

February 13, 2017

Mr. Peter Hays
Division of Reclamation, Mining, and Safety
1313 Sherman Street, Room 215
Denver, CO 80203

RE: Martin Marietta Materials, Inc.; Duckworth Pit; Permit No. M-2003-091; AM-01
Response to Incomplete Amendment Application Package Notice

Dear Peter:

The purpose of this letter is to respond to your February 10, 2017 notice that the recent amendment application submitted for the Duckworth Pit (DRMS Permit No. M-2003-091) was incomplete. Please see the response provided below.

Application Form

1. The requested proof of posting of notice signs is attached in the form of an affidavit from Julie Mikulas of Martin Marietta Materials, Inc.

6.4.1 Exhibit A – Legal Description

2. The legal description has been revised to specify the quarter-quarter section of the project. Please see the attached revised version of Exhibit A.
3. The location of the main entrance to the mine site has been noted in the revised version of Exhibits A and B, attached.
4. The legal description in Exhibit A has been revised to reflect the correct legal description provided in Exhibit O; see attached revised version of Exhibit A.

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

5. The proof of mailing notices and certified mail return receipts are attached in the revised version of Exhibit Q.

6.4.18 Exhibit R – Proof of Filing with County Clerk

6. Please see the new version of Exhibit R, attached, for proof of filing of the revised amendment application documents with the County Clerk.

Mr. Peter Hays

RE: Response to Duckworth Pit Incomplete Amendment Application Notice

February 13, 2017

Page 2 of 2

I believe this addresses all of the comments contained in your February 10, 2017 notice of incompleteness. If you have any questions about the content of this letter, feel free to contact me.

Cordially,

Applegate Group, Inc.

A handwritten signature in black ink that reads "Jared Dains". The signature is written in a cursive, flowing style.

Jared Dains, P.E.

Water Resource Engineer

JMD/ta

Attachments

cc: AG File No. 16-124

N:\16124 Duckworth DRMS Amendment\Disciplines\Mine Permitting\Response to Incomplete Notice.docx

NOTICE

This site is the location of a proposed construction materials operation. Martin Marietta Materials, 1800 N. Taft Hill Road, Fort Collins, CO 80521 (970) 407-3631 has applied for a Reclamation Permit Amendment with the Colorado Mined Land Reclamation Board. Anyone wishing to comment on the application may view the application at the Weld County Clerk or Recorder's Office at 1402 N 17th Ave, Greeley, CO 80631, and should send comments prior to the end of the public comment period to the Division of Reclamation, Mining and Safety, 1313 Sherman St, Room 215, Denver, Colorado 80203.

Certification:

I, Julie Mikulas, hereby certify that I posted

a sign containing the above notice for the proposed permit area known as the

(Name of Operation) Duckworth Pit,

on (Date Posted) February 14, 2017.

Signature Julie Mikulas Date 2/14/17

EXHIBIT A

Legal Description

The legal description for the Duckworth Pit is unchanged from the June 16, 2004 Revised 112 Reclamation Permit Application for the site. It is as follows:

Lot "B", Recorded Exemption No. 1313-16-1-RE3714 in the Northeast ¼ of Section 16, Township 2 North, Range 68 West of the 6th P.M. according to the Map recorded November 6, 1978 in Book 850 at Reception No. 1629063 and July 17, 1979 at Reception No. 1797006, County of Weld, State of Colorado.

The Duckworth Pit is located in the SW ¼ of the NE ¼ and a portion of the SE ¼ of the NE ¼ of Section 16, Township 2 North, Range 68 West of the 6th P.M..

The main entrance of the mine is located at Latitude 40.138797 North / Longitude 105.007430 West.

EXHIBIT B

Index Map

The map is largely unchanged from the June 16, 2004 Revised 112 Reclamation Permit Application for the site. See attached map.

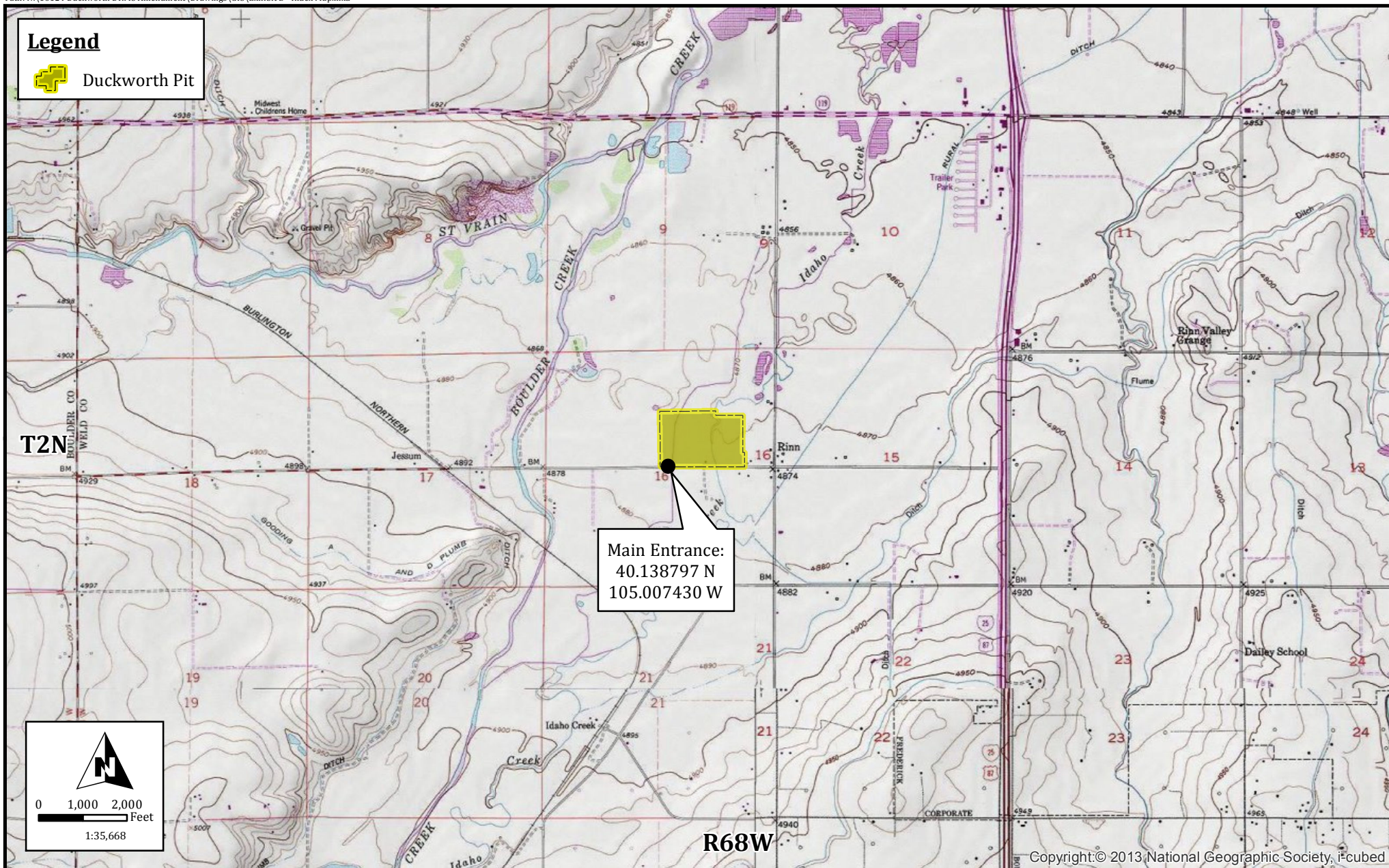


EXHIBIT Q

Proof of Mailing Notices to Board of County Commissioners and Soil Conservation District

See attached.

NOTICE OF FILING APPLICATION
FOR COLORADO MINED LAND RECLAMATION PERMIT
FOR REGULAR (112) CONSTRUCTION MATERIALS EXTRACTION OPERATION

NOTICE TO THE BOARD OF COUNTY COMMISSIONERS

Weld COUNTY

Martin Marietta Materials, Inc. (the "Applicant/Operator") has applied for a Regular (112) reclamation permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct the extraction of construction materials operations in Weld County. The attached information is being provided to notify you of the location and nature of the proposed operation. The entire application is on file with the Division of Reclamation, Mining, and Safety (the "Division") and the local county clerk and recorder.

The applicant/operator proposes to reclaim the affected land to developed water resources use. Pursuant to Section 34-32.5-116(4)(m), C.R.S., the Board may confer with the local Board of County Commissioners before approving of the post-mining land use. Accordingly, the Board would appreciate your comments on the proposed operation. Please note that, in order to preserve your right to a hearing before the Board on this application, you must submit written comments on the application within twenty (20) days of the date of last publication of notice pursuant to Section 34-32.5-112(10), C.R.S.

If you would like to discuss the proposed post-mining land use, or any other issue regarding this application, please contact the Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567.

NOTE TO APPLICANT/OPERATOR: You must attach a copy of the application form to this notice. If this is a notice of a change to a previously filed application you must either attach a copy of the changes, or attach a complete and accurate description of the change.

NOTICE OF FILING APPLICATION
FOR COLORADO MINED LAND RECLAMATION PERMIT
FOR REGULAR (112) CONSTRUCTION MATERIALS EXTRACTION OPERATION

NOTICE TO THE BOARD OF SUPERVISORS
OF THE LOCAL CONSERVATION DISTRICT

Longmont DISTRICT

Martin Marietta Materials, Inc. (the "Applicant/Operator") has applied for a Regular (112) reclamation permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct the extraction of construction materials operations in Weld County. The attached information is being provided to notify you of the location and nature of the proposed operation. The entire application is on file with the Division of Reclamation, Mining, and Safety (the "Division") and the local county clerk and recorder.

The applicant/operator proposes to reclaim the affected land to developed water resources use. Pursuant to Section 34-32.5-116(4)(m), C.R.S., the Board may confer with the local Conservation Districts before approving of the post-mining land use. Accordingly, the Board would appreciate your comments on the proposed operation. Please note that, in order to preserve your right to a hearing before the Board on this application, you must submit written comments on the application within twenty (20) days of the date of last publication of notice pursuant to Section 34-32.5-112(10), C.R.S.

If you would like to discuss the proposed post-mining land use, or any other issue regarding this application, please contact the Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567.

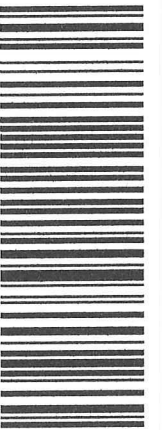
NOTE TO APPLICANT/OPERATOR: You must attach a copy of the application form to this notice. If this is a notice of a change to a previously filed application you must either attach a copy of the changes, or attach a complete and accurate description of the change.



Applegate Group, Inc.

Water Resource Advisors for the West

1490 W. 121st Avenue, Suite 100
Denver, Colorado 80234



7008 3230 0000 1295 3326



UNITED STATES POSTAGE
PITNEY BOWES
02 1P \$ 006.675
0001939588 JAN 25 2017
MAILED FROM ZIP CODE 80234

CERTIFIED MAIL™

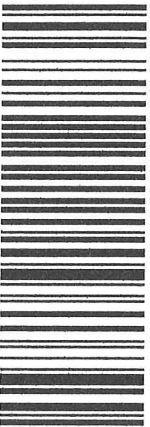
Board of Supervisors
Longmont Conservation District
9595 Nelson Road
Box D
Longmont, CO 80501



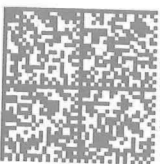
Applegate Group, Inc.

Water Resource Advisors for the West

1490 W. 121st Avenue, Suite 100
Denver, Colorado 80234



7008 3230 0000 1295 3340



UNITED STATES POSTAGE
PITNEY BOWES
02 1P \$ 006.675
0001939588 JAN 25 2017
MAILED FROM ZIP CODE 80234

CERTIFIED MAIL™

Weld County
Board of County Commissioners
PO Box 758
Greeley, CO 80631

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$.67 ⁵
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.67 ⁵

1/24/17
16-124
Postmark
Here

Sent To
Weld County, BOCC
Street, Apt. No.,
or PO Box No. PO Box 758
City, State, ZIP+4 Greeley, CO 80631
PS Form 3800, August 2006 See Reverse for Instructions

COMPLETE THIS SECTION

is 1, 2, and 3. Also complete
cted Delivery is desired.
ie and address on the reverse
return the card to you.
d to the back of the mailpiece,
if space permits.

d to:

WELD COUNTY
BOARD OF COUNTY COMMISSIONERS
P.O. Box 758
GREELEY, CO 80631


2. Article Number
(Transfer from service label)

7008 3230 0000 1295 3340

PS Form 3811, July 2013

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature X 	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
B. Received by (Printed Name) Mario Aragon	C. Date of Delivery 1-27
D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	

3. Service Type
<input checked="" type="checkbox"/> Certified Mail [®] <input type="checkbox"/> Priority Mail Express [™]
<input checked="" type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$.67 ⁵
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.67 ⁵

1/24/17
16-124
Postmark
Here

Sent To
Board of Supervisors / Longmont Conservation Dist
Street, Apt. No.,
or PO Box No. 9595 Nelson Rd / Box D
City, State, ZIP+4 Longmont, CO 80501
PS Form 3800, August 2006 See Reverse for Instructions

COMPLETE THIS SECTION

2, and 3. Also complete
d Delivery is desired.
nd address on the reverse
turn the card to you.
o the back of the mailpiece,
space permits.

d:

BOARD OF SUPERVISORS
LONGMONT CONSERVATION DISTRICT
9595 NELSON ROAD
Box D
LONGMONT, CO 80501

2. Article Number
(Transfer from service lab)

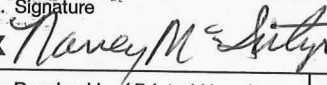
7008 3230 0000 1295 3326

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature X 	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
B. Received by (Printed Name) Nancy McIntyre	C. Date of Delivery 1-27-17
D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	

3. Service Type
<input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes

EXHIBIT R

Proof of Filing with County Clerk and Recorder

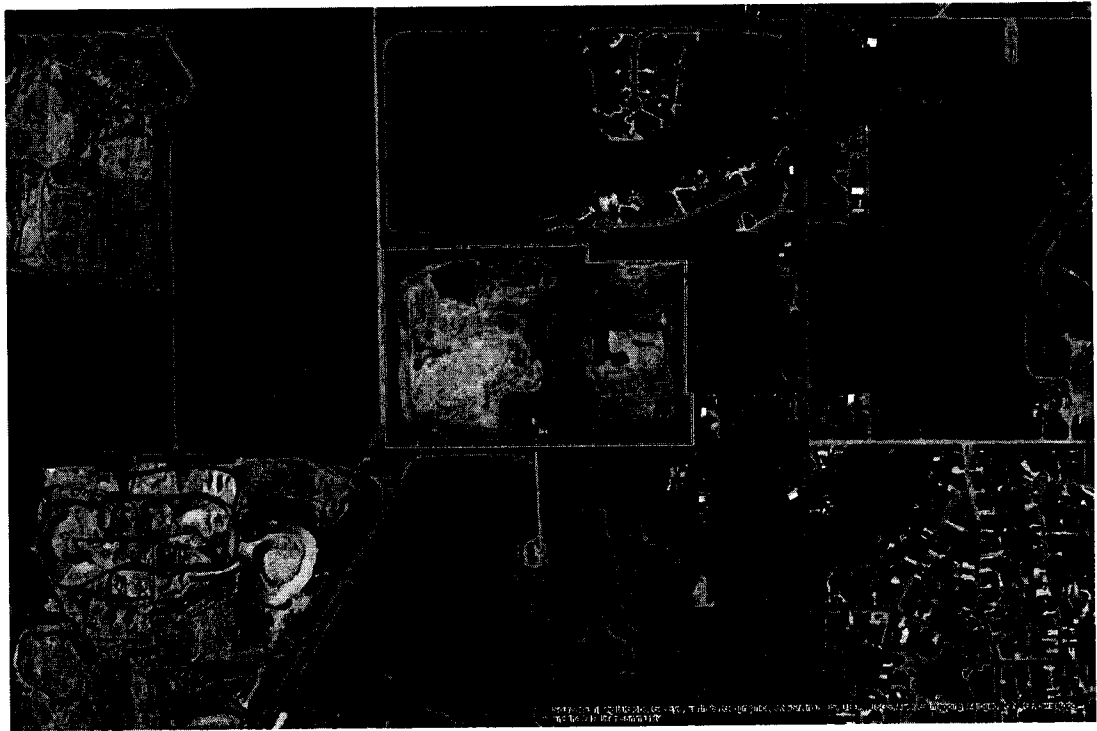
See attached.

Duckworth Pit Permit Amendment

**Duckworth Pit
DRMS Permit No. M-2003-091
Amendment Application**

Martin Marietta Materials, Inc.

Weld County, Colorado



February 2017

AG File No. 16-124

Prepared for:



Martin Marietta Materials, Inc.
1800 N Taft Hill Rd
Fort Collins, CO 80521

CARLY KOPPE
WELD COUNTY CLERK & RECORDER
1402 NORTH 17TH AVENUE
P O BOX 459
GREELEY, COLORADO 80632

2-10-17

Prepared by:



Water Resource Advisors for the West
1490 W. 121st Ave., Suite 100
Denver, CO 80234
Phone: 303-452-6611
Fax: 303-452-2759
www.applegategroup.com



MMM Duckworth Pit Incomplete Amendment

Jared Dains <JaredDains@applegategroup.com>
To: "Hays - DNR, Peter" <peter.hays@state.co.us>
Cc: Julie Mikulas <Julie.Mikulas@martinmarietta.com>

Mon, Feb 13, 2017 at 3:39 PM

Peter,

Please see the attached response to your incompleteness letter. If you'd like me to mail a hard copy, please let me know.

Regards,

Jared Dains, P.E.

Applegate Group, Inc.

1490 West 121st Avenue, Suite 100
Denver, CO 80234
Phone: (303) 452-6611
Fax: (303) 452-2759

From: Hays - DNR, Peter [mailto:peter.hays@state.co.us]
Sent: Friday, February 10, 2017 9:46 AM
To: Jared Dains; Julie Mikulas
Subject: MMM Duckworth Pit Incomplete Amendment

Jared,

A copy of the Division's incompleteness letter for the Martin Marietta Materials Duckworth Pit amendment application is attached. A copy will be mailed today.

Please contact me with questions.

Peter S. Hays

Environmental Protection Specialist II

P [303.866.3567](tel:303.866.3567) Ext. 8124 | F [303.832.8106](tel:303.832.8106)

1313 Sherman St., Room 215, Denver, CO 80203

peter.hays@state.co.us | www.mining.state.co.us



2017.02.13 Response to Incomplete Notice.pdf
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