



**COLORADO**  
Division of Reclamation,  
Mining and Safety  
Department of Natural Resources  
Rm 215  
1001 E 62nd Ave  
Denver CO 80216

August 21, 2023

Randy Foster  
West Fish Creek Ranch, LLC  
3108 Harvard Ct.  
Plano, TX 75093

**RE: Kagie Gravel Pit, Permit No. M-1979-102, Technical Revision (TR-3), Adequacy Review #2**

Randy Foster:

On August 15, 2023, the Division of Reclamation, Mining and Safety (Division) filed your Technical Revision request (TR-3) for the Kagie Gravel Pit, Permit No. M-1979-102. During review of the material submitted, the Division determined that the following issue(s) of concern need to be adequately addressed before the Technical Revision can be considered for approval. Please provide the following:

- 1) Please clarify what the use of the sediment pond is to be in final reclamation. Is it expected that the pond will still function as a sediment pond in final reclamation or will it be left for another use?
- 2) The Division has identified an area included in the original permit boundary which has been omitted as part of the proposed boundary adjustment in TR3. This area is approximated to be about 0.60 acres (Google Earth measurement imagery attached). While it is understood that this permit as well as adjoining areas outside the permit boundary have been mined under pre-law conditions, google earth imagery (attached) suggests that this southern, 0.60 acre area has been disturbed since formal permitting of the site in 1979. This area is included within the original permit boundary and therefore no violations for mining outside of the permit boundary have occurred. However, while this area looks to be visibly re-vegetated, the Division still would need to formally release any areas disturbed by permitted mining operations before it can be removed from the permit boundary. Please provide clarification on the history of this southern area. If the area has been disturbed since 1979, please include this 0.60 acres within the proposed permit boundary.

Please submit your response(s) to the above listed issue(s) by Friday, **September 8, 2023**, in order to allow the Division sufficient time for review. If you cannot address the above issues by September 8, 2023, please request an extension to the decision due date in order to ensure adequate time for the Division to review the materials. A decision due date of September 14, 2023 has been



set. If any adequacy issues remain by the decision due date the Division may deny your request.

The Division will continue to review your Technical Revision 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 at 720-868-7757 or [hunter.rildey@state.co.us](mailto:hunter.rildey@state.co.us)

Sincerely,  
Hunter C. Ridley

A handwritten signature in blue ink that reads "Hunter Ridley". The signature is written in a cursive, flowing style.

Environmental Protection Specialist  
CC: Michael Cunningham, DRMS