



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

January 9, 2024

Hannah Dutrow
AGPROfessionals
3050 67th Ave.
Greeley, CO 80634

**RE: Silage Project, Reference No. M-2024-001, Division Response to “Is It Mining?”
Questionnaire, No Permit Required**

Dear Ms. Dutrow,

On December 28, 2023, the Division of Reclamation, Mining and Safety (Division) received information for an “Is It Mining” questionnaire regarding a proposed project to create a pond and silage pad for an existing dairy facility. The grading project will occur on private property and no material will leave the site. Please use the reference number M-2024-001 regarding any correspondence or submittals for this site in the future.

The Mined Land Reclamation Board has requested the Division make determinations as to the need for a Mined Land Reclamation Permit. Based on the information provided in the questionnaire, the Division has determined **a permit is not required for the proposed activity**. Please be advised this determination is being made based on the information provided by AGPROfessionals. Any significant deviation from the described activity could result in review and possible reversal of this determination.

If you disagree with this decision, you may petition to appear before the Board during a formal public hearing for a Declaratory Order concerning this matter. Pursuant to Rule 2.5.2(1), the request must be submitted to the Board in writing and be received no later than 10 days prior to the hearing. The written request must contain the information required pursuant to Rule 2.5.2(2) (copy enclosed). The next available Board hearing will be held on February 21, 2024. All hearings are held at 1313 Sherman St., Room 318, in Denver, Colorado 80203.

If you have questions, please contact me at (303) 866-3567 ext. 8116.

Sincerely,

Michael A. Cunningham
Acting Director

CC: Russ Means, DRMS

