



## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

February 10, 2017

Mr. Jared Drains  
Applegate Group, Inc.  
1490 W. 121<sup>st</sup> Ave., Suite 100  
Denver, CO 80234

**Re: Martin Marietta Materials, Inc.; Duckworth Pit; File No. M-2003-091; Receipt of 112 Construction Materials Reclamation Permit Amendment Application Package – Incomplete**

Mr. Drains:

On February 2, 2017, the Division of Reclamation, Mining and Safety (Division/DRMS) received the 112 Construction Materials Reclamation Permit Amendment (AM-01) Application package for the Duckworth Pit. Preliminary review of the information received determined the following items must be received before the Division can consider the application as being submitted and technical review can begin:

### Application Form

1. As required by Rule 1.6.2(1)(b), please provide proof of posting notice signs (Addendum 1) at the location of the mine site of sufficient size and number to clearly identify the site as the location of a proposed mining operation giving name, address, and phone number of the Applicant, and stating the Applicant has applied for a mining permit amendment with the Colorado Mined Land Reclamation Board.

### 6.4.1 Exhibit A - Legal Description

2. The legal description must identify the affected land, specify affected areas and be adequate to field locate the property. The description shall be by township, range, and section, to at least the nearest quarter-quarter section. Please revise the legal description to provide the quarter-quarter section location information of the mine site.
3. The main entrance to the mine site shall be located based on a USGS Topographic map showing latitude and longitude or Universal Transverse Mercator (UTM). The Operator will need to specify coordinates of latitude and longitude in degrees, minutes and seconds or in decimal degrees to an accuracy of at least five (5) decimal places (e.g., latitude 37.12345 N, longitude 104.45678 W). Please revise Exhibit A to provide the main entrance location in latitude and longitude or Universal Transverse Mercator.



4. The legal description provided in Exhibit A, "Lot "B", Recorded Exemption No. 1313-16-1-**RE347**..." does not match the legal description provided in Exhibit O, Exhibit A, Page A-1, "Lot B, Recorded Exemption No. 1313-16-1-**RE3714**...". Please explain this discrepancy and revise the amendment application as needed to correct the legal description.

**6.4.17 Exhibit Q - Proof of Mailing of Notices to Board of County Commissioners and Soil Conservation District**

5. Please provide proof notice of the permit application was sent to the Board of County Commissioners and to the Board of Supervisors of the local Soil Conservation District, pursuant to Rule 1.6.2(1)(a)(ii).

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

6. Please provide an affidavit or receipt indicating the date on which the revised amendment application documents were placed with the Weld County Clerk and Recorder in response to this letter.

The application will not be considered submitted until the information listed above is received and found sufficient to begin our review. A decision date will be established 90 days from the date of receipt of all of the requested information. Additionally, if you have already published notice you will need to republish notice, after the Division considers the application submitted. This notice must be published once a week for four (4) consecutive weeks, starting within ten (10) days of the date your application is considered submitted. We will notify you when you should initiate republication of your notice. The final date for receiving comments is the twentieth (20<sup>th</sup>) day after the fourth publication or the next regular business day.

You have sixty (60) days from the date of this letter to submit all necessary documents the Office needs for the amendment application to be considered filed. If, at the end of the sixty day period, the amendment application has not been determined to be filed with the Office, the Office shall deny the amendment application and terminate the amendment application file.

**The response due date is April 11, 2017.**

This letter shall not be construed to mean there are no other technical deficiencies in your amendment application. The Division will review your amendment application to determine whether it is adequate to meet the requirements of the Act after submittal of all required items.

Sincerely,



Peter S. Hays

Environmental Protection Specialist

Ec: Wally Erickson; Division of Reclamation, Mining & Safety  
Julie Mikulas; Martin Marietta Materials, Inc.