



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

September 4, 2019

Jodi Schreiber
All Rite Paving and Redi Mix, Inc.
PO Box 841
839 Mackenzie Ave.
Canon City, CO 81212

**Re: Adequacy Review #1; 112 Construction Materials Amendment Application (AM-01)
Caldwell-Nesselhuf Pit No. 1, Permit No. M-1997-071**

Ms. Schreiber:

On September 3, 2019, the Division of Reclamation, Mining and Safety (Division) received a copy of the Publisher's Affidavit verifying publication of your notice in the local newspaper for four consecutive weeks for Amendment Application 01 (AM-01) for the Caldwell-Nesselhuf Pit No. 1, Permit No. M-1997-071. The letter did contain a copy of the publication. It was determined, during a review of the publication, that there was an error. The address for the Division for mailing comments or objections was incorrect.

Pursuant to Rule 1.6.6 the Applicant shall be required to publish a new notice of the publication and all applicable deadlines will begin to run anew.

Please provide proof of the local newspaper publication as required by Rule 1.6.5. Include a copy of the newspaper publication, for the Division's review, that includes the date published, and a notarized statement from the newspaper.

The decision deadline on this application is October 21, 2019. Depending on when then the Applicant is able to republish and accommodate the 20 day public comment period the Applicant may have to request an extension in the decision date in writing. The Division reserves the right to further supplement this document with additional adequacy issues and details as necessary.

If you need additional information or have any questions, please contact me at Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at **303-866-3567 x8114**, or by email at patrick.lennberg@state.co.us.

Sincerely,

Patrick Lennberg
Environmental Protection Specialist

cc: Michael Cunningham, DRMS



PROOF OF PUBLICATION AFFIDAVIT

M1997-071

LA JUNTA TRIBUNE DEMOCRAT

STATE OF COLORADO,)

) s.s.

County of Otero,)

I, Pam Lopez, do solemnly swear that I am an employee of GateHouse Media; that the same is a weekly newspaper as defined by Colorado Revised Statutes 24-70-102, as amended, published printed, in whole or in part in La Junta, Otero County, Colorado.

That said newspaper is duly qualified as a legal newspaper within the meaning of Colorado Revised Statutes 24-70-103, as amended, having been published in Otero County uninterruptedly and continuously as a weekly newspaper for a period of at least six months prior to the first publication of the attached or annexed Legal Notice.

That the attached or annexed

LEGAL NOTICE NO. 1113

was published in the La Junta Tribune - Democrat

issues of Aug 1, 8, 15, 22, 2019

Pam Lopez

Subscribed and sworn to before me this 23 day of August, 2019

My commission expires 10-21-19
[Signature]
Notary Public

SARA HINES
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20154641137
MY COMMISSION EXPIRES 10/21/2019

LEGAL 1113
All Rita Paving and Redi Mix; 30753 E. HWY. 50, La Junta CO 719-383-2600, has filed an application for a Regular (112) Construction Materials Operation Reclamation Permit with the Colorado Mined Land Reclamation Board under provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials. The proposed mine is known as the Caldwell Nesselhuf Pit #1, and is located at or near Section 24, Township 22, Range 58, 6th Prime Meridian. The proposed date of commencement is October 2019, and the proposed date of completion is October 2049. The proposed future use of the land is rangeland. Additional information and tentative decision date may be obtained from the Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Street #102, Ordway, CO or the above-named applicant. Comments must be in writing and must be received by the Division of Reclamation, Mining, and Safety by 4:00 p.m. on September 11th, 2019. Please note that under the provisions of C.R.S. 34-32.5-101 et seq. Comments related to noise, truck traffic, hours of operation, visual impacts, effects on property values and other social or economic concerns are issues not subject to this Office's jurisdiction. These subjects, and similar ones, are typically addressed by your local governments, rather than the Division of Reclamation, Mining, and Safety or the Mined Land Reclamation Board. Published in the La Junta Tribune Democrat Aug. 1, 8, 15, 22, 2019