



## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

February 18, 2015

Don Silva  
Western Gravel, LLC  
P.O. Box 519  
Hayden, CO 80139

**RE: M-2008-070 – WRC GRAVEL PIT – 2015 ANNUAL FEES**

Dear Mr. Silva,

Please be advised that according to our records, the Division of Reclamation, Mining and Safety received your 2015 Annual Report and Map on February 9, 2015, but did not receive the Annual Fee, which is due February 24, 2015. Even though the due date is six days away and we're now aware that the 2015 annual report invoice, mailed January 2, 2015, did not contain the Annual Fee due on both the Annual Fee Invoice and Report Request and the attached 112c Annual Report form, the Division is offering a one-time 30 day grace period, effective February 18, 2015 for you to submit the following:

- **2015 Annual Fees (\$791.00) to: Division of Reclamation, Mining and Safety – 1313 Sherman Street, Room 215 – Denver, CO 80203**

This must be submitted no later than 5:00 p.m. on March 20, 2015, or a Notice of Violation, Cease and Desist Order from ALL mining related activities, Civil Penalties equal to the amount to the annual fees due, and Notice of Formal Public Hearing before the Mined Land Reclamation Board for consideration of a POSSIBLE PERMIT REVOCATION AND FINANCIAL WARRANTY FORFEITURE will be issued for this account.

If you have any questions, please contact me at either 303-866-3567 x8114 or [michelles.ramirez@state.co.us](mailto:michelles.ramirez@state.co.us).

Sincerely,

Michelle S. Ramirez  
Program Assistant



CERTIFIED MAIL RECEIPT 7014 0150 0000 9138 9240  
Return Receipt Requested

enclosure: 2014 Annual Fee Invoice and Report Request

cc: Travis Marshall, GJFO  
Russ Means, GJFO  
Tony Waldron, DRMS



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Denver, CO 80203

**\*\*\*Please Note\*\*\***

**New Procedure - Effective July 1, 2014**

***The Division of Reclamation, Mining and Safety will no longer send out second or final notices for past due Annual Fees. In accordance with the Colorado Mined Land Reclamation Act for the Extraction of Construction Materials (C.R.S. 34-32.5-101), the office will send out a single notice for payment of Annual Fees and submittal of an Annual Report and Map. The report and fee are due on the anniversary date of the permit issuance. Where an operator is late in payment of the Annual Fee by more than sixty (60) days, the Division will automatically issue a violation and set the matter for a hearing before the Mined Land Reclamation Board for permit revocation and forfeiture. If a violation is issued, civil penalties equal to the amount of the annual fee will also be assessed.***

***For sites covered under the Colorado Mined Land Reclamation Act (C.R.S. 34-32-101), the same procedure will apply, however, if payment is late by more than sixty (60) days, the operator will be issued a "Reason to Believe that a Violation Exists" letter, which will set the matter for a hearing before the Mined Land Reclamation Board for consideration of a possible violation.***

***Thank you for your cooperation in implementing these new procedures and if you have any questions, please contact: Tony Waldron, Minerals Program Supervisor at 303-866-3567 x8150.***

# 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



January 2, 2015

Don Silva  
Western Gravel, LLC  
P.O. 519  
Hayden, CO 81639

John W. Hickenlooper  
Governor

Mike King  
Executive Director

Virginia Brannon  
Director

### WRC Gravel Pit, Permit M-2008-070, Annual Fee Invoice and Report Request

#### PLEASE READ CAREFULLY – ACTION REQUIRED

**Please attach your COMPLETED written Annual Report and Annual Report Map to this form**

Under the terms of your NOI or Reclamation Permit and Colorado Statutes, you must submit Annual Fees and Annual Reports (including a map). You must pay the Annual Fee and submit an Annual Report each year until reclamation responsibility release is granted. The Annual Fee is not a renewal fee. The Fee and Report are for LAST YEAR'S mining and reclamation season, and MUST be paid even if your operation was inactive.

**The Annual Report and Fee requirement will be considered submitted when we have received the following components:**

1. **APPROPRIATE ANNUAL FEE**
2. **COMPLETED ANNUAL REPORT**
3. **ASSOCIATED MAP as required by rule**

If you have requested reclamation responsibility release from the Division of Reclamation, Mining and Safety ("Division") but your permit is not released by the anniversary date listed below, the Annual Fee MUST be paid. If the permit is released before the anniversary date, then by Statute, it is not necessary to pay an Annual Fee or submit an Annual Report for that year.

Division records indicate the \$0.00 fee is due for the following:

Permit: M-2008-070  
Operation Name: WRC Gravel Pit  
Anniversary Date: February 24, 2015  
Total Fee Due: \$791.00 (Due on or before your Anniversary Date)

Return the enclosed Annual Report FORM, a MAP, and a CHECK or MONEY ORDER made payable to: Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203. If your records indicate these documents and fees have already been submitted, please notify the Division.

If you have additional comments and/or information that should be provided to the Division, please provide it below or attach it to this form along with your written report and map. Annual Report instructions are enclosed. If you have any questions, please feel free to contact Michelle Ramirez (303) 866-3567 ext 8114. Thank you for your cooperation in this matter.

**IF THE ANNUAL FEE SUBMITTALS ARE NOT RECEIVED ON OR BEFORE YOUR ANNIVERSARY DATE, THE ENFORCEMENT PROCESS WILL AUTOMATICALLY BE INITIATED. ENFORCEMENT ACTIONS MAY RESULT IN CIVIL PENALTIES AND/OR REVOCATION OF YOUR PERMIT.**

## 112c Annual Report

Permittee Name:	Western Gravel, LLC	Permit Number:	M-2008-070
Operation Name:	WRC Gravel Pit	County:	Rio Blanco
Annual Fee Due:	\$791.00	Anniversary Date:	February 24, 2015
Permit Acreage:	191.83	Current Bond Amt:	\$75,430.00

According to C.R.S. 34-32.5-116 or 34-32-116, each year, on the anniversary date of the permit, an operator shall submit the Annual Fee, an Annual Report and Map showing the extent of current disturbances to affected land, required monitoring information, reclamation accomplished to date and during the preceding year, any new disturbance that is anticipated to occur during the upcoming year, any reclamation that will be performed during the upcoming year, the dates for the beginning of active operations, and the date active operations ceased for the year.

Information contained in this report will be reviewed by the Division upon receipt and prior to the next compliance inspection of the site. If, while completing this report, you learn that your site is not in compliance with the rules and the act, it is advisable that the issues be rectified promptly to avoid possible enforcement action.

1. Is the site identification sign posted in accordance with Rule 3.1.12(1). YES NO
2. Is the affected area boundary clearly marked in accordance with Rule 3.1.12(2). YES NO
3. Is the mine site in final reclamation (all material extraction and stockpile removal is complete)? YES NO  
If "YES," please note time limits related to completion of reclamation, Rule 3.1.3.
4. What was the date of last excavation, processing or hauling activity at the mine? \_\_\_\_\_
5. Does the mine operate more than 180 days per year? YES NO  
If "NO", please review Rule 1.13 to assure that your mine is in compliance.
6. Has this mine been granted: YES NO  
a) approval of TEMPORARY CESSATION Status? YES NO  
b) approval for INTERMITTENT OPERATION?
7. Number of acres currently affected (mining + incomplete and or unreleased reclamation). \_\_\_\_\_
8. Number of acres that were newly affected during the current report year. \_\_\_\_\_
9. Number of acres that were reclaimed during the current report year. \_\_\_\_\_
10. Estimated new acreage to be affected in the next report year. \_\_\_\_\_
11. Estimated acres to be reclaimed in the next report year. \_\_\_\_\_
12. **Total acres** in various stages of reclamation, since permitted mining activities began:

Total acres backfilled:		Total acres seeded w/ approved mix:		Total acres w/topsoil replaced:		Total acres mulched w/ approved mulch:	
Total acres graded:		Total acres fertilized w/ apvd fertilizer:		Topsoil replacement depth (in.):		Mulch application rate (tons/ac):	
Seed application method:		Fertilizer application method:		Mulch application method:			