



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

December 2, 2019

Katie Todt  
Greg Lewicki and Associates  
3375 West Powers Circle  
Littleton, CO 80123

**RE: Objection Received, 112c Construction Materials New Permit Application,  
Bradford Mesa Quarry, Permit No. M-2019-046**

Dear Ms. Todt:

On October 3, 2019, the Division of Reclamation, Mining and Safety (Division) determined the 112c New Permit Application for the Bradford Mesa Quarry was complete for the purposes of filing. The public comment period for the permit application ends November 27, 2019. During the public comment period the Division received the enclosed timely objection, from the following parties and/or interested persons:

- 1) David and Cheryl Rogers, received November 27, 2019

Please inform the Division how the Applicant intends to address the jurisdictional issues raised by the Objector.

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](mailto:patrick.lennberg@state.co.us).

Sincerely,

Patrick Lennberg  
Environmental Protection Specialist

Enclosure: Objection Letter from David and Cheryl Rogers, received November 27, 2019

cc: Jared Ebert; Division of Reclamation, Mining & Safety



David & Cheryl Rogers  
4065 County Road 510  
Walsenburg, CO 81089  
719-738-9965  
David51@centurylink.net

Division of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, CO 80203

November 15, 2019

Dear Board;

In regards to: (112) Construction Materials Reclamation Permit filed by Southway Construction Company Inc., 117 White Pine Dr., Alamosa Colorado 81001 for Reclamation of Bradford Mesa Quarry in Huerfano County Colorado.

I own two lots located in the Cuerno Verde Subdivision located approximately ½ to 1 mile from the proposed Quarry site to the East.

According to Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the extraction of Construction Materials, construction materials, rule 1.6.2(1)(b), there should be a posted sign giving location of the site prior to (112) application being made. I have enclosed a picture of the private road leading to the site from County Road 120. There is no sign of any type posted. The road leading to the Quarry is an approximate 5 mile private road and as such, should not be trespassed upon.

Additionally there is an aquafer running under the Cuerno Verde Subdivision. As advertised, blasting down to 80 feet may possibly damage or destroy this aquafer, rendering water retrieval useless.

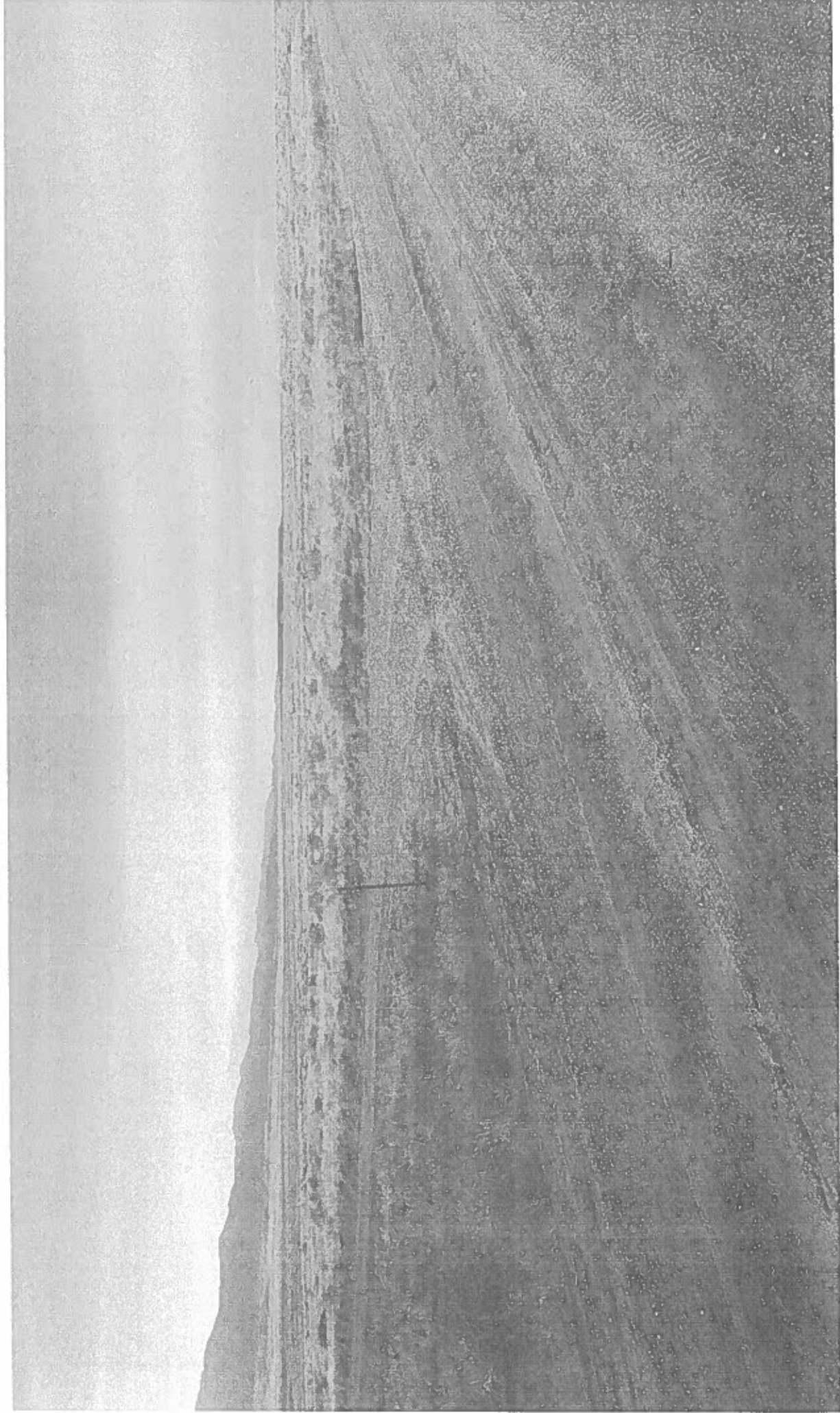
After the fires last year in Huerfano County, many wild animals that we have not seen lately are returning to the area. Heavy Truck Traffic, blasting noise will drive these animals away again, possibly to never return. Can the DRMS Board order a wildlife or environmental impact study to determine what impact the operation will have?

According to Exhibit M, Southway says the State Historic Preservation Office was contacted. I also contacted the local and State Historical Preservation Offices and both show no application or contact has been made.

It also appears the Southway Construction Company is trying to renew or piggyback on a previous incomplete and flawed Conditional Use Permit. I believe a complete study of the area should be completed before destroying property that I have enjoyed in the name of progress.

Thank You in advance for your time to carefully review these applications. If I can be of further assistance, please feel free to contact me at the above.

  
David Rogers



COUNTY ROAD 120, TOWARDS NORTH. ROAD TO BRADFORD QUARRY ON LEFT. NO SIGNAGE