

January 4, 2019



Dear Fellow BHR Property Owners,

I am writing this communication to bring you all up to speed on recent developments pertaining to the on-going issue of illegal trespass on the BHR for hunting, and particularly for commercial hunting. The BHR POA Board sent out a letter last year that alerted our property owners to a recent incident involving the alleged trespass by local hunting guide Joey Menegatti onto BHR properties and common areas. This incident was witnessed by a property owner who was the President of the Board at the time. A second property owner witnessed the incident, as well as a third property owner whose property was actually entered on by the hunting guide and his employees while chasing a mountain lion. This incident was reported to the Huerfano County Sheriff, and the Colorado Division of Parks and Wildlife. The board is not currently clear on the outcome of these investigations, but we will try to download the parties for a better understanding.

The Menegatti Family owns the near-by 40,000-acre Menegatti Ranch. <http://storycreek.com/wp/> They operate the "Story Creek Outfitters" guided hunting service. I am of the understanding that Joey Menegatti is one of the family guides. The Menegatti family has lived in the area for decades. This letter is in no way meant to accuse Story Creek Outfitters, nor any member of the Menegatti family, of acting in an illegal or unprofessional manner. I am going to make the assumption at this point that most of the problems and controversy are a result of misguided good intentions and a lack of clear understanding by several parties. The board will be sending a letter to the Menegattis and Story Creek Outfitters, summarizing this same information. We will also be sharing these communications with the Division of Parks and Wildlife, and local law enforcement. The BHR POA wishes to live in harmony with all of our neighbors, but the BHR and its' property owners and residents must be protected from outside interests.

Another BHR property owner has recently shared game camera photos and video that appear to show the same Story Creek hunting guide, with dogs and hunters, escorted by a BHR property owner onto his land without his permission. The dogs are chasing a mountain lion. This property owner will be reporting the incident to the local game warden, which is the proper course of action. This incident could potentially result in the loss of the guide's license, seizure of the ATVs and other motor vehicles involved, permanent loss of hunting and fishing privileges for all parties involved, and fines as well as criminal charges filed.

On December 18, Joey Menegatti contacted me via phone. I have not previously met nor spoken to Mr. Menegatti, and I was surprised by his call. Joey introduced himself, and told me that he knew that I was the president of the BHR POA. He asked me if I would be willing to grant him permission to hunt on all of the BHR, and I responded that neither I, nor any property owner on the BHR, could grant him such permission. Each lot is individually owned, and our private roads are owned and maintained by the POA. Per State law, no person can hunt on any piece of private land without permission. Further, it is the responsibility of the hunter to be knowledgeable of all property boundaries. Joey told me that he was calling "every person on the BHR, to obtain permission to hunt on their land." It appears that Joey may have a copy of our BHR property owners' directory, which was likely supplied to him by one of our residents. This is troubling, as this is private information.

To be absolutely clear, no current member of the BHR POA Board has given any type of permission to Joey Menegatti, or any other outside parties, to enter our BHR for any purpose. Mr. Menegatti is welcome to be the guest of any property owner, and he may legally hunt with that property owner for his own benefit, as long as there is no money or services exchanged. At that point, it becomes a commercial venture, which is clearly prohibited by our Protective Covenants and By-Laws.

If you are contacted by Mr. Menegatti, or any other for-profit hunting guide, you should consider the following pertinent facts:

*Professionally managed by* **PMI Pikes Peak**

6050 Stetson Hills Blvd. #279 | Colorado Springs, CO 80923 | 719-644-6846 | [www.blackhawkranch.org](http://www.blackhawkranch.org)

1. You will be personally responsible for the actions of the guide, employees, dogs and paying hunter.
2. You will be implicated in trespassing once the guide and his party leave your property.
3. You will be violating our covenants and by-laws if you accept any form of re-imbusement for the hunting access to your property. This includes the guide providing you access to his private hunting areas, providing free services to you, giving you “gifts” or giving you money.

Please also consider:

- A. The hunting of mountain lions usually involves tracking them with dogs. They move quickly, and cover a great deal of ground. There is no conceivable way that a mountain lion hunt would take place on just 35 acres of land, short of baiting the cat and waiting for days for it to show up. A chase would likely cross many property boundaries and our private roads.
- B. Gunfire by the paying customer could hit BHR residents, cattle homes etc. There is no way to insure that the paying hunter will be careful or respectful.
- C. The extra vehicle and UTV traffic on the roads further damages them. Repairs and maintenance costs are paid by the POA members, who get no benefit from these strangers running around on the BHR.
- D. Most residents don't want to listen to a pack of hounds braying, men yelling and gunfire, associated with a commercial hunt that provides no benefit to the BHR nor its' residents. Property owners should not suffer this activity on their own land.
- E. The Menegattis have literally tens of thousands of acres of their own land upon which to provide guided hunts. They are interested in hunting on the BHR because it is a sanctuary of sorts. It is quiet and the wildlife thrives here. Most of our residents also value this environment.
- F. Private hunting services are not wishing to help the BHR as a humanitarian gesture. The cost of a guided mountain lion hunt is as high as \$10,000.
- G. You may be advised that “we have a mountain lion problem.” Mountain lions are a natural part of the ecosystem. The Board is not aware of any recent circumstance on the BHR of any harm being done to pets, humans or property by mountain lions. They are captured occasionally on game cameras, and seen by residents from time-to-time. Those who live in the foothills of Colorado know what simple precautions to take when living in mountain lion country.
- H. Engaging in acts that violate State and Local laws, as well as BHR rules and regulations, may lead to stiff fines, altercations with fellow property owners, and even Civil and Criminal action.

The board will be reaching out to our local game warden to discuss these issues. We will share those results once we have them. The BHR POA Board of Directors has a primary duty to protect our natural environment, and to ensure the peace and enjoyment of the BHR by all property owners.

In addition to the issue of commercial hunting, we also have an on-going problem with private parties trespassing to hunt. There have also been reports of bullet holes in windows, trash left behind, and vehicle tracks on private property.

These issues will not go away on their own. We encourage all residents to report any trespassing or illegal hunting to the local authorities. Sharing these incidents with the Board will also help us to decide a course of action going forward.

Thanks for your interest in this matter, and your on-going support of our BHR POA Board and all of our volunteers.

Looking forward to a happy and harmonious New Year,

*Frank Stump*

Frank Stump, BHR BOD President

*Professionally managed by* **PMI Pikes Peak**

6050 Stetson Hills Blvd. #279 | Colorado Springs, CO 80923 | 719-644-6846 | [www.blackhawkranch.org](http://www.blackhawkranch.org)