



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Uncompahgre Field Office  
2465 South Townsend Ave  
Montrose, CO 81401

In Reply Refer To:  
3809 [LLCOS05000]  
[COC080843]

CERTIFIED MAIL – RETURN RECEIPT REQUESTED  
9489 0090 0027 6150 9157 64

## **DECISION**

Sunrise Minerals Inc.	:	Surface Management
Attn: Malcolm Day	:	
4691 Luna Circle	:	
Moab, UT 84532	:	

## **DETERMINATION OF REQUIRED FINANCIAL GUARANTEE AMOUNT**

The Sunrise Minerals Notice to conduct exploration drilling in T47N, R17W, Sections 2, 10, and 11 was received in this office on 12/21/2022. The Notice has been assigned Bureau of Land Management (BLM) case file number COC080843. Please refer to this number in any future communication concerning this project.

The BLM has reviewed the Notice and determined it is complete, containing all the information required by the surface management regulation at 43 CFR §3809.301. The BLM has reviewed the proposed operation and determined it is adequate to prevent unnecessary or undue degradation as defined by 43 CFR §3809.5.

Amount of Financial Guarantee – This office has received Sunrise Minerals reclamation cost estimate for this project and determined that the amount \$19,462 is sufficient to meet all anticipated reclamation requirements. The amount of reclamation cost estimate is based on the operator complying with all applicable operating and reclamation requirements as outlined in the Notice and the regulation at 43 CFR §3809.420.

Line items in the approved reclamation cost estimate are not to be considered as the limits of the reclamation expenditures should forfeiture of the financial guarantee be necessary. This amount may be spent as the BLM deems necessary to implement the approved reclamation plan. The financial guarantee amount does not represent reclamation liability limits or constraints should be actual cost of reclamation exceed this amount.

Required Financial Guarantee – The financial guarantee in the amount of \$19,462 must be submitted to and accepted by Colorado Division of Reclamation, Mining, and Safety (DRMS). You must receive written notification from DRMS accepting and obligating your financial guarantee before you begin any surface-disturbing operations.

The type of instruments that are acceptable to the BLM for financial guarantees are found at 43 CFR §3809.555. Please contact DRMS for forms and further information regarding acceptable financial guarantees.

The BLM's review of your proposed operations, determination that your Notice is complete, finding that the activity will not cause unnecessary or undue degradation, and decision concerning the amount of the required financial guarantee does not relieve you, the operator, of the responsibility to comply with all applicable Federal, state, and local laws, regulations, and permits requirements. You are responsible for preventing any unnecessary or undue degradation and for reclaiming all lands disturbed by your operations.

This decision does not constitute certification of ownership to any entity named in the Notice, recognition of the validity of any associated mining claims, or recognition of the economic feasibility of the proposed operations.

Term of Notice – Your notice will remain in effect for two years from the date of this decision, unless you notify this office beforehand that operations have ceased and reclamation is complete. If you wish to conduct operation for another 2 years after the expiration date of your Notice you must notify this office in writing on or before the expiration date as required by 43 CFR §3809.333. You will also have to submit an updated reclamation cost estimate at the time.

#### Appeal of the Decision Determining the Required Financial Guarantee Amount

If you are adversely affected by this decision, you may request that the BLM Colorado State Director review this decision. If you request a State Director review, the request must be received in the BLM Colorado State Office at PO Box 151029 no longer than 30 calendar days after you receive or have been notified of this decision. The request for the State Director Review must be filed in accordance with provision in 43 CFR §3809.805. This decision will remain in effect while the State Director review is pending, unless a stay is granted by the State Director. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

If the State Director does not make a decision on your request for review of this decision within 21 days of receipt of the request, you should consider the request declined and you may appeal this decision to the Interior Board of Land Appeals (IBLA). You may contact the BLM Colorado State Office to determine when the BLM received the request for State Director Review. You have 30 days from the end of the 21-day period in which to file your Notice of Appeal with this office at 2465 South Townsend Ave. Montrose, Colorado 81401 which we will forward to IBLA.

If you wish to bypass a State Director Review, this decision may be appealed directly to the IBLA in accordance with the regulations at 43 CFR §3809.801(a)(1). Your Notice of Appeal must be filed in this office at 2465 South Townsend Ave. Montrose, Colorado 81401 within 30 days from receipt of this decision. As the appellant you have the burden of showing that the decision appealed from is in error. Enclosed is BLM Form 1842-1 that contains information on taking appeals to the IBLA.

This decision will remain in effect while the IBLA reviews the case, unless a stay is granted by the IBLA. If you request a stay, you have the burden to demonstrate that a stay should be granted.

Request for a Stay - If you wish to file a petition pursuant to regulations 43 CFR §4.21 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Interior Board of Land Appeals IBLA, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of this notice of

appeal and petition for a stay must also be submitted to each party named in the decision and to the IBLA and to the appropriate Office of the Solicitor (see 43 CFR §4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay - Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal must show sufficient justification based on the following standards:

1. The relative harm to parties if the stay is granted or denied.
2. The likelihood of the appellant's success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted.
4. Whether the public interest favors granting the stay.

If you have any questions, please contact Vincent Beresford at 970-240-5333 or [vberesford@blm.gov](mailto:vberesford@blm.gov).

Sincerely

Suzanne Copping  
Field Manager

1 Enclosure

1 – Form 1842-1, Information on Taking Appeals to the Interior Board of Land Appeals

cc:

Colorado Division of Reclamation, Mining, and Safety  
Attn: Dustin Czapla  
1313 Sherman Street, Room 215  
Denver, CO 80203

BLM Colorado State Office  
Attn: Nic Sandoval  
PO Box 151029  
Lakewood, CO 80215