



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

1313 Sherman Street, Room 215
Denver, CO 80203

February 27, 2019

David C. Vigil
7854 S. Algonquian Way
Aurora, Colorado 80016

Re: Robinson Sons Gravel Pit No. 1, M-2008-076
Correspondence dated February 8, 2019

Dear Mr. Vigil,

The Colorado Division of Reclamation, Mining and Safety ("DRMS" or "Division") received a letter from you on February 12, 2019 regarding the Robinson Sons Gravel Pit No. 1. Your letter included an uncompleted and apparently incorrect copy of a damage reimbursement agreement. Your letter also asserts you are the owner of the fence along the north side of your property adjacent to the mining operation. I would like to clarify the location of the fence you own. Based on the maps the Division received from Robinson Sons, Inc. ("Permittee"), you own the fence that runs north-south on the west side of your property. They assert that they own the fence that runs east-west that separates the mine from the north side of your property. If you could please clarify, are you claiming ownership of the fence that runs east-west on the north side of your property? If so, please provide documentation to this effect.

Regarding the damage reimbursement agreement; in accordance with Rule 6.4.19, an applicant for a mining operation has two options should permanent man-made structures exist within 200 feet of the affected land. For the first option, an applicant may provide a fully executed damage reimbursement agreement for structures within 200 feet of the affected land. For the second option, an applicant may provide an engineering evaluation that demonstrates how the mining operation will proceed without damaging structures within 200 feet of the affected land. For this operation, the permittee elected to supply an engineering evaluation. DRMS reviewed and accepted their engineering evaluation, which demonstrated an appropriate factor of safety to be protective of permanent man-made structures. Through the course of routine monitoring inspections, DRMS will evaluate compliance with the approved mining plan. However, if damage occurs off-site as the result of the mining or reclamation activities, DRMS would pursue enforcement actions against the Permittee. If in the future you become aware of off-site impacts resulting from the mining operation, please let DRMS know as soon as possible and we will conduct an investigation.

In order for the Division to insure the proper protections are in place for your fence, it would be helpful to have any documentation discussed above regarding ownership of the east-west fence on your northern



property line. Should you have any additional questions or concerns, please feel free to contact me at Jared.Ebert@state.co.us or (303) 866-3567 ext. 8120.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jared Ebert", with a stylized flourish at the end.

Jared Ebert
Environmental Protection Specialist III