



February 14, 2023

Jodi Schreiber
PFM Consulting, LLC.
1774 N. Cougar Drive
Pueblo West, CO 81007

Re: HCR High Country Repair, Ghost River Gravel Pit, File No. M-2003-002, Incomplete Submittal of 112 Construction Materials Permit Conversion Application

Dear Ms. Schreiber:

On February 3, 2023, the Division of Reclamation, Mining and Safety (Division/DRMS/Office) received the 112 Construction Materials Permit Conversion Application for the Ghost River Gravel Pit, File No. M-2003-002. Preliminary review of the information received determined the following items must be received before the Division can consider the application as being submitted and technical review can begin:

Application Form

1. Applicant/operator or company name (name to be used on permit): On page one, Item 1.1, the Applicant did not provide an answer for "Type of organization". Please fill this item out and resubmit the page.
2. Name of owner of subsurface rights of affected land and Name of owner of surface of affected land: On page two, Items 6 and 7, the applicant lists Natasha Goldberg as the sole owner of the subsurface and surface rights of the affected land. The Division has determined that some affected land on the northwest side of the permit boundary belongs to Chris and Barbara Dickey. Please remove Natasha Goldberg's name and replace the response with "refer to Exhibit O" or include Chris and Barbara Dickey as listed surface and subsurface owners and resubmit the page.

Exhibit A – Legal Description

3. Exhibit A states that the pit is west of I-25 but it is east. Please revise and resubmit the page.

Exhibit B – Index Map

4. Please provide a larger overview map where the major roads (I-25 and County Road 110) are large enough to be easily read.

Exhibit C – Pre-mining and Mining Plan Map(s) of Affected Lands



5. The map legend colors do not coordinate with what is seen on the map for the permit boundary. Please update the map legend.
6. The map legend states the permit boundary to encompass 12.7 acres but the permit application says 13.5 acres. Please correct this discrepancy and update the map legend.
7. Pursuant to Rule 6.4.3(b) the name of all creeks on the area of affected land within two hundred (200) feet of all boundaries of the permit are must be named on this map. Please update this information on the map.
8. Pursuant to Rule 6.4.3(e) the type of present vegetation covering affected lands must be indicated on this map. Please update this information on the map.
9. Pursuant to Rule 6.4.3(g) all owners of permanent man-made structures within two hundred (200) feet of the affected land need to be labeled on the map. Currently, only Natasha's fence is labeled. Please update this information for the other man-made structures on the map.
10. The second map, titled "Ghost River Pit Legal Mining Map Exhibit D" also falls under Exhibit C. Please change the name to "Ghost River Pit Legal Mining Map Exhibit C".

Exhibit D – Mining Plan

11. Please specify in the narrative whether the crusher and screen will be portable or a permanent fixture.
12. Pursuant to Rule 6.4.4(f)(ii) please address the nature of the stratum immediately beneath the material to be mined in the mining plan narrative.

Exhibit E – Reclamation Plan:

13. Pursuant to Rule 6.4.5(2)(a) please include in the narrative the type(s) of reclamation the landowner hopes to achieve and why. In conjunction with this, pursuant to Rule 6.4.5(2)(b) include a comparison of the post mine land use to other present land uses in the vicinity.

Exhibit F – Reclamation Plan Map

14. Please indicate the purpose of the white dashed line in the legend.
15. The map legend colors do not coordinate with what is seen on the map for the permit boundary. Please update the map legend.
16. The map legend states the permit boundary to encompass 12.7 acres but the permit application

says 13.5 acres. Please correct this discrepancy and update the map legend.

17. The map is titled "Ghost River Pit Legal Reclamation Map Exhibit E". This map needs to be labeled as Exhibit F. Please revise the map title to "Ghost River Pit Legal Reclamation Map Exhibit F".

Exhibit G – Water Information

18. Pursuant to Rule 6.4.7(3) and (4) please provide estimates of the volume of water that will be needed for purchase and indicate who the supplier will be.

Exhibit H – Wildlife Information

19. Pursuant to Rule 6.4.8(c) once received, please include any comments from the Colorado Parks and Wildlife service regarding the presence or absence of threatened or endangered species in the area.

Exhibit N- Source of Legal Right to Enter

20. Before the application can be deemed complete the signed copy of the legal right to enter agreement between the Dickey's and Natasha Goldberg must be submitted to the Division.

Exhibit O – Owner(s) of Record of Affected Land (Surface Area) and Owners of Substance to be Mined

21. Pursuant to Rule 6.4.15 all owners of record for the permit area must be included in this exhibit. Please include Chris and Barbara Dickey and resubmit this exhibit.

Exhibit S – Permanent Man-made Structures

22. When returned, please submit the signed structure agreements for the permanent man-made structures within two hundred (200) feet of the affected lands.

Addendum 1:

23. Pursuant to Rule 1.6.2(1)(b) "Prior to submitting the application to the Office for a 112 Reclamation Permit, post notices (signs) at the location of the proposed mine site, as required by the Office, of sufficient number and a minimum size of eleven (11) inches wide by seventeen (17) inches high, with appropriate font size, to clearly identify the site as the location of a proposed mining operation giving name, address, and phone number of the Applicant, and stating that (name of Applicant) has applied for a mining permit with the Colorado Mined Land Reclamation Board". Please submit photo evidence that this has been complied with or provide a signed affidavit that such notice signs were posted.

The application will not be considered filed until the information listed above is received and found sufficient to begin our review. A decision date will be established 90 days from the date of receipt of all the requested information.

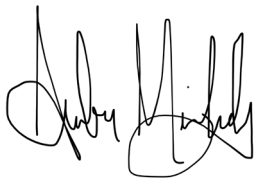
You have sixty (60) days from the above date to submit all necessary documents the Office needs for the application to be considered filed. If, at the end of the sixty day period, the application has not been determined to be filed with the Office, the Office shall deny the application and terminate the application file.

The response due date is April 15, 2023.

This letter shall not be construed to mean there are no other technical deficiencies in the application. The Division will review your application to determine whether it is adequate to meet the requirements of the Act after submittal of all required items.

If you have any questions, please contact me at amber.michels@state.co.us or (720) 836-0967.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amber Michels', with a stylized, cursive script.

Amber Michels
Environmental Protection Specialist

Ec: Jared Ebert, DRMS

Cc: Natasha Goldberg, HCR- High Country Repair