



## COLORADO

Division of Reclamation,  
Mining and Safety

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

April 15, 2019

Ralph Bell  
Castle Rock Construction Co. of Colorado, LLC  
6274 S. Racine Circle  
Centennial, CO 80111

**RE: Hasser Borrow Pit, File No. M-2019-015, Special 111 Construction Materials  
Reclamation Permit Application, Adequacy Review No. 1**

Mr. Bell,

On April 15, 2019, the Division of Reclamation, Mining and Safety (Division) filed for review your Special 111 Construction Materials Reclamation Permit Application submitted for the Hasser Borrow Pit, File No. M-2019-015. All comment and review periods began on April 15, 2019. The decision date for your application is set for April 30, 2019.

The Division has completed its preliminary adequacy review of your application and identified the following items which must be addressed before the application can be approved:

**Exhibit A – Legal Description and Location Map (Rule 6.3.1):**

- 1) Portions of the legal description provided appear to be incorrect according to location information provided in other parts of the application, particularly the following section: “Beginning at found 3” aluminum cap stampd southeast corner of the southwest quarter of section twenty (20), township four (4) south of range sixty (60) west, is the true point of beginning (P.O.B.).” Please make any necessary corrections to the legal description.

**Exhibit C – Mining Plan (Rule 6.3.3):**

- 2) Under item no. 5, the applicant states the thickness of borrow material will be a maximum of 8-12 feet. However, under item no. 8, the applicant states that 3-18 feet in depth will be mined. Given the 4-6 inches of salvageable topsoil, no overburden anticipated, and a maximum deposit thickness of 8-12 feet, the maximum mining depth would be approximately 12.5 feet. Please specify the maximum mining depth anticipated for the proposed operation.
- 3) Please specify the proposed slope gradient to be maintained for pit walls during mining. If slopes will not be maintained at the proposed reclamation gradient of 4H:1V, please specify the maximum length of highwall at any time to be steeper than this gradient.



- 4) This exhibit indicates the pit will be mined to the full extent of the proposed 5 acre permit area. Please explain how the operation intends to prevent disturbing land outside the permit boundary during mining and reclamation activities. Will any setbacks from the permit boundary be maintained by the operation? Please keep in mind that per Rule 1.1(3), affected land includes all land surface disturbed as a result of the operation, including excavations, stockpiling areas, parking and/or storage areas, and areas in which structures, facilities, equipment, machines, tools, or other materials or property which result from or are used in such operations are situated. In the case of 111c permits, the affected area is considered to be analogous to the permit area. Therefore, if the operation were to disturb land outside the permit boundary, this would be considered offsite damage.

**Exhibit E – Map (Rule 6.3.5):**

- 5) The Division has the following comments on the mining plan map:
- a) Portions of the legal description on the map appear to be incorrect, particularly the following section: “Beginning at a found 3” aluminum cap stamped southeast corner of the southwest quarter of section twenty (28), township four (26) south of range sixty (46) west, is the true point of beginning (P.O.B.).” Additionally, this description is different than that given in Exhibit A. Please make any necessary corrections to the legal description and be sure it is consistent throughout the application, including on this map.
  - b) The map outlines the proposed pit perimeter, but not the proposed permit boundary. Please outline and label the proposed permit boundary on the map as required by Rule 6.3.5(2)(a).
  - c) Please be sure to include on this map any proposed setbacks to be maintained by the operation, including any setbacks the pit perimeter will be maintained from the permit boundary.
  - d) In viewing the proposed mine site in Google Earth, it appears there is previous mining disturbance in the area (approximately 11 acres in size), adjacent to Hwy 287. Will the proposed permit area include any portion of this previously disturbed land?
- 6) On the reclamation plan map, please outline and label the proposed permit boundary.

**Exhibit G – Source of Legal Right-to-Enter (Rule 6.3.7):**

- 7) The submitted Lease Agreement between the applicant and the landowner, Douglas Hasser meets the requirements for this exhibit. However, there is mention in this agreement of a batch plant operation to occur on the same property, which is not discussed in the mine application. Does the applicant intend to operate a batch plant on site associated with the proposed mine?



If so, information on the batch plant must be provided in the application. Additionally, any land disturbed by batch plant operations must be included in the proposed permit area.

This concludes the Division's preliminary adequacy review of your application. The Division reserves the right to further supplement this document with additional adequacy items and/or details as necessary.

The decision date for your application is set for April 30, 2019. However, please allow the Division sufficient time to complete its review and calculate the financial warranty by submitting your response no later than three (3) working days prior to the decision date, by **April 25, 2019**. If additional time is needed to respond, an extension request must be received by our Office by the decision date. If on the decision date, outstanding adequacy items remain, and no extension request has been received, your application may be denied and the file terminated.

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](mailto:amy.eschberger@state.co.us).

Sincerely,



Amy Eschberger  
Environmental Protection Specialist

Cc: Michael Cunningham, DRMS

