

## **Redhill Forest Regulation 15-2**

### **Mining and Prospecting Prohibited**

Redhill Forest property owners may use the Fishing Easement only for very limited purposes. Specifically, the use of parcel 1 (Area 4) is limited to sport fishing and picnicking only, and for no other purpose. The use of Parcel 2 (Area 5) is even more limited, to sport fishing only. Therefore, mining or prospecting in fishing Areas 4 and 5 on the Middle Fork of the South Platte River is strictly prohibited.

Per Article IV of the Redhill Forest Covenants, the Common Properties “shall at all times be maintained in good repair and condition and shall be operated in accordance with high standards”. To maintain Redhill Forest common property in a good, natural condition, this regulation prohibits prospecting or mining on common property near the River. Since the Redhill Forest Fishing Easement covers up to 100 feet from each bank of the River, prospecting and/or mining for gold and other minerals is not permitted in any Redhill Forest common property which is more than 100 feet from the Middle Fork. Additionally, when fencing is proximate to the river, the fishing access is reduced to 50 feet from each bank, so prospecting is not permitted in this case on common property which is greater than 50 feet from the Middle Fork.

Should any Association member (property owner) engage in prospecting or mining activities within the Fishing Easement access, the Association and its members will be at risk of forfeiting their rights under the Easement. Therefore, property owners should not take any action that could put the Fishing Easement at risk or that could disturb common property belonging to Redhill Forest. Last, using Redhill Forest common property for access to a mining claim will be considered trespassing. It should be noted that Redhill Forest owns common property in fee simple, both surface and mineral state.

The first violation of this regulation results in loss of fishing privileges. A second violation results in loss of fishing privileges, loss of access to any Redhill Forest common property and a \$500.00 fine. A third violation results in loss of fishing privileges, loss of access to common property, and a fine of \$1,000.00.

Once cited for a violation of this regulation, a property owner may appeal to the Grievance Committee.