



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

1313 Sherman Street, Room 215
Denver, CO 80203

September 11, 2019

Notice to Interested Persons for Ducray Pit #2

Re: Ducray Pit #2, File No. M-2019-035, Construction Material (110) Reclamation Only Permit Application, Decision to Approve Application with Objections

Dear Party and/or Interested Person:

On September 11, 2019, the Division of Reclamation, Mining, and Safety (Division or Office) issued its decision to approve the application for the Ducray Pit #2, File No. M-2019-035, submitted by Martinez Western Construction, Inc.

This decision is based on the Division's determination that the application satisfies the minimum requirements of the Colorado Land Reclamation Act of for the Extraction of Construction Martials, §34-32.5-101 et seq., C.R.S. (the Act) and the Minerals Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Martials (the Rules) for a reclamation only permit. The Office is mandated to approve an application that meets the minimum requirements under C.R.S 34-32.5-115(4). Please find enclosed the Division's rationale for its decision to approve, dated September 11, 2019.

Pursuant to Rule 1.4.6(2) of), the Division will not schedule the matter for consideration by the Mined Land Reclamation Board (MLRB). Pursuant to Rule 1.4.11(1), any person who can demonstrate the they are directly and adversely affected or aggrieved by the Division's decision, and whose interest are entitled to legal protection under the Act, may petition for a hearing before the MLRB. Such written petitions must provide the information specified under Rule 1.4.11(1)(d). Pursuant to Rule 1.4.11(1)(b), such petitions must be received by the Division within 30 days of the date of this notice, due October 11, 2019.

If you require additional information, or have questions or concerns, please feel free to contact me. Amy Yeldell at the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203. Direct contact can be made by phone at 303-866-3567 Ext 8183 or via email at amy.yeldell@ state.co.us



9/11/2019

Sincerely,

A handwritten signature in blue ink that reads "Amy Yeldell". The signature is written in a cursive, flowing style.

Amy Yeldell

Environmental Protection Specialist

Enclosures: Ducray Pit #2, File No. M-2019-035, Rationale for Decision to Approve a 110(c) Reclamation Only Application Over Objections

Attachment: Certificate of Service

Certificate of Service

I, Amy C. Yeldell, herby certify that on this 11 day of September 2019, I deposited a true copy of the foregoing document, Re: Ducray Pit #2, File No. M-2019-035, Construction Material (110) Reclamation Only Permit Application, Decision to Approve Application, in the United States Mail, postage paid, addressed to the following:

Paul Martinez
Martinez Western Constructors, Inc.
335 Village Drive
Rifle, CO 81650

John and Mary Anne Sink
Mary Anne Sink Trust
597 Ravenwood Lane
Grand Junction, CO 81507

Susan Moyer
2233 Windsor Ct.
Grand Junction, CO 81507

Mesa County-Planning Department
City of Grand Junction-Community Development

EC: Travis Marshall, Senior EPS, GJFO DRMS
Russ Means, Mineral Program Director, DRMS
Jeff Fugate, AGO
Scott Schultz, AGO



9/11/2019

Amy C. Yeldell

Date