



September 12, 2023

Julie Mikulas  
Martin Marietta Materials, Inc.  
1800 N. Taft Hill Road  
Fort Collins, CO 80521

**RE: Cortner Pit - File No. M-1986-159, Acreage Release Request Application (AR-2) Area Reduction to correct discrepancy in acres**

Dear Julie Mikulas:

On September 11, 2023, the Division of Reclamation, Mining and Safety received your 112c Construction Materials Reclamation Permit Acreage Release Request application for the Cortner Pit, which is located in Pueblo County. Preliminary review of the information received determined that the following additional information must be received before the Division can consider your application complete and technical review can begin. Thus, your application is incomplete for the purposes of filing as of September 12, 2023 for the following:

- Unfortunately, submitting an acreage release via an ePermitting form should not have been an option within ePermitting. This is not the correct form for an acreage reduction request. A form that adheres to the requirements of 4.17.2 is enclosed with this notice. Pursuant to 4.17.2(3), the attached form must be sent via certified mail.
- There are discrepancies concerning the 73.39 acreage submitted. By the Division's calculations, the acreage approved should be 86.12 acres.
  - Prior to AR-1, the acreages in Phases I-IV totaled 83.25 acres. With AR-1, an acreage swap was submitted to replace the 16.98 Phase IV area with a new 16.71 Phase V area.
    - This brought the total to 83.01 for Phases I, II, III, and V, plus 3.14 acres of roads, totaling 86.12 permitted acres.
  - It appears that Phase V isn't included in the calculations on the map submitted with the AR-2 request. Are you requesting a release of that entire phase at this time? Or is the portion of Phase V that has been affected that currently contains the Tamarisk cited in the April 2023 inspection included in the southern phase-portion's calculations?
  - The acreages provided on the AR-2 map for the Phases and the road do not match what has been approved (see the document with the AR-1 map and the AR-2 map submission). Are these new acreages updated from a recent land survey?
  - The Phase names/numbers outlined on the Map do not follow the approved mining plan. To update the approved permit to reflect updates to acreages and/or phasing a



technical revision must be submitted. The purpose of the map submitted with an AR request is to show changes proposed to the currently approved plan.

**Please address the above discrepancies with the re-submission of the AR-2 form.**

You have thirty (30) days from September 12, 2023 to submit all necessary documents that the Division needs for the application to be considered filed. If, at the end of the thirty day period, the application has not been determined to be complete and filed, the Division may deny the application and terminate the application file.

This letter shall not be construed to mean that there are no other technical deficiencies in your 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 by telephone at 720-836-0967, or by email at [amber.michels@state.co.us](mailto:amber.michels@state.co.us).

Sincerely,

A handwritten signature in blue ink, appearing to read "Amber Michels", is positioned above the typed name.

Amber Michels  
Environmental Protection Specialist

*Enclosures:      Acreage Release Form  
                         AR-1 Map submission and AR-2 Map submission (Acreage discrepancies per Phases)*

Ec:      Brock Bowles, DRMS  
         Jared Ebert, DRMS



**COLORADO**

**Division of Reclamation,  
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

**REQUEST FOR FULL OR PARTIAL RELEASE OF PERMIT AREA/SURETY REDUCTION**

Please indicate if you are requesting:

FULL/FINAL RELEASE OF ENTIRE PERMITTED AREA (per Rule 4.17)

\_\_\_\_\_

ACREAGE REDUCTION (PARTIAL RELEASE per Rule 4.17)

\_\_\_\_\_

I wish to release \_\_\_\_\_ acres at this time.

You will need to submit with this request: a map showing the acreage to be released from the current permit and updated mining and reclamation plan maps that will accurately depict the new permit boundary if the release is approved.

SURETY (Bond) REDUCTION (per Rule 4.14)

\_\_\_\_\_

If you are requesting a surety (bond) reduction you will need to include with this request a new estimate of the actual cost to reclaim the site based on what it would cost an independent contractor to complete reclamation, including unit costs for reclamation activities as appropriate to the operation to comply with the provisions of Rule 3.1 and the Permit's approved Reclamation Plan.

File No.: M \_\_\_\_\_

Site Name: \_\_\_\_\_

County: \_\_\_\_\_

Permittee: \_\_\_\_\_

Permittee Address: \_\_\_\_\_  
(Street Address)

\_\_\_\_\_  
(City)

\_\_\_\_\_  
(State)

\_\_\_\_\_  
(Zip)



Operator (If Other than Permittee): \_\_\_\_\_

Permittee Representative: \_\_\_\_\_

Certified Mail # \_\_\_\_\_

In accordance with Rule 4.17.1(2) the Operator shall include the names, addresses and phone numbers of all owners of record to the affected land. Please attach additional sheets for this information if required.

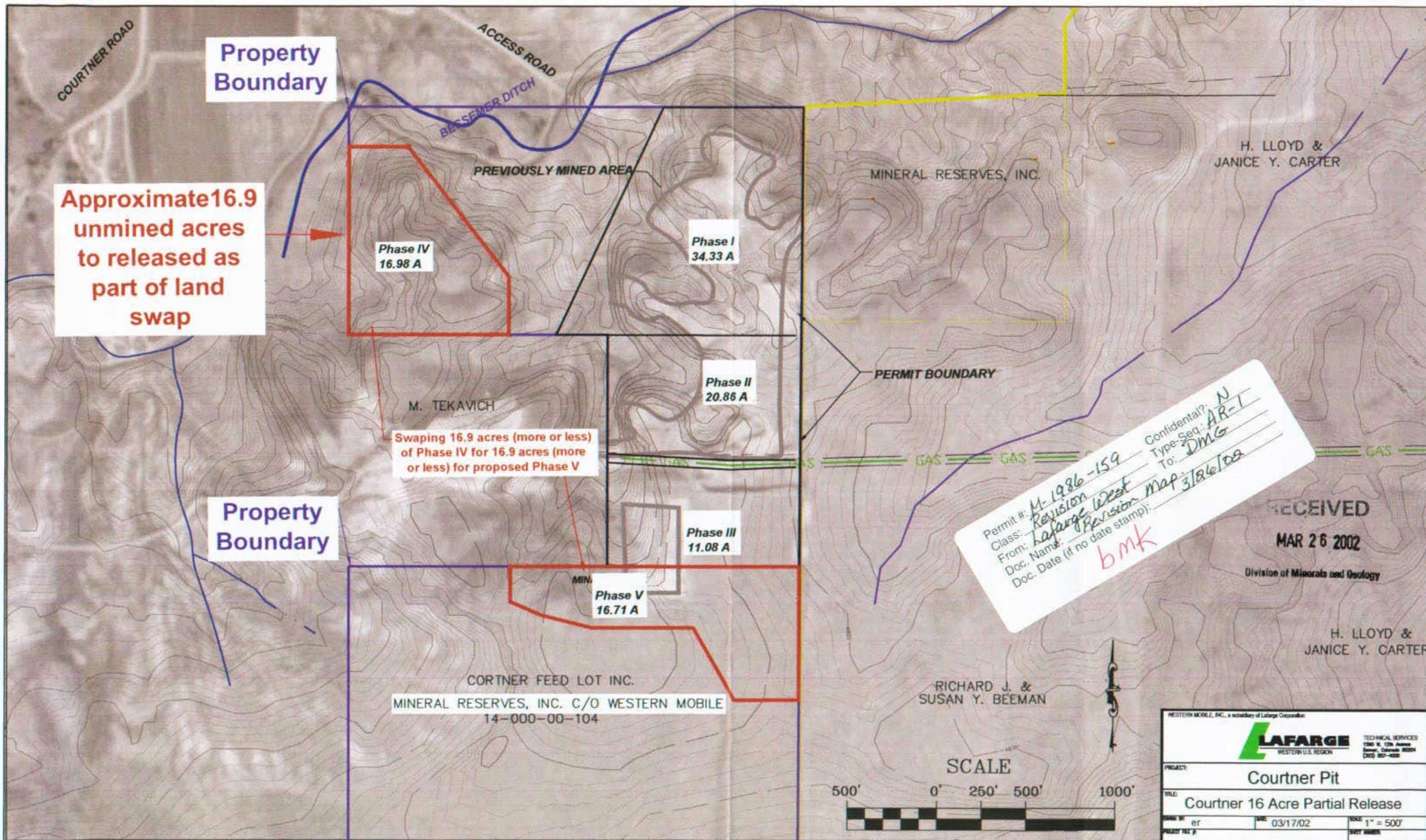
<u>Name</u>	<u>Address</u>	<u>Phone Number</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

In accordance with Rule 4.17.1(4), if requesting a partial acreage release the Operator or their agent MUST sign that they have complied with the following statement: “All applicable portions of the Reclamation Plan requirements have been satisfied in accordance with these Rules and all applicable requirements under the Act.”

\_\_\_\_\_  
Signature of Permittee, Operator or their authorized agent      \_\_\_\_\_  
Date

*Important: In accordance with Rules 4.14.2(a) and 4.17.1(3) This release request must be submitted to the Division via certified mail and separate from any other correspondence to the Division.*





Approximate 16.9  
unmined acres  
to released as  
part of land  
swap

Swaping 16.9 acres (more or less)  
of Phase IV for 16.9 acres (more  
or less) for proposed Phase V




Permit # 14-1986-159  
Class: Revision  
From: Name: Lafarge West  
Doc. Name: Revision map  
Doc. Date (if no date stamp): 3/18/02  
Confidential? N  
Type Seq: AR-1  
To: DMG  
bmk

RECEIVED  
MAR 26 2002  
Division of Minerals and Geology

WESTERN MOBILE, INC., a subsidiary of Lafarge Corporation	
<b>LAFARGE</b> WESTERN U.S. REGION	
TECHNICAL SERVICES 1200 E. 12th Avenue Denver, Colorado 80202 (303) 357-4000	
PROJECT:	Courtner Pit
TITLE:	Courtner 16 Acre Partial Release
DATE:	03/17/02
SCALE:	1" = 500'



## Legend

-  Gas Line ROW
-  Cortner Property Boundary
-  Cortner Permit Boundary

**Total Acreage: 73.79**



Scale (ft)

400 0 400 800



West Division - Rocky Mtn District  
1627 Cole Blvd, Ste 200  
Lakewood, CO 80401

**CORTNER PERMIT AND  
PROPERTY BOUNDARIES**

Drawn By: ALH

Date: 9/8/2023

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