



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

April 1, 2024

Tom Andersen
Yuma County Road and Bridge
1310 Blake
Wray, CO 80758

**Re: Notice of Filing Deficiencies, 110c Construction Materials Application
Ritchey Pit, File No. M-2023-027**

Dear Mr. Andersen.

On March 19, 2024, the Division of Reclamation, Mining and Safety received your 110c Construction Materials Reclamation Permit Application package for the Ritchey Pit Reclamation, File No. M-2023-027. Preliminary review of the information received determined that the following additional information must be received before the Division can consider your application as being submitted and technical review can begin.

Application Form

1. Question 1.1. On Page 1 of the application, the Type of Organization was left blank. Please revise to read "County Government" and submit a replacement Page 1 of the application form.
2. Question 2. The Operation Name should be consistent throughout the application. Please revise Item 2 on the first page of the application to read "Ritchey Pit Reclamation" and submit a replacement Page 1 of the application form.
3. Question 3.2. The applicant states the proposed total acres in the permit boundary is 0.486 acre. Does this boundary allow enough space to operate and move equipment around the excavation? The applicant should consider each reclamation component and ensure that the proposed permit boundary allows sufficient room to complete the work without impacting lands outside the permitted boundary. Additionally, the Reclamation Plan in Exhibit D states "prior to mining, vegetation was separated and is stored around the perimeter of the site". Does the 0.486-acre boundary include the existing vegetation storage area? In your response, please indicate the total area of the existing excavation and the work area buffer around the excavation. If necessary, revise the Permitted Acreage in Question 3.2 and resubmit Page 1 of the application form.
4. Question 5. On the first page of the application, the primary commodity to be mined was left blank. The Division is aware the material has already been mined and no additional mining is proposed. However, please revise Question 5 to read "sand" and submit a replacement Page 1 of the application.



5. Question 10. On Page 3 the quarter/quarter section was left blank. Please provide the missing information and submit a replacement Page 3 of the application form.
6. Question 10. On Page 3, the General Description was left blank. Please provide the missing information (distance to nearest town and approximate elevation of the mine site) and submit a replacement Page 3 of the application form.
7. Responsibilities. Question 10 on Page 5 is initialed. Since the permittee is a County Government, the question does not require initials. Please indicate "N/A" for the question and submit a replacement Page 5 of the application form.

Exhibit A – Legal Description and Location Map

8. The parcel maps submitted for Exhibit A do not meet the requirements of the rules for Exhibit A. Please provide a location map which complies with Rule 6.3.1(3). A standard U.S. Geological Survey topographical quadrangle or equivalent is acceptable. The map should be at a scale that is sufficient to determine the location of the affected land and the existing roads to be used in connection with the operation and include the following information:
 - a. Label the location of the proposed operation and the mine site name.
 - b. Label the name of the surface owner and all surface owners immediately adjacent to the site.
 - c. Since this is a reclamation only application, pursuant to Rule 6.3.2(b), please also label all the permanent structures within 200 feet of the operation and the owners of each structure on this map.
9. The parcel number for the mine site is incorrect on the first page of Exhibit A. Please review and correct the parcel numbers listed for Merle and Charlotte Ritchey, and David and Paula Wingfield, and submit a replacement Exhibit A page.

Exhibit E – Reclamation Plan Map

10. The Reclamation Plan Map in Exhibit E does not meet the minimum requirements of the rules. Please resubmit a map which complies with the general requirements of Rule 6.2.1(2) and the specific requirements of Rule 6.3.5(3).

The map should be drawn to a scale no smaller than appropriate to clearly show all the elements of the Reclamation Plan and includes the following information:

- a. name of Applicant;
- b. north arrow;
- c. date prepared;
- d. must be signed by a registered land surveyor or professional engineer or other qualified person;
- e. outline the area that corresponds to the proposed permit boundary and note the area;
- f. indicate the dimensions of the existing excavation and the dimensions of the work area that will be utilized;

- g. indicate the location of the existing vegetation/overburden storage area;
- h. show the gradient of all reclaimed slopes (horizontal:vertical) sufficient to describe the post mine topography;
- i. state the average thickness of replaced overburden;
- j. state the average thickness of topsoil.

Exhibit L – Permanent Man-Made Structures

- 11. The first page of the structure agreement with Y-W Electric for the overhead powerline was not submitted with the application. The Division only received the second page, a Notary page for the structure owner. Please submit the Certification and Notary page for the applicant.

Your application will not be considered submitted until all the information listed above is received and found sufficient to begin our review.

Pursuant to Rule 1.4.1(8), you have sixty (60) days from the above date to submit all necessary documents that the Office needs for an application to be considered filed. If, at the end of the sixty-day period, the application has not been determined to be filed with the Office, the Office may deny the application and terminate the application file. **The response to this notice is due on or before May 31, 2024.**

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 303-866-3567 x 8126, or by email at nikie.gagnon@state.co.us.

Sincerely,



Nikie Gagnon
Environmental Protection Specialist

Cc: Amy Eschberger