



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman St. Room 215
Denver, CO 80203

October 17, 2018

Juan Cocoba
Five Rivers Ranch Cattle Feeding LLC
2258 US Hwy 50
Lamar, CO 81052

**Re: Wiley Pit, Permit No. M-1977-223, Surety Reduction Request (Revision No. SR-1),
Notice of Incompleteness**

Mr. Cocoba:

On October 15, 2018, the Division of Reclamation, Mining and Safety (Division) received a Surety Reduction request (Revision No. SR-1) for the Wiley Pit, Permit No. M-1977-572. Preliminary review of the request determined the following information must be submitted to complete the filing requirements:

- 1) Pursuant to Rule 4.17.1(2), the request must include the names and addresses and phone numbers of all owners of record to the affected land.
- 2) Pursuant to Rule 4.14.1(2)(b), the request must include an estimate of the actual cost to reclaim the site based on what it would cost an independent contractor to complete reclamation, including unit costs for reclamation activities as appropriate to the operation to comply with the provisions of Rule 3.1 and the approved reclamation plan.

The request included a copy of the Division's last bond estimate calculated for Amendment No. 1, approved in 2010. This estimate is for the currently held bond amount of \$761,000.00. However, you are requesting a reduction in this bond amount. Therefore, you must submit a revised bond estimate that accounts for remaining reclamation at the site. The Division's bond estimate could be used as a guide for what reclamation tasks are required based on the approved reclamation plan. However, you must submit an updated bond estimate that reflects current costs for completing any reclamation tasks from the approved plan that have not yet been completed.

- 3) You submitted a letter from the Division of Water Resources (DWR), dated May 9, 2016, which indicates the pond has been lined to the design standard. Please explain how you request this letter influence the surety reduction. Are you requesting the Division to reduce the portion of the bond held for backfilling the reservoir since it has passed the leak test and gained acceptance from the DWR as a lined reservoir? If so, please be sure this is reflected in your bond estimate.

This completes the Division's completeness review of your surety reduction request. The filing deficiencies listed above must be addressed before the request can be considered filed for review. Please submit the required items by **December 16, 2018**.



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If you have any questions, you may contact me by telephone at 303-866-3567, ext. 8129 or by email at amy.eschberger@state.co.us.

Sincerely,

A handwritten signature in blue ink that reads "Amy Eschberger". The signature is written in a cursive style with a large initial "A".

Amy Eschberger
Environmental Protection Specialist

Ec: Thane Milenski at: thane.milenski@5rcattle.com