

July 16, 2021

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

RE: Young Ranch Resource Quarry, File No. M-2021-009, 112 Construction Materials Reclamation Permit Application, Notice of Comment and Objection Letters Received

Ms. Todt:

The Division of Reclamation, Mining and Safety (Division) has received a timely comment and objection letter for the Young Ranch Resource Quarry application, File No. M-2021-009. These letters were received within the public comment period which began when the application was filed for review on May 17, 2021, and which closes on July 21, 2021. Because a timely objection has been filed, pursuant to Rule 1.4.9(2)(a), the Division shall schedule the permit application for a hearing before the Mined Land Reclamation Board (Board). Notice of the Board hearing will be sent once it is scheduled.

Timely objections received:

- 1) July 15, 2021 – Objection received from Goltra Ranch West, LLC, dated July 15, 2021.

Agency comments received:

- 1) May 20, 2021 – Comment from History Colorado, State Historic Preservation Office, not dated.

Copies of the letters received are enclosed for your records. Please inform the Division of how the applicant intends to address the jurisdictional issues raised by objectors and any concerns identified by agencies. This information can be submitted during the adequacy review process.

If you have any questions, you may contact me by telephone at 303-866-3567, ext. 8129 (office) or 303-945-9014 (mobile), or by email at amy.eschberger@state.co.us.

Sincerely,



Amy Eschberger
Environmental Protection Specialist

Encls: Letters received, as listed above (2 total)



July 16, 2021
Katie Todt
Lewicki and Associates, PLLC
Page 2 of 2

Cc: Ben Miller, Lewicki and Associates, PLLC
Robert L. Young Jr., Young Ranch Resource, LLC
Michael Cunningham, DRMS

STATE OF
COLORADO

Eschberger - DNR, Amy <amy.eschberger@state.co.us>

Re: Young Ranch Resource Quarry (M-2021-009) (HC # 79806)

Marques - HC, Matthew <matthew.marques@state.co.us>

Thu, May 20, 2021 at 12:50 PM

To: Amy Eschberger - DNR <amy.eschberger@state.co.us>

Dear Ms. Eschberger,

From: History Colorado, Office of Archaeology and Historic Preservation

Attached is our letter on the subject undertaking in Adobe PDF format.

Please contact me at the below information if you have any questions.

Sincerely,

--

Matthew Marques**Section 106 Compliance Manager**

History Colorado | State Historic Preservation Office

303.866.4678 | matthew.marques@state.co.us1200 Broadway | Denver, Colorado 80203 | HistoryColorado.org

The Office of Archaeology and Historic Preservation is now accepting **electronic submissions** through its secure file transfer system, **MoveIT**. Information and registration for MoveIT is available [here](#). Please continue to contact the appropriate personnel or refer to our [website](#) for guidance on permit related items, file searches, and curation agreements.

Under the Colorado Open Records Act (CORA), all messages sent by or to me on this state-owned email account may be subject to public disclosure

 79806_Young Ranch Quarry_M2021009.pdf
204K



Amy Eschberger
Colorado Division of Reclamation,
Mining and Safety
Department of Natural Resources
1313 Sherman St., Room 215
Denver, CO 80203

Re: Young Ranch Resource Quarry (M-2021-009) (HC # 79806)

Dear Ms. Eschberger,

This letter is provided in response to your correspondence dated and received on May 17, 2021 requesting consultation with our office for the above mentioned subject action pursuant to the Colorado State Register Act – Colorado Revised Statute (CRS) 24-80.1.

A review of our records shows that no previously identified cultural resources sit in the area of proposed action. Based on the documentation provided, we find that the subject action will not adversely affect properties listed on or nominated for the SRHP. Please note that our comments should not be interpreted as concurrence under the National Historic Preservation Act or any other environmental law or regulation. If human remains are discovered during ground disturbing activities, the requirements under CRS 24-80 part 13 apply and must be followed. Should the current subject action change, please contact our office for continued consultation under CRS 24-80.1.

In the event that there is federal agency involvement, please note that it is the responsibility of the federal agency to meet the requirements of Section 106 as set forth in 36 CFR Part 800 titled “Protection of Historic Properties”. This includes not only reasonable and good faith identification efforts of any historic properties located within the area of potential effects, but determining whether the undertaking will have an effect upon such properties. The State Historic Preservation Office, Native American tribes, representatives of local governments, and applicants for federal permits are entitled to consultative roles in this process.

We thank you for the opportunity to comment. If we may be of further assistance, please contact Matthew Marques, Section 106 Compliance Manager, at (303) 866-4678 or matthew.marques@state.co.us.

Sincerely,

Steve Turner, AIA
State Historic Preservation Officer

We are now accepting electronic consultation through our secure file transfer system, MoveIT. Directions for digital submission and registration for MoveIT are available at <https://www.historycolorado.org/submitting-your-data-preservation-programs>.

STATE OF
COLORADO

Eschberger - DNR, Amy <amy.eschberger@state.co.us>

Young Ranch Resource Quarry Permit Application M2021-009 (Please send receipt)

Carolyn Goltra <csgoltra@gmail.com>

Thu, Jul 15, 2021 at 12:58 PM

To: amy.eschberger@state.co.us

Dear Amy:

Speaking as the manager of Goltra Ranch West LLC, a Delaware limited liability company ("Goltra"), we would like to object to the Young Ranch resource quarry permit application. We own property in Gilpin County, CO adjacent to the proposed Young Ranch Quarry.

In 2017, we sold the property located east of the Central City Parkway to Young Ranch LLC, which is now proposed to be a valley fill or a waste dump for the Quarry.

The deed that we both signed which conveyed some or all of the property that Young Ranch desires to have be a waste dump (on Sections 27 and 28) contains a deed restriction which had clear intent to restrict mining on the Property as well as restricting ridgeline impacts on these lands (See attached enclosure). We believe that Young is attempting to circumvent the intention of this deed restriction through this application.

In addition to the dishonesty of intent, as land owners in the area, we don't believe that this particular spot can withstand mining without a lot of repercussions – ie. Slides, leeching into the water run off & stream. We haven't seen any intent or due diligence to show otherwise or safeguard the road & stream.

Should you have any questions, please contact me at (917) 710-6962 or email at csgoltra@gmail.com. In addition, kindly send me a receipt of this email so I know it has been read & received.

Respectfully,

Carolyn S. Goltra,
Manager of Goltra Ranch West LLC

Attached: Objection Letter & Special Warranty Deed



2021 0701 Goltra Objection Letter.docx

2828K

July 15, 2021

Division of Reclamation, Mining and Safety
c/o Amy Eschberger
Environmental Protection Specialist
1313 Sherman Street, Room 215
Denver, CO 80203
amy.eschberger@state.co.us

Re: Young Ranch Resource Quarry Permit Application M2021-009

Dear Amy:

Speaking as the manager of Goltra Ranch West LLC, a Delaware limited liability company ("Goltra"), we would like to object to the Young Ranch resource quarry permit application. We own property in Gilpin County, CO adjacent to the proposed Young Ranch Quarry.

In 2017, we sold the property located east of the Central City Parkway to Young Ranch LLC, which is now proposed to be a valley fill or a waste dump for the Quarry.

The deed that we both signed which conveyed some or all of the property that Young Ranch desires to have be a waste dump (on Sections 27 and 28) contains a deed restriction which had clear intent to restrict mining on the Property as well as restricting ridgeline impacts on these lands (See attached enclosure). We believe that Young is attempting to circumvent the intention of this deed restriction through this application.

In addition to the dishonesty of intent, as land owners in the area, we don't believe that this particular spot can withstand mining without a lot of repercussions – ie. Slides, leeching into the water run off & stream. We haven't seen any intent or due diligence to show otherwise or safeguard the road & stream.

Should you have any questions, please contact me at (917) 710-6962 or email at csgoltra@gmail.com.

Respectfully,

Carolyn S. Goltra,
Manager of Goltra Ranch West LLC

Attached: Special Warranty Deed

After Recording Return to
Young Ranch, LLC, a Colorado limited liability company
2804 Champa Street
Denver, CO 80205

SPECIAL WARRANTY DEED

This Deed, made February 7, 2017

Between Goltra West Ranch LLC, a Delaware limited liability company, of the County New Castle, State of Delaware, grantor(s) and Young Ranch, LLC, a Colorado limited liability company, whose legal address is 2804 Champa Street, Denver, CO 80205 County of Denver, and State of Colorado, grantee(s)

WITNESSETH, That the grantor(s), for and in the consideration of the sum of SEVEN HUNDRED TWENTY-FIVE THOUSAND DOLLARS AND NO/100'S (\$725,000.00) the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee(s), his heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Gilpin, State of COLORADO described as follows:

See Exhibit A attached hereto and made a part hereof.

Deed Restriction

- No construction aggregate will be removed from the property
- The building envelopes on each lot, as viewed from Central City Parkway, shall avoid adverse ridge-line impacts. Adverse impact shall occur when the placement of a single story residence would create a silhouette against the sky, or adjacent hillside separated from the residency by a distance of 1/8 mile or greater.

also known by street and number as Vacant Land, Central City, CO

TOGETHER with all and singular hereditaments and appurtenances, thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD said premises above bargained and described, with the appurtenances, unto the grantee, their heirs and assigns forever. The grantor(s), for themselves, their heirs and personal representatives or successors, does covenant and agree that they shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee(s), their heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor(s).

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this on the date set forth above.

SELLER:

Goltra West Ranch LLC, a Delaware limited liability company

Andrew Goltra, Manager

Goltra West Ranch LLC, a Delaware limited liability company

Carolyn S. Goltra
Carolyn Goltra, Manager

STATE OF COLORADO

COUNTY OF *Renew*

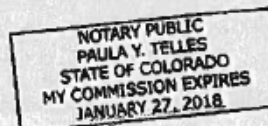
ISS:

The foregoing instrument was acknowledged before me February ²⁰¹⁷ 7, 2017 by Goltra West Ranch LLC, a Delaware limited liability company by: Carolyn Goltra, Manager.

Witness my hand and official seal.

Paula Y. Telles
Notary Public

My Commission expires: *1/27/18*



158347
2 of 4
Gilpin County

After Recording Return to
Young Ranch, LLC, a Colorado limited liability company
2804 Champa Street
Denver, CO 80205

SPECIAL WARRANTY DEED

This Deed, made February 7, 2017

Between Goltra West Ranch LLC, a Delaware limited liability company, of the County Jefferson, State of Colorado, grantor(s) and Young Ranch, LLC, a Colorado limited liability company, whose legal address is 2804 Champa Street, Denver, CO 80205 County of Denver, and State of Colorado, grantee(s)

WITNESSETH, That the grantor(s), for and in the consideration of the sum of SEVEN HUNDRED TWENTY-FIVE THOUSAND DOLLARS AND NO/100'S (\$725,000.00) the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee(s), his heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Gilpin, State of COLORADO described as follows:

See Exhibit A attached hereto and made a part hereof.

****Deed Restriction****

- No construction aggregate will be removed from the property
- The building envelopes on each lot, as viewed from Central City Parkway, shall avoid adverse ridge line impacts. Adverse impact shall occur when the placement of a single story residence would create a silhouette against the sky, or adjacent hillside separated from the residence by a distance of 1/8 mile or greater.

also known by street and number as Vacant Land, Central City, CO

TOGETHER with all and singular hereditaments and appurtenances, thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD said premises above bargained and described, with the appurtenances, unto the grantee, their heirs and assigns forever. The grantor(s), for themselves, their heirs and personal representatives or successors, does covenant and agree that they shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee(s), their heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor(s).

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this on the date set forth above.

SELLER:

Goltra West Ranch LLC, a Delaware limited liability company


Andrew Goltra, Manager

Goltra West Ranch LLC, a Delaware limited liability company

Carolyn Goltra, Manager

STATE OF COLORADO
COUNTY OF

} ss:

The foregoing instrument was acknowledged before me February 7, 2017 by Goltra West Ranch LLC, a Delaware limited liability company by: Carolyn Goltra, Manager.

Witness my hand and official seal.

Notary Public
My Commission expires:



158347
3 of 4
Gilpin County

STATE OF Wisconsin
COUNTY OF Kenosha

Page:

The foregoing instrument was acknowledged before me February 7, 2017 by Goltra West Ranch LLC, a
Delaware limited liability company by: Andrew Goltra, Manager.

Witness my hand and official seal.

Patrick Milne
Notary Public
My Commission ~~expires~~ is permanent.



158347
4 of 4
Gilpin County

Exhibit A

Description of the Land

That portion of the Southeast $\frac{1}{4}$ of Section 28, Township 3 South, Range 72 West of the 6th P.M., lying Easterly and Northeasterly of the paved through lanes of the Central City Parkway; along with, the South $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 27, Township 3 South, Range 72 West of the 6th P.M., lying in Gilpin County; along with, the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 27, Township 3 South, Range 72 West of the 6th P.M.; along with, the South $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 28, Township 3 South, Range 72 West of the 6th P.M.; along with the South $\frac{1}{4}$ of the North $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 27, Township 3 South, Range 72 West of the 6th P.M.,

Except any portion thereof lying within those parcels described in Deed recorded June 18, 203 at Reception No. 117762,

County of Gilpin, State of Colorado.



STATE OF
COLORADO

Eschberger - DNR, Amy <amy.eschberger@state.co.us>

Young Ranch Resource Quarry Permit Application M2021-009 (Please send receipt)

Carolyn Goltra <csgoltra@gmail.com>

Fri, Jul 16, 2021 at 9:46 AM

To: "Eschberger - DNR, Amy" <amy.eschberger@state.co.us>

Carolyn Goltra
2649 17th Street,
Denver CO 80211

csgoltra@gmail.com
917.710.6962

On Jul 16, 2021, at 6:51 AM, Eschberger - DNR, Amy <amy.eschberger@state.co.us> wrote:

[Quoted text hidden]