



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

1313 Sherman Street, Room 215  
Denver, CO 80203

December 8, 2016

Mr. Don Friess  
D2 CAD Consulting, LLC  
7863 S. Kittredge Cir.  
Englewood, CO 80215

**Re: Loveland Ready-Mix Concrete, Inc.; Green/Croissant Property Sand and Gravel Mine;  
File No. M-2001-022; 112c Permit Amendment (AM-01) Application Second Adequacy  
Review**

Mr. Friess:

The Division of Reclamation, Mining and Safety (Division/DRMS) has reviewed the content of the Loveland Ready-Mix Concrete, Inc. 112c permit amendment (AM-01) adequacy response dated December 5, 2016 for the Green/Croissant Property Sand and Gravel Mine, File No. M-2001-022 and submits the following comments. The Division is required to make an approval or denial decision no later than January 3, 2017 therefore; a response to the following adequacy review concerns should be submitted to the Division as soon as possible.

**1.6 Public Notice**

1. As required by Rule 1.6.2(e), please 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 including all easement holders located on the affected land and 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.
  - a. The Division did not receive proof of notice for the following owners of record:
    - i. Poudre Valley Rural Electric Association
    - ii. Qwest

Please provide the Division will proof of notice or provide notice to the structure owners and allow 20 days from the date of notice for the structure owners to submit comments to the Division as required by Rule 1.6.2(f).



- b. A certified mail receipt was provided for Big Thompson Water District. Exhibit S indicates Little Thompson Water District owns a water pipeline and fire hydrant within 200 feet of the affected area. Please confirm the notice was sent to Little Thompson Water District or correct Exhibit S accordingly.
- c. Please provide the Division with copies of the certified mailing proof of delivery (green cards) for all land and structure owners within 200 feet of the affected land boundary, if available.

**6.4.3 Exhibit C – Pre-mining and Mining Plan Maps of Affected Lands**

- 2. Please update Exhibit C-1 map to show the owner's name, type of structures, and location of all significant, valuable, and permanent man-made structures contained on the area of affected land and within two hundred (200) feet of the affected land pursuant to Rule 6.4.3(g).

**6.4.18 Exhibit R - Proof of Filing with County Clerk and Recorder**

- 3. Please provided an affidavit or receipt indicating the date on which the revised application information required to address this adequacy letter was placed with the Weld County Clerk and Recorder for public review, pursuant to Subparagraph 1.6.2(1)(c).

Please be advised the Green/Croissant Mine amendment application may be deemed inadequate, and the application may be denied on January 3, 2017, 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 January 3, 2017 and request for additional time. This must be received no later than the deadline date.

If you have any questions, please contact me at [peter.hays@state.co.us](mailto:peter.hays@state.co.us) or (303) 866-3567 Ext. 8124.

Sincerely,



Peter S. Hays  
Environmental Protection Specialist

Ec: Wally Erickson; Division of Reclamation, Mining & Safety  
Mike McDermid; Consulting Civil & Water Resources Engineering, LLC