



1313 Sherman St. Room 215
Denver, CO 80203

October 2, 2017

Don Marr
Yuma County
1310 S. Blake St.
Wray, CO 80758

Witherbee Pit, Permit M-2009-070, Annual Fee Invoice and Report Request

PLEASE READ CAREFULLY – ACTION REQUIRED

Please attach your COMPLETED written Annual Report and Annual Report Map to this form

Under the terms of your Reclamation Permit and Colorado Statutes, you must submit an Annual Fee and Annual Report (including a map). You must pay the Annual Fee and submit an Annual Report each year until reclamation responsibility release is granted. The Annual Fee is not a renewal fee. The Fee and Report are for LAST YEAR'S mining and reclamation season, and MUST be paid even if your operation was inactive.

The Annual Report and Fee requirement will be considered submitted when we have received the following components:

1. **APPROPRIATE ANNUAL FEE**
2. **COMPLETED ANNUAL REPORT**
3. **ASSOCIATED MAP as required by rule**

If you have requested reclamation responsibility release from the Division of Reclamation, Mining and Safety (the "Division") but your permit is not released by the anniversary date listed below, the Annual Fee MUST be paid. If the permit is released before the anniversary date, then by Statute, it is not necessary to pay an Annual Fee or submit an Annual Report for that year.

Division records indicate the \$791.00 fee is due for the following:

Permit: M-2009-070
Operation Name: Witherbee Pit
Anniversary Date: November 3, 2017
Total Fee Due: \$791.00 (Due on or before your Anniversary Date)



Return the enclosed Annual Report FORM, a MAP, and a CHECK or MONEY ORDER made payable to:
Division of Environmental, Marine and Safety, 1117 S. Main St., Room 215 Denver, CO 80202. Please
include the enclosed instructions with your report and map.

If you have additional comments and/or information that should be provided to the Division, please provide it below or attach it to this form along with your written report and map. Annual Report instructions are enclosed. If you have any questions, please feel free to contact Scottie Tate ((303) 866-3567 ext 8166), Michelle Ramirez ((303) 866-3567 ext 8114), or email dnr_drmsminadmin@state.co.us. Thank you for your cooperation in this matter.

IF THE ANNUAL FEE SUBMITTALS ARE NOT RECEIVED ON OR BEFORE YOUR ANNIVERSARY DATE, THE ENFORCEMENT PROCESS WILL BE AUTOMATICALLY INITIATED. ENFORCEMENT ACTIONS MAY RESULT IN CIVIL PENALTIES AND/OR REVOCATION OF YOUR PERMIT.

Permit Number: 1M-2009-07

Permit Name: Witherbee

(DRMS Office Use Only)

Operation Name:	Witherbee
County:	Yuma
Anniversary Date:	November 3, 2017
Current Bond Amt:	\$0.00
Annual Fee Due:	\$791.00
Permit Acreage:	80.00
DRMS Specialist	ECS

According to C.R.S. 34-32.5-116 or 34-32-116, each year, on the anniversary date of the permit, an operator shall submit the Annual Fee, an Annual Report and map showing the extent of current disturbances to affected land, required monitoring information, reclamation accomplished to date and during the preceding year, any new disturbance that is anticipated to occur during the upcoming year, any reclamation that will be performed during the upcoming year, the dates for the beginning of active operations, and the date active operations ceased for the year.

Information contained in this report will be reviewed by the Division upon receipt and prior to the next compliance inspection of the site. If, while completing this report, you learn that your site is not in compliance with the rules and the act, it is advisable that the issues be rectified promptly to avoid possible enforcement action.

- Is the site identification sign posted in accordance with Rule 3.1.12(1)? YES ☒ NO
- Is the affected area boundary clearly marked in accordance with Rule 3.1.12(2)? YES ☒ NO
- Is the mine site in final reclamation (all material extraction and stockpile removal is complete)? YES ☒ NO
If "YES," please note time limits related to completion of reclamation, Rule 3.1.3.
- What was the date of last excavation, processing or hauling activity at the mine? July 2017
- Does the mine operate more than 180 days per year YES ☒ NO
If "NO", please review Rule 1.13 to assure that your mine is in compliance.
- Has this mine been granted: YES ☒ NO ☒
a) approval of TEMPORARY CESSATION Status?
b) approval for INTERMITTENT OPERATION?
- Number of acres currently affected (mining + incomplete and or unreleased reclamation): 10.1
- Number of acres that were newly affected during the current report year: 0
- Number of acres that were reclaimed during the current report year: 0
- Estimated new acreage to be affected in the next report year: 0
- Estimated acres to be reclaimed in the next report year: 0
- Total acres** in various stages of reclamation, since permitted mining activities began:

Seed application method:	N/A	Fertilizer application method:	N/A	Mulch application method:	N/A
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13. Is weed control being conducted in accordance with an approved Weed Control Plan? ☒ YES ☐ NO ☐ N/A
If "YES", indicate the weed species, control area, control type, application rate and treatment date on the report map.
14. Is adequate topsoil reserved for reclamation, based on your approved permit? ☒ YES ☐ NO ☐ N/A
If "NO", please explain:
15. Is the reserved topsoil vegetated/stabilized in accordance with Rule 3.1.9(1)? ☒ YES ☐ NO ☐ N/A
If "NO" please explain:
16. If mining has exposed groundwater, is the site in compliance with the approved mining plan and Office of the State Engineer (Well Permit, S.W.S.P., and/or Permanent Augmentation Plan)? YES ☐ NO ☒ N/A
17. Are all hazardous materials stored within approved spill containment structures? YES ☐ NO ☒ N/A
18. Is your financial warranty value sufficient to cover the cost to complete reclamation? ☒ YES ☐ NO ☐ N/A
19. Is your basis for legal right to enter still valid? ☒ YES ☐ NO
20. Does your permit require you to submit monitoring information annually? YES ☒ NO ☐ N/A
If "Yes", please attach the required monitoring results to this Annual Report.
21. As required by Colorado Mined Land Reclamation Act and/or Colorado Land Reclamation Act for the Extraction of Construction Materials (C.R.S. 34-32-116 or 34-32.5-116), attach a map to this report that accurately depicts the permit boundary, current affected area boundary and location of the acreages specified in items 7- 12 and 14. UPDATED

MAP ATTACHED: Y

information on record). If this information is blank or not current, please type or print current contact information.

Permittee Contact

Permittee Company:	Yuma County	
Address:	1310 S. Blake St. Wray, CO 80758	
Phone Number:	(970) 332-5718	
Fax Number:	(970) 332-3429	
Email Address:	Yumacountyrb@gmail.com	
Permitting Contact:	Howard McGinnis	
Company:	Yuma County	
Address:	1310 South Blake Street Wray, CO 80758	
Phone Number:	(970) 332-5718	
Fax Number:	(970) 332-3429	
Email Address:		
Inspection Contact:	Howard McGinnis	
Company:	Yuma County	
Address:	1310 South Blake Street Wray, CO 80758	
Phone Number:	(970) 332-5718	
Fax Number:	(970) 332-3429	
Email Address:		

I, the undersigned, hereby state that the information provided in this report is true and accurate, and that site operations are being conducted in accordance with the Division approved mining and reclamation plans.



Signature of Permittee, Corporate Officer, Owner, or Documented Designee

10-16-17
Date

Withebee Pit
Yuma County
10-10-16
By: Don Marr

Well

Legend

- Blue line Pit Boundary
- Witherbee Disturbance
- Witherbee Pit

3504

Ex 90

009E

Top Soil

Witherbee Pit

Witherbee | Witherbee

699

2950000 FEET (COLLO.)

