



**COLORADO**  
Division of Reclamation,  
Mining and Safety  
Department of Natural Resources  
1313 Sherman Street, Room 215  
Denver, Colorado 80203

March 16, 2021

Rick Miller  
Superior Oilfield Services  
2986 W 29<sup>th</sup> St #12-13  
Greeley CO 80631

**Re: Preliminary Review of a 112 Construction Materials Reclamation Permit Amendment  
Application Package AM02, North Star Pit, Permit M2012-004**

Mr. Miller:

The Division of Reclamation, Mining, and Safety has completed its preliminary adequacy review of your 112 construction materials reclamation permit amendment application. The application was called complete for review on February 18, 2021. All comment and review periods began on February 18, 2021. **The decision date for this application is May 19, 2021. Please be advised that if you are unable to satisfactorily address any concerns identified in this review before the decision date, it will be your responsibility to request an extension of the review period. If there are outstanding issues that have not been adequately addressed prior to the end of the review period, and no extension has been requested, the Division will deny this application. In order to allow the Division adequate time to review your responses to any adequacy issues, please submit your adequacy responses to the Division no later than one week prior to the decision date (May 12, 2021).**

Please note that any changes or additions to the application on file in our office must also be reflected in the public review copy, which has been placed with the Weld County Clerk and Recorder.

The review consisted of comparing the application content with specific requirements of Rule 6.1, 6.2, 6.4 and 6.5 of the Minerals Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials. As with most applications, there are items that will require clarification of the existing information. Any inadequacies are identified under the respective exhibit heading.

**APPLICATION FORM:**

Adequate as submitted

**6.2 GENERAL REQUIREMENTS OF EXHIBITS**

Adequate as submitted



**EXHIBIT A - Legal Description (Rule 6.4.1):** Adequate as submitted

**EXHIBIT B - Index Map (Rule 6.4.2):** Adequate as submitted

**EXHIBIT C - Pre-mining and Mining Plan Map(s) of Affected Lands (Rule 6.4.3):** One or more maps may be necessary to legibly portray the following information:

(a) all immediately adjacent surface owners of record;

*Please include names of all adjacent property owners on the map provided (Konig Ag?, Peters 313 Ranch?), otherwise, adequate as submitted.*

**EXHIBIT D - Mining Plan (Rule 6.4.4):** Adequate as submitted

**EXHIBIT E - Reclamation Plan (Rule 6.4.5):** *Seeding cost for returning the affected area to cropland must be included in the reclamation cost estimate – what crop will be utilized, and what will the cost per acre to seed be for the initial planting?*

**EXHIBIT F - Reclamation Plan Map (Rule 6.4.6):** Adequate as submitted

**EXHIBIT G - Water Information (Rule 6.4.7):** Adequate as submitted.

**EXHIBIT H - Wildlife Information (Rule 6.4.8):** Adequate as submitted

**EXHIBIT I - Soils Information (Rule 6.4.9):** Adequate as submitted

**EXHIBIT J - Vegetation Information (Rule 6.4.10):** Adequate as submitted

**EXHIBIT K - Climate (Rule 6.4.11):** Adequate as submitted

**EXHIBIT L - Reclamation Costs (Rule 6.4.12):** All information necessary to calculate the costs of reclamation must be submitted and broken down into the various major phases of reclamation. You

must provide sufficient information to calculate the cost of reclamation that would be incurred by the state.

*The Reclamation Cost Estimate will be calculated when all adequacy issues have been resolved and site conditions verified through the pre-operation inspection for this amendment. See previous comment requiring cost of initial seeding to return affected area to cropland use. You will also need to provide costs for removal of any Operator-owned on-site equipment (such as scales, conveyors and crushers) and reclaim any roads constructed by the permittee that do not have an agreement in place with the property owner to remain after mining is completed.*

**EXHIBIT M - Other Permits and Licenses (Rule 6.4.13):** If a Weld County Special Use Permit, or Grading Permit is required for this operation, please include it in this list.

**EXHIBIT N - Source of Legal Right to Enter (Rule 6.4.14):** You must provide the source of your legal right to enter and initiate a mining operation on the affected land.

*According to Article III of the lease provided, this lease appears to be valid for 10 years, which would be May of 2021. Is this correct? The copy of this lease as provided is almost illegible. Please provide a legible copy of the lease agreement and commit to renewing the lease with the property owner as required to continue this mining operation.*

**EXHIBIT O - Owner(s) of Record of Affected Land (Surface Area) and Owners of Substance to be Mined (Rule 6.4.15):** Adequate as submitted

**EXHIBIT P - Municipalities Within Two Miles (Rule 6.4.16):** Adequate as submitted

**EXHIBIT Q - Proof of Mailing of Notices to County Commissioners and Soil Conservation District (Rule 6.4.17):** Adequate as submitted

**EXHIBIT R - Proof of Filing with County Clerk and Recorder (Rule 6.4.18):** Adequate as submitted

**EXHIBIT S - Permanent Man-Made Structures (Rule 6.4.19):** Adequate as submitted

Additional Information: You will also need to provide the Division with proof of notice publication as well as proof of notice to surrounding property owners within 200' of the permit. Any letters from other commenting agencies/entities received by the Division to date have been included with this correspondence for you to review.

This concludes the Division's preliminary adequacy review of this application. This letter shall not be construed to mean that there are no other technical deficiencies in your application. Other issues may arise as additional information is supplied. Please remember that the decision date for this amendment application is May 19, 2021. As previously mentioned, 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 there are still unresolved issues when the decision date arrives and no extension has been requested, the application will be denied. If you have any questions, please contact me at (303) 229-9414.

Sincerely,


A handwritten signature in blue ink, appearing to read "Eric Scott", with a stylized flourish at the end.

Eric Scott – Environmental Protection Specialist

Enclosures: SEO Comment Letter



## Response to Reclamation Permit Amendment Application Consideration

DATE: February 25, 2021  
TO: Eric C. Scott, Environmental Protection Specialist  
FROM: Sarah Brucker, P.E.   
RE: North Star Pit, File No. M-2012-004 - AM02  
Applicant/Operator: Superior Oilfield Services Co., Ltd.; (970) 352-4444  
SW¼ Section 22, Twp 12 North, Rng 63 West, 6<sup>th</sup> P.M., Weld County  
Water Division 1, Water District 1

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### CONDITIONS FOR APPROVAL

- ☒ The proposed operation does not anticipate exposing groundwater. Therefore, exposure of groundwater must not occur during or after mining operations.
  - ☒ Water will be used at the site for dust control and processing. The applicant will need to document that the water was obtained from a legal source.
  - ☒ Any stormwater runoff intercepted by this operation that is not diverted or captured in priority must be released to the stream system within 72 hours; otherwise the operator will need to make replacements for evaporation.
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**COMMENTS:** The North Star Pit is a surface mining operation located approximately 6 miles west of Hereford, Colorado. The primary commodities mined at the site are sand and gravel. The applicant has requested an amendment to add 12.2 acres to be mined to the currently permitted 27.16 acres. The new total acreage in the permit area will be 39.36 acres. Upon completion of mining, the site is proposed to be reclaimed to pastureland.

The deposits to be mined are found at a depth of approximately 5-15 feet below ground surface, therefore, no groundwater is anticipated to be encountered at the site.

A water truck will be used at the site if needed for dust control on roadways or during processing. According to the previous amendment application, this water will be obtained from an industrial well leased by the operator located approximately 2 miles north in Wyoming. Estimated water requirements for dust control were given as 6,000 gallons per day.

According to the previous amendment application, stormwater will be contained onsite by berms. Stormwater is proposed to be released in a controlled manner so as to not damage offsite areas in accordance with the operation's stormwater management plan.

Based on the available information, this office has no concerns regarding the requested amendment. The applicant may contact the State Engineer's Office with any questions.

