



Date: May 9, 2023

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

Name: Norman and Mary Bergren

Street

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Email

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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: Township: Range: PM

**Jackpot mine located on the Stranger Patented Mining claim in a Portion of Section 9:
Township 1 South: Range 73 West of the 6th PM**

Nearest City: Nederland, Boulder County, CO

Or NAD 27 GPS

**Direction and Miles to
nearest town/city: County:**



1313 Sherman Street, Room 215, Denver, CO 80203 P 303.866.3567 F 303.832.8106 <https://colorado.gov/drms> Jared
S. Polis, Governor | Dan Gibbs, Executive Director | Virginia Brannon, Director

2. Is the site of material extraction on public or privately owned property?

private

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.? Any interesting rock formations, various minerals

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. Pick, shovel and wheelbarrow

5. Will the extracted material be hauled off site or used on the same parcel of property where the material is extracted? Bring it out place on existing mine dump

6. How will the extracted material be used on site? Inspected and placed in existing mine dump

7. If the material is hauled off site, where will it be hauled to and what is the intended use? N/A

8. What is the approximate area extent of the proposed extraction in acres?

Mine that is 6 feet by 6 feet by 200 feet (less than $\frac{1}{8}$ an acre)

9. To what approximate depth will the extraction extend? Going through the

existing mine. This is a vertical mine.

10. In cubic yards, approximately how much material will be removed: 20 cubic feet

11. Will material extraction involve the use of explosives?

No

12. Will the site of extraction result in the exposure of tributary

groundwater? No

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?

No

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. This is an existing mine and will not need to reclaim any of the surface

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? No

16. Are there state/federal/local agency participants in terms of funding?

No

17. What post mining land uses will be made of the extraction and why? (This question helps us determine the intent of the activity.) will be for maintenance and clean up and identifying minerals in rocks

18. What types and sizes of equipment will be used in the extraction? Pick, shovel and wheelbarrow

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 questions, please contact the Division at (303)866-3567. Please feel free to visit our website at: <https://colorado.gov/drms> 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 excerpt for Hard Rock Metal Mines and Construction Materials
Rule 1.2 excerpt for Hard Rock/Metal Mining

1.2 SCOPE OF RULE AND ACTIVITIES THAT DO NOT REQUIRE A RECLAMATION

PERMIT 1.2.1 Specified by Rule

The Board has determined that certain types of activities do not need reclamation permits either because the excavated substance is not a mineral as defined in Section 34-32-103(7), Colorado Revised Statutes 1984, as amended or because the activity is not a mining operation as defined by Section 34-32-103(8), C.R.S. 1984, as amended. Such activities include the following:

- (a) the exploration and extraction of natural petroleum in a liquid or gaseous state by means of wells or pipe;
- (b) the development or extraction of coal (refer to the Colorado Surface Coal Mining Reclamation Act Section 34-33-101, et seq., C.R.S. 1984, as amended);
- (c) smelting, refining, cleaning, preparation, transportation, and other off-site operations not conducted on affected land; and
- (d) the extraction of geothermal or groundwater resources.

operations unless specifically exempted by the Board according to the provisions of this Subsection 1.2.

103(3) and (13)

1.2 ACTIVITIES THAT DO NOT REQUIRE A RECLAMATION PERMIT

1.2.1 Specified by Rule

The Board has determined that certain types of activities do not need reclamation permits either because the excavated substance is not a construction material as defined in Section 34-32.5-103(3}, Colorado Revised Statutes 1984,as amended or because the activity is not a mining operation as defined by Section 34-32.5-103(13), C.R.S. 1984,asamended. Such activitiesinclude the following:

(a) the exploration and extraction of natural petroleum in a liquid or gaseous state by means of wells or pipe:

(b) the development or extraction of coal (refer to the Colorado Surface Coal Mining Reclamation Act Section 34-33-101, et seq., C.R.S. 1984,as amended);

(c) cleaning, preparation, transportation, and other off-site

operations not conducted on permitted land: and

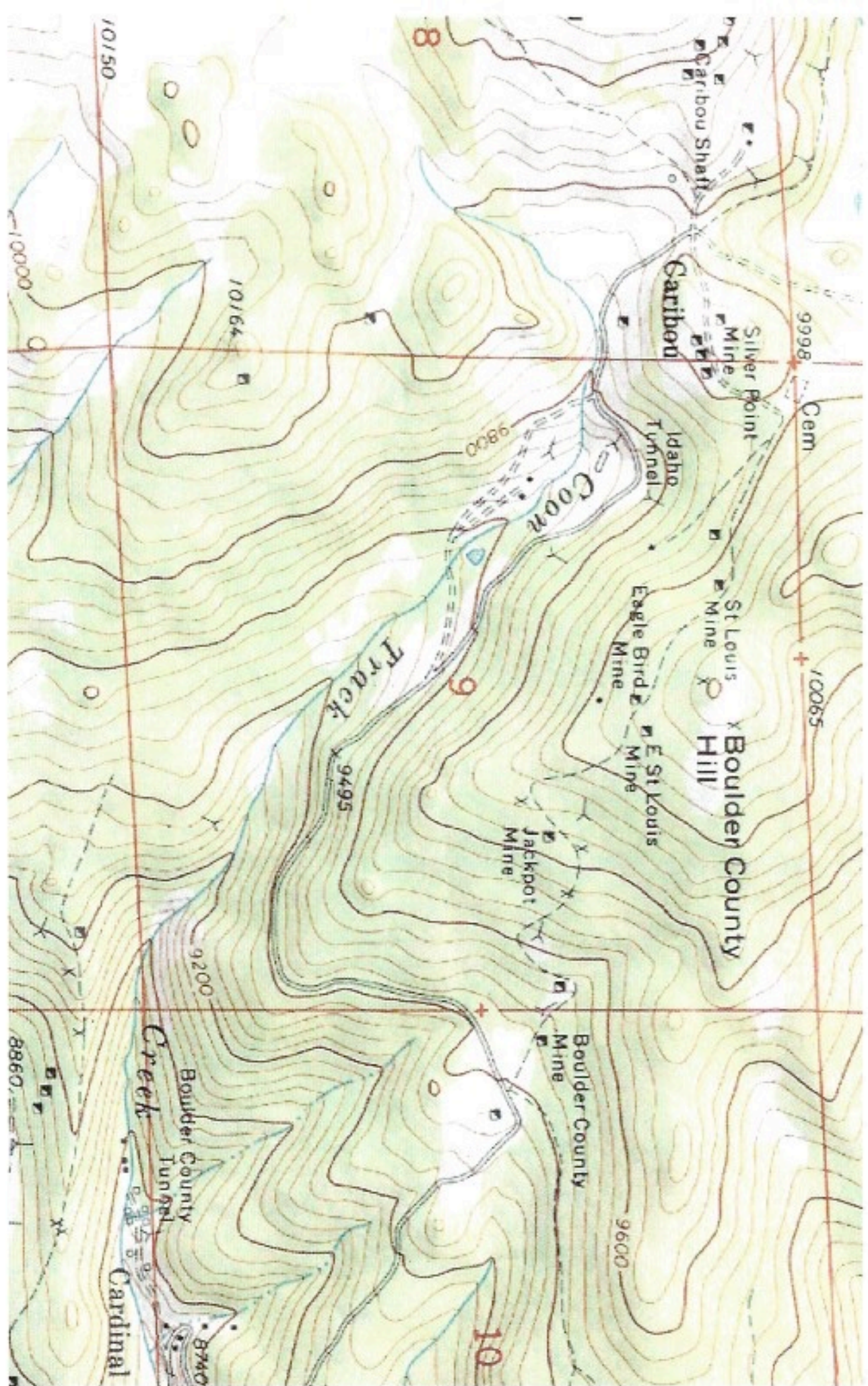
(d) the extraction of geothermal or groundwater resources.

1.2.2 Reserved

1.2.3 Reserved

1.2.4 Extraction or Exploration on Federal Lands

Any person who Intends to extract or explore for construction materials on federal lands shall apply for a Mined Land Reclamation Board permit or submit a Notice of Intent to conduct exploration



Sackpot
Mine

Sec. 9, T. 1 S., R. 73 W.

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Is it Mining/Bergren

Norm Bergren <nfbbergren@gmail.com>

Wed, May 10, 2023 at 8:28 AM

To: "Lennberg - DNR, Patrick" <Patrick.Lennberg@state.co.us>

Hi Patrick!

Mary and I were discussing the form and we might of put in that the mine was vertical not horizontal. I'm attaching a pic of inside the mine.

Thanks

[Quoted text hidden]



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