

COLORADO Division of Reclamation, Mining and Safety Department of Natural Resources

1313 Sherman Street, Room 215 Denver, CO 80203

May 4, 2016

Mr. David Curtis Oaklands Ranch 1613 N Perry Park Rd Sedalia, CO 80135

Re: Oaklands Ranch; DRMS File No. M-1989-092, Technical Revision No. 3 (TR-03), Preliminary Adequacy Review

Dear Mr. Curtis:

The Division of Reclamation, Mining and Safety (Division) received Technical Revision No. 3 (TR-03) for the above referenced site on April 21, 2016. The decision date for TR-03 is May 23, 2016. The Division has reviewed TR-03 and has the following request:

1) Pursuant to Rule 3.1.5(9)(c) please provide a signed notarized affidavit certifying that the imported backfill material will be clean and inert, as defined by Construction Material Rule 1.1(20). The Division has attached several examples of affidavits of inert fill.

This concludes the Division's preliminary adequacy review of TR-03. This letter shall not be construed to mean that there are no other technical deficiencies in your submittal. Please remember that the decision date for TR-03 is May 23, 2016. At this time, if you are unable to provide satisfactory responses to any inadequacies prior to this date, it will be your responsibility to request an extension of time to allow for continued review of this Technical Revision. If there are still unresolved issues when the decision date arrives and no extension has been requested, TR-05 will be denied.

If you need additional information please contact me at the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203, by telephone at 303-866-3567, extension 8131, or by email at <u>Tyler.ODonnell@state.co.us</u>.

Sincerely,

Tyler O'Dommell

Tyler O'Donnell Environmental Protection Specialist

Enclosure: Example affidavits

cc: Wally Erickson, DRMS





P.O. BOX 700 HENDERSON, CO 80640 (303) 289-1837 (303) 289-2865 FAX

STATE OF COLORADO

AFFIDAVIT

COUNTY OF ADAMS

BEN FREI, being first duly sworn upon oath, deposes and says:

SS.

1. He is the Secretary of Albert Frei and Sons, Inc., a Colorado Corporation, and is empowered to act for and on behalf of said corporation in all respects in connection with any applications, petitions, contracts, correspondence, bonds or activities with or before the Colorado Mined Land Reclamation Board under the provisions of the Colorado Mined Land Reclamation Act.

2. That all material imported into the mine known as the Priola Pit, M-2007-0875 will be clean and inert material as defined in Rule 1.1(20) and required by the Mined Land Reclamation Act.

Ben Frei

SUBSCRIBED and sworn to before me this 15^{+1} , day of May 2008 by Ben Frei, as Secretary of Albert Frei and Sons, Inc.

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My commission expires:

10-31-2009

(notarial seal)

AFFIDAVIT REGARDING USE OF INERT FILL

STATE OF COLORADO) ss. CITY AND COUNTY OF DENVER

Bill Timmons, General Manager Aggregates, Ready Mixed Concrete Company being first duly sworn, states as follows:

This Affidavit is provided in accordance with Rule 3.1.5(9)(c) of the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board.

The Bromley Lakes Sand and Gravel Pit (DRMS Permit No. M-1987-049, AM-002) is in the process of being mined and reclaimed pursuant to the reclamation plan approved under the above referenced permit number. Reclamation activities include the importation of inert fill material from the City of Brighton's municipal water storage reservoir (Cell No. 1), for use as supplemental backfill in selective areas of the Bromley Lakes Pit that have been previously mined and partially reclaimed.

The material which is being imported to the site is more fully described in the attached letter from Michael J. (Mike) Hart, Hart Environmental, and dated May 8. 2015. The imported materials meet the definition of "Inert Material" as set forth in Rule 1.1(20) of the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board promulgated October 1995, as amended.

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Bill Timmons. General Manager - Aggregates Ready Mixed Concrete Company 4395 Washington Street Denver, CO 80216

Subscribed and sworn to before me this day of May, 2015, by Bill Timmons, General Manager, Boral Aggregates, Inc.

Witness my hand and official seal.

My commission expires: 08(25/2015



AFFIDAVIT REGARDING USE OF INERT FILL

STATE OF COLORADO

) ss.

CITY AND COUNTY OF DENVER

John H. Bambei, Jr., Chief of Engineering for the Denver Water Department, Permittee, being first duly sworn, states as follows:

This Affidavit is provided in accordance with Rule 3.1.5(a) of the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board.

The York Street Mine, M-1990-031, is in the process of final improvements for long term use for water storage purposes. Current reclamation activities require importation of fill material necessary to construct a storm water diversion facility to carry storm water away from the reservoir along the reservoir's west side and for the reservoir access road.

The material which is being imported to the site is more fully described in the attached letter from Jessica Barbier, Project Engineer, dated December 9, 2009. The materials which are to be imported meet the definition of "Inert Material" as set forth in Rule 1.1(20) of the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board promulgated October 1995, as amended.

H. Bambei, **√**r. Chief of Engineering Denver Water 1600 West 12th Avenue Denver Colorado 80204

Subscribed and sworn to before me this <u>Offic</u> day of <u>DECEMBER</u> 2009, by John H. Bambei, Jr., Chief of Engineering, for the Denver Water Department.

Witness my hand and official seal.

Witness my name My commission expires: 2/13/2010 <u>Judy A. Whalen</u> Notary Public

