



## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

January 18, 2023

Chris Hurley  
IHC Scott, Inc.  
10303 East Dry Creek Rd, Suite 300  
Englewood, CO 80112

**RE: Rifle Gravel Pit #1, File No. M-2021-052 , 112c Construction Materials Regular Operation- Amended Application AM-1, Adequacy Review-3**

Dear Mr. Hurley:

The Division of Reclamation, Mining and Safety (Division) is in the process of reviewing the recently submitted adequacy response in order to ensure that it adequately satisfies the requirements of the Colorado Land Reclamation Act for the Extraction of Construction Materials (Act) and the associated Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules). During preliminary review of the material submitted, the Division determined that the following issue(s) of concern shall be adequately addressed before the application can be considered for approval.

Pursuant to Rule 1.6.6 - If a notice is in error or a change to the application is so substantial, as determined by the Office, that it affects any of the terms contained in the notice that was published in the newspaper or mailed to the owners of the affected and adjacent lands, or **the change is an amendment to the application**, the Applicant shall be required to publish and mail a new notice of the application. In the event that the Applicant is required to issue a new notice, all applicable deadlines shall begin to run anew.

The amendment application which was filed on April 29, 2022 requires a new newspaper publication. To date the Division has yet to receive documentation that this has occurred as required by Rule 1.6.2(1)(g). If you have not already done so, please begin publication as soon as possible. And provide the Division with proof of publication and proof of all required notices.



Please submit your response(s) to the above listed issue(s) by Thursday, January 19, 2023 in order to allow the Division sufficient time for review. The decision date for your application is scheduled for January 19, 2023.

The Division will continue to review your application and will contact you if additional information is needed.

If you require additional information, or have questions or concerns, please feel free to contact me.

Sincerely,



**Amy Yeldell**

Environmental Protection Specialist

Ec:

Travis Marshall, Senior EPS, DRMS