



## COLORADO

Division of Reclamation,  
Mining and Safety

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

March 21, 2017

Jerry Ritchey  
Ritchey's Redi-Mix Concrete, Inc.  
509 S Idlewild St  
Yuma, CO 80759

**RE: Adequacy Review; 110c to 112c Construction Materials Conversion Application;  
Krehmeyer Pit; File No. M-2005-070; Revision No. CN-02**

Dear Mr. Ritchey,

The Division of Reclamation, Mining and Safety (Division) has reviewed the content of the 110c to 112c Conversion Application for the Krehmeyer Pit, File No. M-2005-070, and submits the following comments. **The Division is required to make an approval or denial decision no later than April 3, 2017; 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 March 30, 2017. 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; CN-02; M-2005-070".

The review consisted of comparing the application 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 comments 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.
4. The Division has attached the new Performance Warranty form which is required to be filled out, notarized, and returned prior to the conversion issuance.

### **EXHIBIT E - Reclamation Plan (Rule 6.4.5):**

5. In accordance with Rule 3.1.6(1), please describe how the site's final configuration will minimize the disturbance to the prevailing hydrologic balance. The Division is concerned that the operation has created a diversion of Sandy Creek which may cause flooding to lands located just northeast of the site. Please describe



how stormwater will be allowed to return to the natural channel of Sandy Creek (i.e. the berm between the creek and the excavation will be removed or flattened out).

**EXHIBIT F - Reclamation Plan Map (Rule 6.4.6):**

6. The Reclamation Plan Map depicts the new Tract 2 and Tract 3 being entirely mined out, while current configuration of the site, which is also planned to be the final configuration, is limited to only the southern portion of Tract 2 and the southwest portion of Tract 3. Since this Conversion Application references “reclamation-only”, please submit a new Reclamation Plan Map, pursuant to Rule 6.4.6(a), which accurately reflects the physical appearance of the reclaimed affected lands.

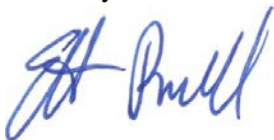
**EXHIBIT R - Proof of Filing with County Clerk and Recorder (Rule 6.4.18):**

7. Please note that any changes or additions to the application on file in our office must also be reflected in the public review copy, which was placed with the local County Clerk and Recorder by the Applicant. Submit proof that the public review copy has been updated with a copy of the response to this adequacy letter.

This concludes the Division’s adequacy review of this 110c to 112c Conversion 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 Conversion Application for the Krehmeyer Pit may be deemed inadequate, and the application may be denied on April 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 April 3, 2017 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

Attachment: History Colorado Comment Letter M2005070  
Updated Performance Warranty Form M2005070

Cc: Wally Erickson; Division of Reclamation, Mining & Safety  
Randy Schafer; 40586 Co.Rd 21, Haxtun, Co 80731