



## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources  
1313 Sherman Street, Room 215  
Denver, Colorado 80203

November 10, 2016

Randy Schafer  
Phillips County  
221 S. Interocean Ave.  
Holyoke, CO 80734

**RE: Adequacy Review; 112c Amendment Application; Ward Pit; DRMS File No. M-2003-024;  
Revision No. AM-01**

Dear Mr. Schafer,

The Division of Reclamation, Mining and Safety (Division/DRMS) has reviewed the content of the Phillips County 112c Permit Amendment Application for the Ward Pit, File No. M-2003-024, and submits the following comments. **The Division is required to make an approval or denial decision no later than December 20, 2016; therefore, a response to the following adequacy review concerns should be submitted to the Division as soon as possible.** In order to allow adequate time to review your responses to any adequacy issues, please submit your adequacy responses to the Division no later than December 16, 2016. Please respond to this letter with the requested additional/updated information on permit replacement pages and/or exhibits and summarize each response in a cover letter titled "Adequacy Review Response; AM-01; M-2003-024".

The review consisted of comparing the application and the amendment to the application content with specific requirements of Rules 1, 3, 6.1, 6.2, and 6.4 of the Minerals Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials. Any inadequacies are identified under the respective exhibit.

### **GENERAL**

1. As required by Rule 1.6.2(1)(d) and 1.6.5(2), submit proof of publication in a newspaper of general circulation in the locality of the proposed mining operation.
2. As required by Rule 1.6.2(1)(e), submit proof of the notice to all owners of record of surface and mineral rights of the affected land and the owners of record of all land surface within 200 feet of the boundary of the affected land. Proof of notice may be return receipts of a Certified Mailing or by proof of personal service.
3. The Division received a comment letter from the History Colorado. The letter is attached for review. Please acknowledge the letter, address any comments within the letter, and make changes to the application, if necessary.



October 24, 2016

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4. The Division has attached the new Performance Warranty form which is required to be filled out, notarized, and returned prior to permit issuance.

This concludes the Division's adequacy review of this 112c Amendment Application. This letter shall not be interpreted to mean that there are no other technical deficiencies in your application. Other issues may arise as additional information is supplied. Be advised that the Amendment Application for the Ward Pit may be deemed inadequate, and the application may be denied on December 20, 2016, unless the above mentioned adequacy review items are addressed to the satisfaction of the Division. If more time is needed to complete the reply, the Division can grant an extension to the decision date. This will be done upon receipt of a written waiver of the Applicant's right to a decision by December 20, 2016 and the request for a specific amount of additional time. This must be received no later than the deadline date.

If you need additional information or have any questions, please contact me at Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at **303-866-3567 x8132**, or by email at [elliott.russell@state.co.us](mailto:elliott.russell@state.co.us).

Sincerely,



Elliott R. Russell  
Environmental Protection Specialist

Enclosure: History Colorado Comment Letter M2003024  
Performance Warranty Form M2003024

EC: Wally Erickson; Division of Reclamation, Mining & Safety