



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

August 4, 2022

Richard Bower
Bower Brothers Construction, Inc.
595 Taylor St.
Craig, CO 81625

Re: Hertzog Pit (Permit No. M-1981-276)
Amendment No. 1 (AM-01)
Adequacy Review

Dear Mr. Bower:

After reviewing AM-01 from Bower Brothers Construction, Inc., for the Hertzog Pit (Hertzog) the Division has the following comments:

Rule 6.4.4 – Mine Plan

1. Based on previous site inspections for both the Hertzog Pit and Lay Creek Pit (Taylor Pit), berms and ditches were observed on site. Please update the proposed Exhibit D – Section C with discussion regarding any ditches, berms or impoundments associated with surface hydrology found with both pits.
2. Please include the total acreage associated with both the Hertzog Pit and Lay Creek Pit under the proposed Exhibit D – Section D. The Division currently has 15 acres associated with Hertzog and with the proposed changes associated with AM-01, Lay Creek Pit will be increased to a total of 15 acres as well.
3. Please provide an approximate timetable to for the entire site including both the Hertzog Pit and Lay Creek Pit under proposed Exhibit D – Section E.
4. Please update the proposed Exhibit D- Section F(i) to include the nature, depth and thickness of ore body or deposit to be mined and the thickness and type of overburden to be removed for the Hertzog Pit in addition to the Lay Creek Pit.
5. Please update the proposed Exhibit D- Section F(ii) to include the nature of the stratum immediately beneath the material to be mined in sedimentary deposits for the Hertzog Pit in addition to the Lay Creek Pit.
6. Please provide an updated proposed Exhibit – Section G including the primary and/or secondary



commodities associated with the Hertzog Pit.

7. Please provide an updated proposed Exhibit D – Section H including the name and description of the intended use of all expected incidental products to be mined/extracted by both the Hertzog Pit and Lay Creek Pits.

Rule 6.4.5 – Reclamation Plan

8. When reviewing proposed Exhibit E – Section C, it is unclear to the Division if the discussion regarding reclamation time frame includes both the Hertzog and the Lay Creek Pits. If necessary, please update this section to ensure discussion regarding the reclamation time frame is for both Pits.
9. Please update proposed Exhibit E- Section E (ii) to include total acreage for both the Hertzog Pit and Lay Creek Pit.

Rule 6.4.6 – Maps

10. Please provide an updated proposed Exhibit F – Reclamation Map to include the Hertzog Pit as well as the Lay Creek Pit.

Rule 6.4.8 – Wildlife Information

11. Please update the proposed Exhibit H to include the comment/review letter from CPW from the original approval of the Hertzog Pit.

Rule 6.4.12 – Reclamation Costs

12. The Division has reviewed proposed Exhibit L for AM-01. After the review, it appears the proposed reclamation cost estimate provided was the original cost estimate for the Lay Creek Pit (formally Taylor Pit, M-2013-006). The tasks provided doesn't appear to include the tasks associated with the Hertzog Pit as well as the additional 5 acres of affected area proposed with AM-01 associated with the Lay Creek Pit. Please update proposed Exhibit L to include the reclamation tasks and costs associated with the Hertzog Pit as well as additional 5 acres of affected proposed under AM-01.

If you have any questions, feel free to contact me.

Sincerely,



Zach Trujillo
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