



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

1313 Sherman Street, Room 215  
Denver, CO 80203

September 29, 2017

Mr. Kent Holsinger  
Holsinger Law, LLC  
1800 Glenarm Place, Suite 500  
Denver, CO 80202

**Re: Van Valkenburg Cattle Co., LLC; Van Valkenburg Quarry; File No. M-2016-033;  
Construction Materials Limited Impact Operation (110) Reclamation Permit Amendment  
Application (AM-01) Adequacy Review**

Mr. Holsinger:

The Division of Reclamation, Mining and Safety (Division/DRMS) has reviewed the content of the Van Valkenburg Cattle Co., LLC permit amendment application (AM-01) for the Van Valkenburg Quarry, File No. M-2016-033 and submits the following comments. The Division is required to make an approval or denial decision no later than October 9, 2017 therefore; a response to the following adequacy review concerns should be submitted to the Division as soon as possible.

The review consisted of comparing the amendment application content with specific requirements of Rules 1, 3, 6.1, 6.2, 6.3 and 6.5 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 heading along with suggested corrective actions.

**1.6 - Public Notice**

1. As required by Rule 1.6.2(d) and Rule 1.6.3(3), please 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(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.



**6.3.4 Exhibit D - Reclamation Plan**

3. The Division currently holds a financial warranty in the amount of \$29,800.00 for the Van Valkenburg Quarry. The current financial warranty amount is adequate to reclaim the proposed amended site based on review of the amendment application. No additional financial warranty will be required if the amendment application is approved by the Division.

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

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

Please be advised the Van Valkenburg Quarry application may be deemed inadequate, and the application may be denied on October 9, 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 October 9, 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