



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

August 26, 2019

John Kuijvenhoven
6124 County Road 5
Ridgeway, CO 81432

**RE: Horsefly Rock Source, File No.M-2019-010, Construction Material Limited Impact (110) Operation
Reclamation Permit Application, Incorrect Publication Information**

Dear Mr. Kuijvenhoven:

On August 26, 2019, the Division of Reclamation, Mining and Safety (Division) received a digital copy of your newspaper publication which was found to be in error. The following items were found to be incorrect;

1. The post mining land use is listed as Agriculture, when in the application it is listed as Rangeland,
2. The publication states that the public comment period ends on September 19, 2019. Construction Materials Rule 1.7.1 (2)(c) states that all written comments, protests or petition for a hearing must be received by the Office not more than ten (10) days after the last date of publication. If the publication was run on August 22, 2019 the public comment period should have expired on September Tuesday September 3, 2019.

Rule 1.6.6 states when an error in notice occurs that the applicant shall be required to publish and mail new notice of application and that all applicable deadlines shall begin anew. Therefore, you must re-publish the permit application notice with the correct post mining land use as identified above. Please also correct the public comment period end date which will be not more than ten (10) days after the publication date.

Currently the decision due date is set for September 10, 2019. Due to the need for re-publication the operator may find this deadline challenging. If additional time is necessary, you may request an extension prior to the decision due date which is recommended. If you require additional information, or have questions or concerns, please contact me at the Division's Grand Junction Field Office, by phone at 970-243-6368 or by email at lucas.west@state.co.us.

Sincerely,

Lucas West
Environmental Protection Specialist
Division of Reclamation, Mining and Safety

Cc: Travis Marshall, Senior Environmental Protection Specialist
Ec: Zane Luttrell, Rocky Mountain Aggregates

