

**COLORADO**Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203**RECEIVED**

DEC 05 2017

**DIVISION OF RECLAMATION
MINING AND SAFETY**Date: 11-13-17RE: Need for State Reclamation Permit: "Is It Mining?"

M-2017-043

Name: Alan HeathMailing Address: 2661 G 1/2 City: Grand Junction State: CO Zip Code: 81506Telephone: (970) 245-9748 Cell: (970) 261-6083Email: A.heath@bresnan.net

Enclosed are pertinent sections of the Colorado Mined Land Reclamation Board (Board) Rules governing activities that do not require a reclamation permit. To determine if you need a permit for your proposed activity, first check Rule 1.2 which describes activities the Board has determined do not require state reclamation permits. If you find a match, you can proceed based on your interpretation of the rule, but at your own risk. If you are uncertain how the Rule may apply to your activity, you should answer the list of questions below with as much detail as possible. Please feel free to use additional paper, maps, and attachments to explain your project.

Please include in your determination request answers to the following questions:

1. Please provide the legal location of the proposed project and submit a site map that clearly delineates the location of the proposed extraction site and the location of the nearest city, town, and county location name.
Section _____; Township _____; Range _____; PM _____ County SEE ATTACHED
Or NAD27 GPS X UTM _____ Y UTM _____
Direction and miles to nearest town/city 18.75 miles NE to Ridgway CO.
2. Is the site of material extraction on public or privately owned property? PRIVATELY
3. What type(s) of material or metal is/are proposed to be extracted and describe the physical nature of the site i.e., river terrace, rocky knob, in-stream gravel deposit, etc.? GRAVEL
4. What processing or extraction method(s) will be used on site? Include any equipment or chemical(s) that will be used in the processing and extraction of the materials. NO PROCESSING
5. Will the extracted material be hauled offsite or used on the same parcel of property where the material is extracted? ON SITE AND SOME OFF SITE
6. How will the extracted material be used on site? GRAVEL ROADS + EROSION CONTRA
7. If the material is hauled offsite, where will it be hauled to and what is the intended use?
NEAR BY PROPERTIES, LAND SCAPING, ROAD GRAVEL,
EROSION CONTROL, PROPERTY TO GRADE



8. What is the approximate areal extent of the proposed extraction in acres? 1-2 ACRES
9. To what approximate depth will the extraction extend? ZERO DEPTH, RESTORE TO ORIGINAL GRADE FOR RANCH USE.
10. In cubic yards, approximately how much material will be removed? 1600 YRDS (ACCORDING TO INSPECTION)
11. Will material extraction involve the use of explosives? NO
12. Will site of extraction result in the exposure of tributary ground water? NO
13. Will either the landowner or the mine site operator receive any type of compensation, i.e., monetary, in-kind, haulage fees, etc., from the proposed material extraction? NO !! NO CHARGE
14. Please supply a copy of any documents that will ensure that the area of extraction will be reclaimed to some beneficial land use once extraction activities have been completed. LAND USED FOR RANCHING 60 YRS RESTORE
15. Do you have permits for this activity from any other governmental agencies such as building, construction, or grading permits, and if so, what are they? NO
16. Are there state/federal/local agency participants in terms of funding (yes)-(no), design (yes)-(no). What are the percentages? NO
17. What *post mining* uses will be made of the site of extraction and why? (This question helps us determine the intent of the activity) N/A
18. What types and sizes of equipment will be used in the extraction? 1/2 YD BUCKET TO 5YRD BUCKET 2 YRD TRAILER TO 16 YRD TRUCK, GRIZZLEY

Please send the completed questionnaire to the Division at the address above for review. The Board has directed the Division to make a decision based on the information you have supplied. We trust that the activities will be performed as represented. If we receive a complaint, we are required by law to conduct an inspection of the site. Which could result in a violation, a cease and desist order, and other corrective actions including submittal of a permit application.

If you have any question, please contact Wally Erickson for Eastern Colorado sites at (303)866-3567, ext. 8176, or Russ Means for Western Colorado sites at (303)866-3567, ext. 8185. If you are unsure which area your project lies please feel free to contact either for further guidance and assistance. Please feel free to visit our web site at: www.mining.state.co.us for further access to the full Act and Rules governing extraction of metals, non-metals, and construction materials in the State of Colorado.

Sincerely, Alan Heath

Division of Reclamation, Mining and Safety Staff

Enclosure: Rule 1.2.1 for both Hard Rock Metal Mines and Construction Materials

Water Commissioner: Sandy Ragsdale, District 60
Montrose, Co
2730 Commercial way

970-244-6622

LEGAL DESCRIPTIONS OF GRAVEL PILES

1. NE SW SEC 27 44N 10W NMPM
2. NW SE SEC 27 44 N 10W NMPM
3. NE SE SEC 27 44 N 10W NMPM

HEATH RANCH AND SHERI MT. FACTS

TOTAL RANCH ACRES 2512 OPERATED BY ALAN HEATH
PART OWNER AND MANAGER THROUGH LEASES WITH
OTHER OWNERS

Ranch Use Grazing, Hunting & Recreation

5 Generations of Ownership

1. Heath Ranch in 2 Parcels with 6 owners
 - a. Large section 2272 Acres. First acquisition in 1924.
 1. 350 + - Acres irrigation
 2. 7.3 CFS 2nd Priority water right from Alder Creek along with other water rights from different sources.
 3. 3 Head Gates under Alder Creek and miles of ditches diversion boxes and other irrigation infrastructures.
 - b. Small section is 120 Acres (not contiguous) no improvements
2. Sheri Mountain, 2 parcels 120 Acres, not contiguous, with 6 owners,
(Some Heath Ranch owners are Sheri Mountain owners)
 - a. 80 Ac parcel no improvements contiguous with Heath Ranch
 - b. 40 Ac Parcel cabin and shed contiguous with Heath Ranch.
3. Ladner Red Rock Ranch Leases Heath Ranch and next door Wolf Ranch coordinating grazing and irrigation between the 2 ranches.
 - a. Wolf Ranch 1010 Acres With 2 cabins.

CONTINUATION OF HEATH RANCH FACTS

Wolf Ranch Continuation

b. 60 Acres of Irrigation With 2 CFS Priority 1 from Alder Creek.

1. Head gate on Heath Ranch along Alder Creek

2. Water Weir on Sheri Mt. (measures the water volume)

3. Wolf Ranch and Heath Ranch depend tremendously on irrigation in order to provide enough grazing for livestock and wildlife.

4. Water Commissioner monitors the water usage for irrigation on a monthly basis. If water is not used, water rights would be lost which would be a huge loss to the ranch.

1. Imperative that the irrigation head gates and infrastructure be maintained.

4. County Roads On Heath Ranch. (Last Dollar and 60T are same road)

a. 58P length on the Heath Ranch is 3.14 miles

b. 59T length on the Heath Ranch is .41 miles

c. 60U length on the Heath Ranch is .41 miles

d. 60T begins on Heath Ranch from 58P and goes thorough Heath

Ranch 1.2 miles then leaves Heath Ranch for 1.57 miles then back to Heath Ranch for .51 miles.

e. 60T distance for Heath Ranch use is 3.28 miles

f. County Roads on Heath Ranch 7.24 miles.

GRAVEL PROBLEM

5. Past 6 years 4 Overpowering Devastating Floods

- a. 1st was a large cloud burst origination on 700 to 1000 + acres In Mt Sneffels Wilderness.
- b. Flood waters traveled 1.2 miles down drainage to upper gravel pile location where 30 ft wall of water washed out Alder Creek destroying 1/2 mile of road, trees, and pasture. Irrigation head gates located at lower and middle gravel pile area were threatened by serious flooding of boulders, gravel, trees, brush and other debris. Total of 6 Head Gates along with other irrigation infrastructure located on the Wolf Ranch and Heath Ranch were close to being destroyed.
- c. Heath Ranch spent days getting Alder Creek back into banks and trying to preserve head gates and irrigation infrastructure
- d. Upper gravel pile piled up getting Alder Creek back into its creek bed and under control.
- e. Middle gravel pile piled up while removing rock and debris out of Alder Creek at the head gate site.
- f. Lower gravel pile piled up while removing rock and debris out of Alder Creek at the head gate site.
- g. Three (3) subsequent floods from spring runoff during the next few years added serious accumulation of rock and debris to lower and middle piles.

GRAVEL PILES

6. Three Gravel Piles from Alder Creek flooding

- a. Lower gravel pile is 18 3/4 miles from Ridgway CO.
 1. Hwy 550 in Ridgway W on Hwy 62 to 58P Turn Off = 12.1 mi
 2. Hwy 62 on 58P to 60T Intersection = 5.03 mi
 3. 58P-60T Intersection to Heath Private Rd.= 1.18
 4. Driving on Heath property to Lower Gravel Pile = .42 mi.
- b. Lower Gravel Pile to Middle Gravel Pile = .42 Mi
- c. Middle Gravel Pile to Upper Gravel Pile = .42 Mi
- d. All 3 gravel piles located on the bank of Alder Creek on Heath Ranch.

GRAVEL USE SO FAR

7. Middle Gravel Pile was blocking access and needed moved

1. Hauled gravel to restore 1/2 mile of road washed out by flood on Heath Ranch.
2. Used gravel on Heath Ranch roads
3. Used larger boulders and gravel to fill in ditches and washed out areas on Heath Ranch and Wolf Ranch
4. Graveled trails on Heath Ranch and Wolf Ranch to help Livestock Lessee.
5. Gave gravel away to some neighbors for roads and landscaping.

6. Needed to make room preparing for future floods.
7. San Miguel County used gravel to rebuild 60T road where Alder Creek wash out the road

FUTURE GRAVEL SOLUTION

8. Continue to haul out gravel to restore ranch to original condition

1. Use gravel for Heath Ranch roads
2. Use gravel for Wolf Ranch trails and roads for our use
3. Larger rock and gravel for rip rap to stop erosion.
4. Give gravel to neighbors (NO CHARGE)
- 5 Give gravel to San Miguel County. (NO CHARGE}

NEEDED FOR GRAVEL SOLUTION

9. Equipment for gravel removal.

1. Loader from 1/2 yard bucket to 5 yard bucket
2. Dump trailer from 2 yards to 6 yards capacity.
3. Dump trucks from 5 yards to 12 yards capacity
4. Grizzly to separate out larger rock for rip rap and make road gravel suitable.

SUMMARY

The Heath Ranch and the livestock grazing lessee, Ladner Red Rock Ranch, invested an enormous amount of money, time and equipment to save the head gates, ditches and infrastructure on the Heath Ranch, Wolf Ranch and property downstream on Alder Creek.

The gravel removal is a onetime extraction; When its gone, it's DONE. This is a cattle ranch that also has hunting and recreation. Our objective is to return the land to its original condition.

The middle and upper gravel pile areas had been used for family camping and recreation but not now. We want to remove the piles of gravel and use for roads and erosion control or give it away just to get the piles of gravel out. We are only trying to get back to original condition and make room for future flooding. The cloud burst flood was a horrendous event that has never occurred in the 93 years my family has had an ownership in the property. The flood damage to Alder Creek between the middle and upper gravel piles will never recover.

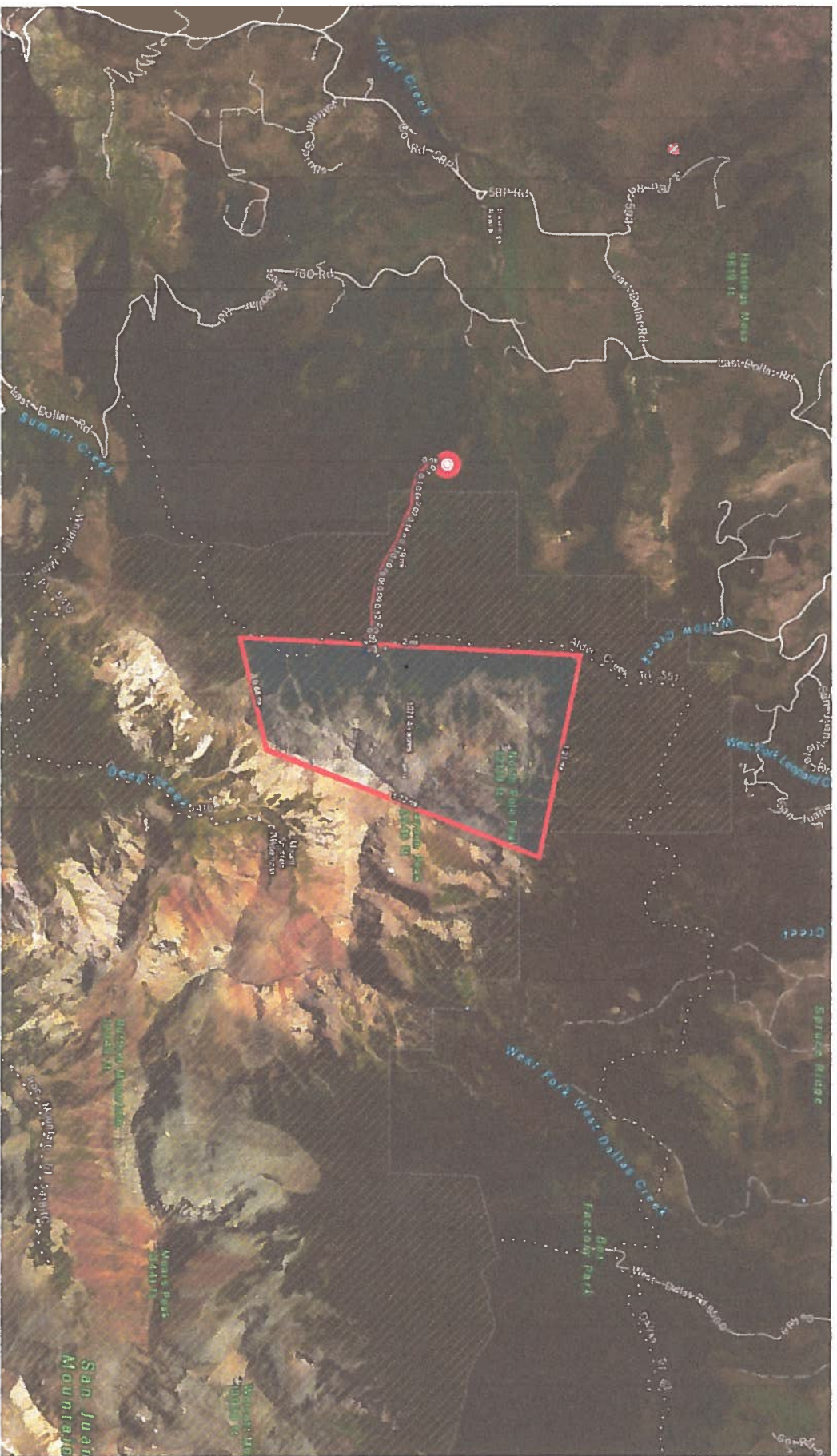
Requiring a permit lends to the belief that we are pursuing a mining operation with future production plans, but we are not. We are only looking at preservation, restoration, and some place to get rid of the gravel.

Alan Heath

18 3/4 MILES




FLOOD ORIGNATION AREA 700 TO 1000 ACRES MT. SNEFFELS WILDERNES
1.2 MILES FROM FLOOD TO UPPER GRAVEL PILE





Untitled Map


Write a description for your map.


Legend

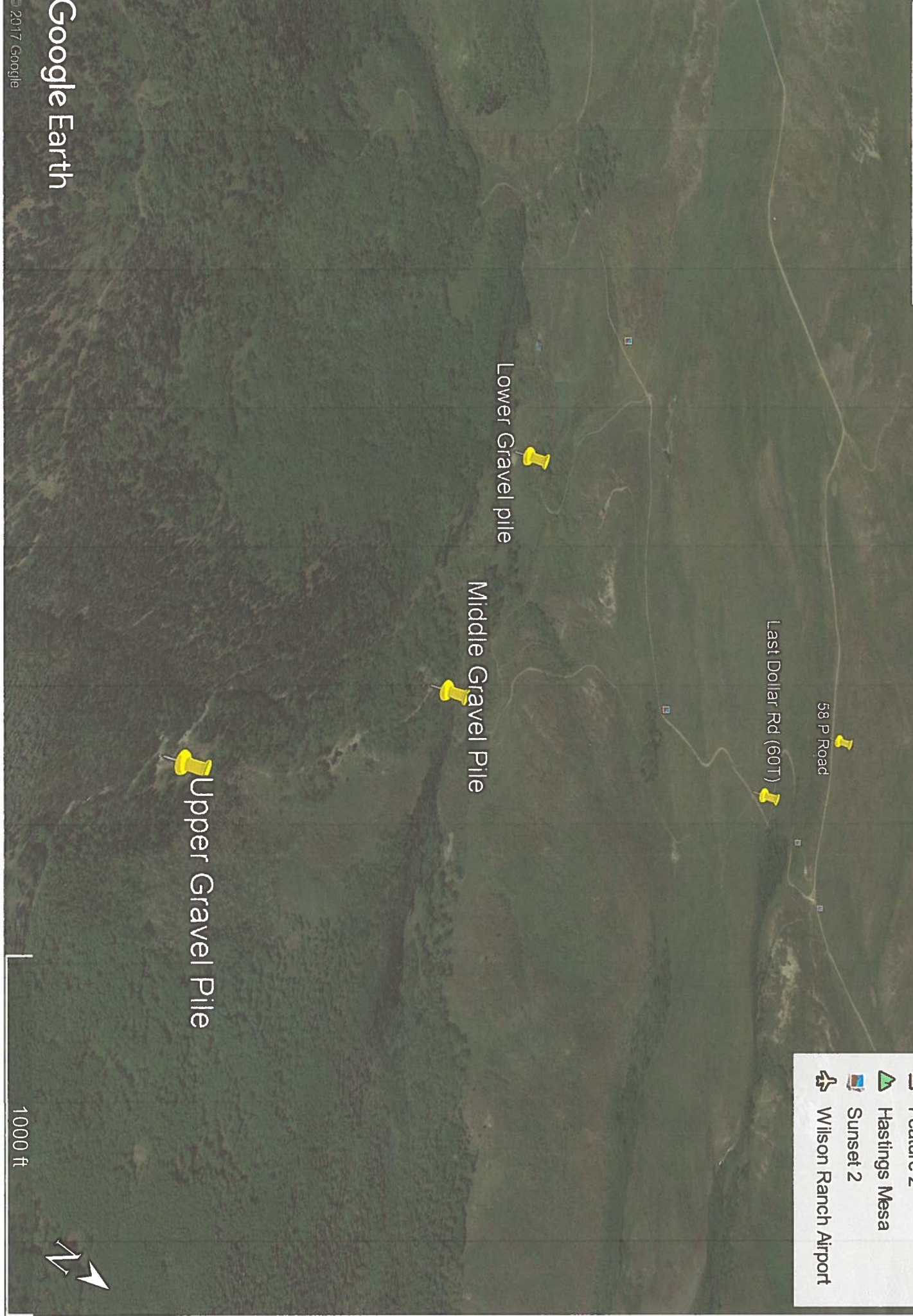
 Feature 1

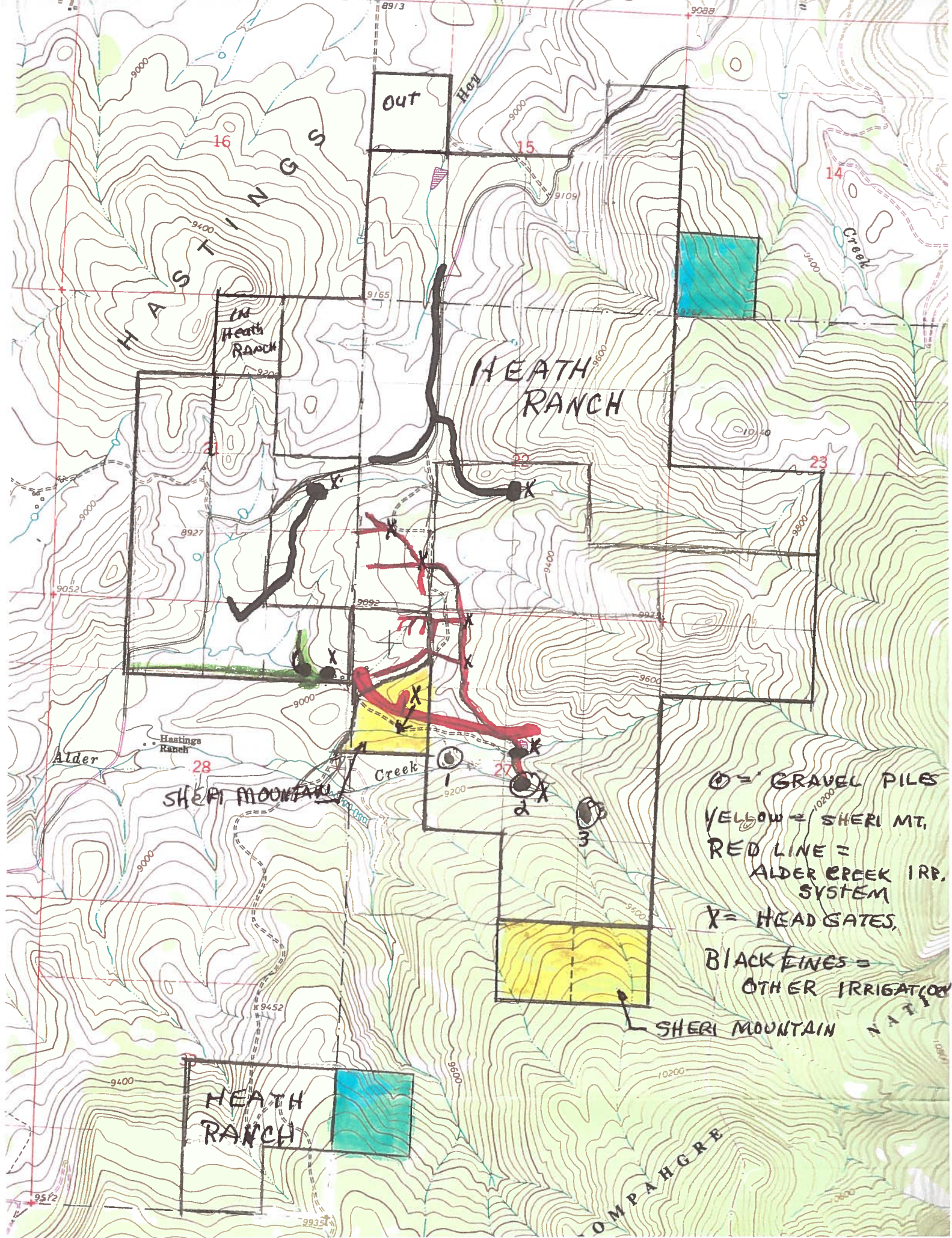
 Feature 2

 Hastings Mesa

 Sunset 2

 Wilson Ranch Airport





- ⊙ = GRAVEL PILES
- YELLOW = SHERI MT.
- RED LINE = ALDER CREEK IRR. SYSTEM
- X = HEAD GATES
- BLACK LINES = OTHER IRRIGATION

SHERI MOUNTAIN

OMPAHGRE