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Via U.S. Mail and Email: eric.scott@state.co.us

Eric Scott
Division of Reclamation, Mining and Safety
Department of Natural Resources
1313 Sherman St. Room 215
Denver, CO 80203

**RE: E. 8th Street Operation – File No. M-2000-082, Superior Oilfield Services Co., LTD
Surety Reduction Request Application (SR-2)**

Dear Mr. Scott:

I am the Attorney for and represent Greeley Urban Renewal Authority (“GURA”). GURA is the owner/landlord of the referenced property where Superior Oilfield Services Co., LTD (“Superior”) has its sand and gravel mining operation (E. 8th Street Operation – File No. M-2000-082, Superior Oilfield Services Co., LTD). I am in receipt of the document dated May 17, 2021 in which the Division of Reclamation, Mining and Safety (the “Division”) gave notice that Superior has filed a Surety Reduction Request Application (“Notice”). The Notice gives GURA 15 days to file comments or objections if it wants the comments or objections to be considered in the application review process.

I received a copy of the Notice shortly after May 17, the GURA office did not receive the Notice until May 26, 2021. I also received a call from Superior’s Attorney requesting that GURA make any comments or objections known to Superior in advance of submitting any comments to the Division. We intended to honor that request but have run out of time to ensure that our comments are on the record by the June 1, 2021 deadline. We also intended to set a time with Superior to walk the site to review with Superior any issues about reclamation and the bond reduction request. GURA asked Superior months ago to be present when the Division made its inspection, but GURA was not notified by the Division or by Superior of the on-site inspection.

In view of the above and because of vacation schedules and timing, including the Memorial Day weekend, GURA provides the following comments to the Division about the Bond Reduction Request. Given time, we may be able to address these issues directly with Superior, but under the circumstances we need to make them a matter of record before the deadline for inclusion in the review process. GURA would like to make sure that enough surety is retained to address several items of concern:

1. Given the apparent lack of grass growth and weed infestation, GURA believes the entire site may need to be reseeded, along with supplemental reseeding of specific areas, and an aggressive weed management plan.
2. The Reclamation Plan refers to trees and a 150-foot-wide trail and neither is referenced in the summary of the CIRCES bond calculation.
3. Any additional grading necessary to mitigate site erosion and/or slope failure while vegetation becomes established.

In addition to our comments above regarding the surety retainage, we would like to stress to the Division:

- a. No agreement has been reached with GURA to allow access to the site during the additional time for needed reclamation. The existing 4th Amendment of Mining Lease dated June 9, 2019, allows for Superior to be on site until June 9, 2021, for the purpose of reseeding and replanting only. There is no agreement for access after June 9, 2021. GURA and Superior may be able to reach an agreement to extend the Lease, but no agreement is in place now.
- b. Also, no discussion has yet taken place about continuation of the Temporary Water Supply Plan that will need to remain in place until the Reclamation Plan is completed.

As with the reclamation completion, GURA fully intends to address the above two matters directly with Superior.

If you have any questions or observations, please let me know.

Sincerely,
Otis & Bedingfield, LLC



FRED L. OTIS
Attorney at Law