

STATE OF
COLORADO

Ebert - DNR, Jared <jared.ebert@state.co.us>

Is It Mining? - DRMS Determination, File No. M-2024-004

Ebert - DNR, Jared <jared.ebert@state.co.us>

Fri, Feb 23, 2024 at 3:31 PM

To: kelsey.madsen@ditescoservices.com

Cc: Patrick Lennberg - DNR <patrick.lennberg@state.co.us>

Hello Kelsey,

We received your Is It Mining? questionnaire. Please see the attached determination letter. A reclamation permit will not be required for this project. However, you will need to submit a Notice of Intent (NOI) to conduct exploration. Patrick Lennberg with DRMS (copied on this email) can answer any questions you may have on the NOI process.

Thank you for reaching out to DRMS regarding this project. Let me or Patrick know if you have any questions or concerns.

Jared

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Jared Ebert

Senior Environmental Protection Specialist

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

P 303.866.3567 ext. 8120 | F 303.832.8106 | Cell (720) 413-6466

Physical: 1313 Sherman Street, Room 215, Denver, CO 80203

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jared.ebert@state.co.us | <https://drms.colorado.gov/>**M2024004_IsItMining_Determination_23Feb2024.pdf**
188K



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

February 23, 2024

Kelsey Madsen

Email: kelsey.madsen@ditescoservices.com

RE: Proposed Test Pit, Larimer County, South of Halligan Reservoir, DRMS File Number M-2024-004, Division Response to “Is It Mining?” Questionnaire, Need to File Notice of Intent

Dear Kelsey Madsen,

On February 21, 2024, the Division of Reclamation, Mining and Safety (Division) received information for an “Is It Mining” questionnaire regarding a proposed project to be located south of Halligan Reservoir in Larimer County, about fourteen miles north of Livermore. It appears the aim of the project is to obtain samples of rock from an excavation that is planned to occur on the south side of Halligan Reservoir. The samples will be sent to a laboratory for testing to determine if the material will meet certain specifications for a future dam construction project. The questionnaire indicates an area of one acre will be excavated to remove less than 3,000 cubic yards of material; of which only two to four super sacks of material will be transported to a testing laboratory.

The Mined Land Reclamation Board (“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 reclamation permit is not required for the proposed activity. Any significant deviation from the described activity could result in review and possible reversal of this determination. However, the proposed project would be considered exploration as defined in C.R.S. 34-32.5-103(9). Therefore, the operator must obtain approval of a Notice of Intent to conduct exploration prior to conducting this project in accordance with C.R.S. 34-32.5-113(1).

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 seven days prior to the hearing. The written request must contain the information required pursuant to Rule 2.5.2(2). The next available Board hearing will be held on March 20, 2024. All hearings are held at 1313 Sherman St., Room 318, in Denver, Colorado 80203. If you have questions please contact me at Jared.Ebert@state.co.us or at (303) 866-3567 extension 8120.

Sincerely,

Jared Ebert
Senior Environmental Protection Specialist

EC: Russ Means, DRMS
Patrick Lennberg, DRMS

