



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

September 5, 2019

Cole Stocker
Blattner Energy
392 County Road 50
Avon, MN 56310

**Re: Bronco Plains Pit, Permit # M-2019-044
Adequacy Review #1**

Dear Mr. Stocker:

On August 22, 2019, the Division of Reclamation, Mining and Safety deemed your 110 Construction Materials Reclamation Permit Application package complete for the Bronco Plains Pit, File No. M-2019-044. 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 description of the vegetation at the proposed mine site.

EXHIBIT B - Site Description (Rule 6.3.2(b)): Several permanent man-made structures are within 200 feet of the affected land including a stock pond, a livestock water tank, a fence line and overhead powerlines. Please include a description of each and locate them on the Exhibit E map.



EXHIBIT B - Site Description (Rule 6.3.2(c)): There is a stock water pond north of the proposed pit area and a stock water tank south of the proposed pit area. Both of these need to be identified and any associated structures such as wells or power lines.

EXHIBIT C - Mining Plan (Rule 6.3.3(a-h)): Adequate as submitted

EXHIBIT C - Mining Plan (Rule 6.3.3(i)): Please describe the anticipated affects (if any) the mining plan will have on surface and ground water.

EXHIBIT C - Mining Plan (Rule 6.3.3(j)): Please describe applicable water laws (if any) that may be affected by this mining operation.

EXHIBIT C - Mining Plan (Rule 6.3.3(k)): Please describe the procedures that will be used if refuse or toxic materials are encountered by this mining operation.

EXHIBIT C - Mining Plan (Rule 6.3.3(l)): Please describe any anticipated disturbance to the hydrological balance that may result from this mining operation.

- Address the livestock pond that is about 100 feet to the north of the permit area. Can water spill from the stock pond into the pit area? What side of the stock pond dam is the spillway? The gravel pit is proposed to be 16 feet deep. Is this depth below the level of the stock pond? Please describe the measures that will be taken if the stock pond should be damaged as a result of the mining operation.
- Address the livestock water tanks about 100 feet south of the permit area. Is there a well associated with the water tanks? If there is a well, are there power lines to the well? Please describe the measures that will be taken if the livestock water tanks should be damaged as a result of the mining operation.

EXHIBIT D - Reclamation Plan (Rule 6.3.4(1)(c)(iii)): Please state the grass, forb, shrub and tree species that will planted and the applicable quantities.

EXHIBIT D - Reclamation Plan (Rule 6.3.4(1)(c)(v)): Please state if mulch will be applied. If it will be applied, include the rate and method of application.

EXHIBIT E - Map (Rule 6.3.5): Update the map to include the items listed in Rule 6.3.2(b) above.

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): Several structures are within 200 feet of the affected land including a stock pond, a stock water tank, a fence line and overhead powerlines. A structure agreement from the owner of each of these structures is required.

ADDENDUM 1 - Notice Requirements - Affidavit of Posting Notice (Sign) (Rule 1.6.2(1)(b)):
This notice was not signed and dated. Please submit a signed and dated copy of this affidavit.

Please note that the decision date for this application is September 20, 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