



March 23, 2020

Laura Schroetlin
Phillips County
221 S Interocean Ave
Holyoke, CO 80734

**RE: Jensen Pit (Permit No. M-1983-050)
Conversion Application (CN-1)
Adequacy Letter 1**

Dear Ms. Schroetlin,

On February 5, 2020, the Division of Reclamation, Mining and Safety received your Conversion Application package for the Jensen Pit, File No. M-1983-050. The application was deemed complete on February 14, 2020. A review of the permit application determined that the following items must be addressed and/or received before the Division can approve the application:

6.4.1 EXHIBIT A - Legal Description - Adequate as submitted.

6.4.2 EXHIBIT B - Index Map – Adequate as submitted.

6.4.3 EXHIBIT C - Pre-mining & Mining Plan Map(s) of Affected Lands– Adequate as submitted.

1. The soil data submitted in the application was for the Rafert Pit, M-2004-052. Please submit the soils data and a new soils map for the Jensen Pit.

6.4.4 EXHIBIT D - Mining Plan

2. Item A states that material will be mined from the creek bed to the north and east in the grassy portion of the quarter. This statement is not entirely clear as to what direction mining will take place, since the creek bed is the northern and eastern boundary as depicted in Exhibit C. Please clarify the general starting point, direction of mining and where the anticipated end of mining location to be.
3. What is the expected depth of the gravel to be mined (Rule 6.4.4(f)(i))?
4. Are there any expected secondary commodities to be mined (Rule 6.4.4(g))?
5. Are any explosives going to be used for the mining process (Rule 6.4.4(i))?



6.4.5 EXHIBIT E - Reclamation Plan

6. The reclamation plan calls for 6" of overburden to be stockpiled. There is no mention of topsoil being salvaged and stockpiled. Please clarify if there is topsoil available for salvage, and if so, how much will be salvaged and stockpiled (Rule 6.4.5(d)).
7. Please specify the plan for topsoil replacement including redistribution, timing and final depth (Rule 6.4.5(d) and (f)(v)).
8. A seed mix, seeding rates, mulch and fertilizer were not discussed in Exhibit E. Some of this information is available in Exhibit E of the original application of March 1983. However, it may be beneficial to get an updated plan from your local NRCS office as some of the items listed in the original permit may no longer be practiced.

6.4.6 EXHIBIT F - Reclamation Plan Map – Adequate as submitted.

6.4.7 EXHIBIT G - Water Information

9. The proposed mining area includes the creek bed and the area to the south of the creek bed. What precautions will be taken to ensure that mining will not hinder the flow of the creek? To ensure that water will not be impounded in the creek bed?
10. Mining is proposed to take place in the area to the south of the creek bed. What precautions will be taken to ensure that water flowing in the creek (when it does flow) will not enter and become impounded in the mine pit area?

6.4.8 EXHIBIT H - Wildlife Information - Adequate as submitted.

6.4.9 EXHIBIT I - Soils Information

11. See comment in Exhibit C above.

6.4.10 EXHIBIT J - Vegetation Information - Adequate as submitted.

6.4.11 EXHIBIT K - Climate - Adequate as submitted.

6.4.12 EXHIBIT L - Reclamation Costs

12. Phillips County is the operator of the Jensen Pit. As a government entity, Phillips County is not required to prepare or submit a cost estimate and is also not required to submit a financial warranty (Rule 4.2.4(2)). No further action is required.

6.4.13 EXHIBIT M - Other Permits and Licenses (Statement Req'd) - Adequate as submitted.

6.4.14 EXHIBIT N - Source of Legal Right to Enter

13. The contract submitted with the application between Phillips County and State Land Board showing the legal right to enter appears to have expired in 2003. Please submit an update contract or a letter from the State Land Board indicating that the contract has been extended.

6.4.15 EXHIBIT O - Owner(s) of Record of Affected Land and Substance to be Mined

14. See comment in Exhibit N

6.4.16 EXHIBIT P - Municipalities Within Two Miles - Adequate as submitted.

6.4.17 EXHIBIT Q - Proof of Mailing of Notices to Board of County

15. The Notice to the Board of County Commissioners for the county for which the mine is located in (Sedgwick) was not submitted with the application (Rule 1.6.2(1)(a)).

6.4.18 EXHIBIT R - Proof of Filing with County Clerk and Recorder

16. Proof that a copy of the application was placed at County Clerk and Recorder's Office for the county for which the mine is located in (Sedgwick) was not submitted with the application (Rule 1.6.2(1)(c)).

6.4.19 EXHIBIT S - Permanent Man-made Structures – Adequate as submitted.

Please note that the decision date for this application is May 14, 2020. 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. Also, any comments received during the comment period for this application may initiate new adequacy questions. The Division reserves the right to further supplement this document with additional adequacy issues and details as necessary.

All corrected pages must also be provided to Phillips County Clerk & Recorder.

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: Michael Cunningham, DRMS