



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

July 16, 2019

Marcy Brossman
Cheyenne County
51 S. 1st Street
Cheyenne Wells, CO 80810

**Re: Rother Pit #2, Permit # M-2019-036
Adequacy Review #1**

Dear: Ms. Brossman:

On June 14, 2019, the Division of Reclamation, Mining and Safety received your 110 Construction Materials Reclamation Permit Application package for the Rother Pit #2, File No. M-2019-036. A review of the permit application determined that the following items must be addressed and/or received before the Division can approve the application:

APPLICATION FEE: Adequate as submitted.

APPLICATION FORM: Adequate as submitted.

EXHIBIT A - Legal Description (Rule 6.3.1(1)): Adequate as submitted.

EXHIBIT A - Location Map (Rule 6.3.1(2)): Adequate as submitted.

EXHIBIT B - Site Description (Rule 6.3.2(a)): Please provide a brief description of the vegetation at the proposed mine site.

EXHIBIT B - Site Description (Rule 6.3.2(b)): Fences are considered permanent structures and need to be documented. A fenceline is part of the permit boundary and within 200 feet of the affected area. Please add the fence as a permanent structure and provide a structure agreement for the fence as required for Exhibit L of the permit.

EXHIBIT B - Site Description (Rule 6.3.2(c)): Adequate as submitted.

EXHIBIT C - Mining Plan (Rule 6.3.3): The final pit depth as described on the map is 12 feet lower than White Woman Creek. What precautions will be taken to minimize the potential impacts to the hydrologic balance? Typical options are to armor the pit adjacent to White Woman Creek to minimize erosion between the creek and the pit **or** build a small earthen berm in the buffer area on the north side of the pit which will prevent surface flow from the creek to the pit.



EXHIBIT D - Reclamation Plan (Rule 6.3.4): Adequate as submitted.

EXHIBIT E - Map (Rule 6.3.5): Adequate as submitted.

EXHIBIT F - List of Other Permits and Licenses Required (Rule 6.3.6): Adequate as submitted.

EXHIBIT G - Source of Legal Right-to-Enter (Rule 6.3.7): Adequate as submitted.

EXHIBIT H - Municipalities Within a Two-Mile Radius (Rule 6.3.8): Adequate as submitted.

EXHIBIT I - Proof of Filing with County Clerk (Rule 6.3.9): Adequate as submitted.

EXHIBIT J - Proof of Mailing Notices of Permit Application (Rule 6.3.10): Adequate as submitted.

EXHIBIT L - Permanent Man-Made Structures (Rule 6.3.12): A structure agreement from the fence owner is required for the fence that borders the permit area.

ADDENDUM 1 - Notice Requirements - Affidavit of Posting Notice (Sign) (Rule 1.6.2(1)(b)):
Adequate as submitted.

Please note that the decision date for this application is Aug 1, 2019. If you are unable to provide satisfactory responses to any inadequacies prior to this date, it will be your responsibility to request an extension of time to allow for continued review of this application.

If you have any questions, please contact me at (303) 866-3567 ext. 8142 or brock.bowles@state.co.us.

Sincerely,



Brock Bowles
Environmental Protection Specialist

cc: Tim Cazier, DRMS
Michael Cunningham, DRMS