report No 22-10985	Supplement No ORIG	Reported Date 07/01/2022	Reported Time 07:05
CAD Call No 221325972	Status CLOSED	Nature of Call ASSIST OTHER AGENCY		
Location 17200 HWY 72				From Date 07/01/2022
From Time 07:05	Member# 2591/PETERSON, TANNER D	Assignment PATROL NORTH WATCH B		Entered By 2591
RMS Transfer Successful	Prop Trans Stat Successful	Property? None	DV No	Approving Officer 2268
Approval Date 07/02/2022		Approval Time 00:11:15		
-BODY WORN CAMERA- Yes				

Person Summary

Invl OTH	Invl No 1	Type I	Name CUNNINGHAM, MICHAEL	MNI 1630835
Race W	Sex M	DOB		
Invl OTH	Invl No 2	Type I	Name MEANS, RUSS	MNI 1630836
Race W	Sex M	DOB		
Invl OTH	Invl No 3	Type I	Name MUSICK, JASON	MNI 1630837
Race W	Sex M	DOB		
Invl OTH	Invl No 4	Type I	Name EBERT, JARED	MNI 1630838
Race W	Sex M	DOB		
Invl OTH	Invl No 5	Type I	Name NOLAN, LANE MICHAEL	MNI 1630839
Race W	Sex M	DOB 03/12/1997		
Invl OTH	Invl No 6	Type I	Name BUTTERFIELD, TED	MNI 1630840
Race W	Sex M	DOB		
Invl OTH	Invl No 7	Type I	Name DANIO, PAUL EUGENE	MNI 39492
Race W	Sex M	DOB 10/23/1953		

Report Officer
2591/PETERSON, TANNER D

Printed At
08/11/2022 08:38

Jefferson County Sheriff Office

OTHER 1: CUNNINGHAM, MICHAEL

Involvement OTHER	Invl No 1	Type Individual	Name CUNNINGHAM, MICHAEL	
MNI 1630835	Race WHITE	Sex Male	Ethnicity Unknown	PRN 2106405
NIBRS U				Res Status Unknown
Type Work/Business		Address 1313 SHERMAN ST #215		
City DENVER		State Colorado	ZIP Code 80203	Date 07/01/2022
Phone Type Work	Phone No (303) 866-3567		Date 07/01/2022	
Employer/School COLORADO DIVISION OF RECLAMATION, MINING AND SAFET				
Location 1313 SHERMAN ST #215				City DENVER
State Colorado	ZIP Code 80203	Phone Type Work	Phone No (303) 866-3567	

Involvement OTHER	Invl No 2	Type Individual	Name MEANS, RUSS	
MNI 1630836	Race WHITE	Sex Male	Ethnicity Unknown	PRN 2106406
NIBRS U				Res Status Unknown
Type Work/Business		Address 1313 SHERMAN ST #215		
City DENVER		State Colorado	ZIP Code 80203	Date 07/01/2022
Phone Type Work	Phone No (303) 866-3567		Date 07/01/2022	
Employer/School COLORADO DIVISION OF RECLAMATION, MINING AND SAFET				
Location 1313 SHERMAN ST #215				City DENVER
State Colorado	ZIP Code 80203	Phone Type Work	Phone No (303) 866-3567	

Involvement OTHER	Invl No 3	Type Individual	Name MUSICK, JASON	
MNI 1630837	Race WHITE	Sex Male	Ethnicity Unknown	PRN 2106407
NIBRS U				Res Status Unknown
Type Work/Business		Address 1313 SHERMAN ST #215		
City DENVER		State Colorado	ZIP Code 80203	Date 07/01/2022
Phone Type Work	Phone No (303) 866-3567		Date 07/01/2022	
Employer/School COLORADO DIVISION OF RECLAMATION, MINING AND SAFET				
Location 1313 SHERMAN ST #215				City DENVER
State Colorado	ZIP Code 80203	Phone Type Work	Phone No (303) 866-3567	

Jefferson County Sheriff Office

OTHER 4: EBERT,JARED

Involvement	Invl No	Type	Name		
OTHER	4	Individual	EBERT, JARED		
MNI	Race	Sex	Ethnicity	PRN	
1630838	WHITE	Male	Unknown	2106408	
NIBRS					Res Status
U					Unknown
Type		Address			
Work/Business		1313 SHERMAN ST #215			
City		State	ZIP Code	Date	
DENVER		Colorado	80203	07/01/2022	
Phone Type	Phone No		Date		
Work	(303) 866-3567		07/01/2022		
Employer/School					
COLORADO DIVISION OF RECLAMATION, MINING AND SAFET					
Location					City
1313 SHERMAN ST #215					DENVER
State	ZIP Code	Phone Type	Phone No		
Colorado	80203	Work	(303) 866-3567		

OTHER 5: NOLAN,LANE MICHAEL

Involvement	Invl No	Type	Name					
OTHER	5	Individual	NOLAN,LANE MICHAEL					
MNI	Race	Sex	DOB	Age	Ethnicity	Juvenile?	Height	Weight
1630839	WHITE	Male	03/12/1997	25	Not of Hispanic origin	No	5'06"	140#
Hair Color		Eye Color	PRN					
Blond or Strawberry		Hazel	2106409					
NIBRS							Res Status	
R							Resident	
Type	Address							
Home	12369 W NEVADA PL #104							
City		State	ZIP Code	Date				
LAKEWOOD		Colorado	80228	07/01/2022				
Type	Address							
Work/Business	17200 HWY 72							
State	Date							
Colorado	07/01/2022							

OTHER 6: BUTTERFIELD,TED

Involvement	Invl No	Type	Name					
OTHER	6	Individual	BUTTERFIELD, TED					
MNI	Race	Sex	Ethnicity	PRN				
1630840	WHITE	Male	Unknown	2106410				
NIBRS							Res Status	
U							Unknown	
Type	Address							
Work/Business	17200 HWY 72							
State	Date							
Colorado	07/01/2022							

OTHER 7: DANIO,PAUL EUGENE

Involvement	Invl No	Type	Name					
OTHER	7	Individual	DANIO, PAUL EUGENE					
MNI	Race	Sex	DOB	Age	Ethnicity	Juvenile?	Height	Weight
39492	WHITE	Male	10/23/1953	68	Not of Hispanic origin	No	6'02"	250#
Hair Color		Eye Color	PRN					
Gray or Partially Gray		Blue	2106411					
NIBRS							Res Status	
R							Resident	
Type	Address							
Home	17200 HWY 72							
State								
Colorado								
Date								
07/01/2022								

Modus Operandi

Crime Code(s)	
OTHER	
Report Officer	Printed At
2591/PETERSON, TANNER D	08/11/2022 08:38
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Jefferson County Sheriff Office**Narrative**

BWC - Activated

On 07/01/2022 at about 0700 hours, I was asked my Commander D. Aten to assist the Colorado Division of Reclamation, Mining and Safety with a search warrant.

I was briefed on the incident with Commander Aten and the following members from the Colorado Division of Reclamation, Mining and Safety:

Michael Cunningham - Senior Environmental Protection Specialist

Russ Means - Minerals Program Director

Jason Musick - Senior Environmental Protection Specialist - Coal Program

Jared Ebert - Senior Environmental Protection Specialist - Active Mines Program

I was advised they were serving an "Administrative Search Warrant to Enter and Inspect Property Pursuant to CRS 34-32-121" at 17200 State Highway 72; and they were requesting that the Sheriff's Office stood by while they documented the property.

I responded to the property and contacted the following people on the property:

Lane Nolan (DOB: 03/12/1997)

Ted Butterfield (DOB: Unknown)

Paul Danio (DOB: 10/23/1953)

I stood by while the members of the Colorado Division of Reclamation, Mining and Safety documented the property. At about 0800 hours, the standby was complete and I cleared the scene.

Disposition: Closed.