



COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY

1313 Sherman Street, Room 215, Denver, Colorado 80203 ph(303) 866-3567

REQUEST FOR TECHNICAL REVISION (TR) COVER SHEET

File No.: M- 1977-081 Site Name: Greeley West, Tract A

County Weld TR# _____ (DRMS Use only)

Permittee: Cottonwood Land and Farms, LLC

Operator (If Other than Permittee): _____

Permittee Representative: Bill McDowell

Please provide a brief description of the proposed revision: _____
DMG Inspection Report Requirement.

As defined by the Minerals Rules, a Technical Revision (TR) is: "a change in the permit or application which does not have more than a minor effect upon the approved or proposed Reclamation or Environmental Protection Plan." The Division is charged with determining if the revision as submitted meets this definition. If the Division determines that the proposed revision is beyond the scope of a TR, the Division may require the submittal of a permit amendment to make the required or desired changes to the permit.

The request for a TR is not considered "filed for review" until the appropriate fee is received by the Division (as listed below by permit type). Please submit the appropriate fee with your request to expedite the review process. After the TR is submitted with the appropriate fee, the Division will determine if it is approvable within 30 days. If the Division requires additional information to approve a TR, you will be notified of specific deficiencies that will need to be addressed. If at the end of the 30 day review period there are still outstanding deficiencies, the Division must deny the TR unless the permittee requests additional time, in writing, to provide the required information.

There is no pre-defined format for the submittal of a TR; however, it is up to the permittee to provide sufficient information to the Division to approve the TR request, including updated mining and reclamation plan maps that accurately depict the changes proposed in the requested TR.

Required Fees for Technical Revision by Permit Type - Please mark the correct fee and submit it with your request for a Technical Revision.

<u>Permit Type</u>	<u>Required TR Fee</u>	<u>Submitted</u> (mark only one)
110c, 111, 112 construction materials, and 112 quarries	\$216	<input checked="" type="checkbox"/>
112 hard rock (not DMO)	\$175	<input type="checkbox"/>
110d, 112d(1, 2 or 3)	\$1006	<input type="checkbox"/>

Request for Technical Revision of

Mined Land Reclamation Board Permit No. M-1977-081

February 18, 2024

Cottonwood Land and Farms, LLC ("Cottonwood") is the operator of record for Permit M-1977-081, which covers the Greeley West-Tract A ("Tract A"). Cottonwood owns the Tract A Parcel associated with Permit M-1977-081. This Technical Revision is being filed consistent with the outcome of a meeting between representatives of Cottonwood and the Division of Mining Reclamation and Safety ("DRMS" or Division) (Robert Zuber) on Friday, January 12, 2024, at the Denver offices of the Division of Mining Reclamation and Safety. The Technical Revision addresses and resolves the mine plan issues identified in a Mineral Programs Inspection Report dated December 21, 2023, related to a DRMS inspection of Tract A conducted on December 19, 2023. The following changes to Permit No. M-1977-081 will not have more than a minor effect on the currently approved reclamation plan. Construction Materials Rule 1.1(53).

1. Should Cottonwood initiate mining on Tract A, it shall first seek to revise or otherwise amend Permit M-1977-081 to ensure that the currently approved mining and reclamation plans comply with the Division's then effective Construction Materials Statute and Rules, which may require revision or amendment of mining and/or reclamation plan elements related, but not limited to the protection of the prevailing hydrologic balance and measures to prevent stream capture in the event of flooding.
2. Should Cottonwood sell Tract A to a third party unaffiliated with Cottonwood and should the new owner seek to initiate mining on Tract A, Cottonwood will execute a Succession of Operator ("SO") to transfer Permit M-1977-081 to the new owner. The SO shall stipulate that the new owner will apply to the Division before initiating mining to revise or otherwise amend Permit M-1977-081 to ensure the approved mining and reclamation plans comply with the Division's then effective Construction Materials Statute and Rules, which may require revision or amendment of mining and/or reclamation plan elements related, but not limited to the protection of the prevailing hydrologic balance and measures to prevent stream capture in the event of flooding.

The Division must act on an application for Technical Revision within thirty (30) days after it has been filed. A Technical Revision is considered filed when the submittal includes the appropriate fee (\$216). A Technical Revision shall be considered automatically approved within thirty (30) days after filing unless the Division requires additional information, or the application is denied. Construction Materials Rule 1.9.1. Should the Division deny the application, the Division will notify Cottonwood in writing within ten (10) days after the decision deadline. Cottonwood may appeal the decision to the Mined Land Reclamation Board for a final determination by submitting a petition for a hearing pursuant to the provisions of Construction Materials Rule 1.4.11 (Construction Materials Rule 1.9.2).