



June 28, 2024

JC York
J&T Consulting, Inc.
c/o Ogilvy River Farms, LLC
305 Denver Ave – Suite D
Fort Lupton, CO 80621

**RE: Ogilvy River Farm Pit (Permit No. M-2024-006)
Adequacy Review #2**

Dear Mr. York:

On June 21, 2024, the Division of Reclamation, Mining and Safety received your Adequacy Review Responses for the Ogilvy River Farm Pit, File No. M-2024-006, application. The following questions need to be addressed and/or received before the Division can approve the application.

Rule 6.4 - Specific Exhibit Requirements - 112 Reclamation Operation

Rule 6.4.1 EXHIBIT A - Legal Description- Adequate as submitted.

Rule 6.4.2 EXHIBIT B – Index Map - Adequate as submitted.

Rule 6.4.3 EXHIBIT C – Pre-mining and Mining Plan Map- Adequate as submitted.

6.4.4 EXHIBIT D – Mining Plan

1. Adequate as submitted.
2. The 1,146,176 cy of backfill material to reclaim the slopes from 2h:1v to 4.5h:1v will come from the overburden material. Will a stockpile be set aside containing this volume of material? Will the 2v:1h slopes be contemporaneously backfilled as the mining highwall advances?

6.4.5 EXHIBIT E – Reclamation Plan – Adequate as submitted.

6.4.6 EXHIBIT F - Reclamation Plan Map –

3. Adequate as submitted.
4. Adequate as submitted.



6.4.7 EXHIBIT G - Water Information-

5. Adequate as submitted.
6. Adequate as submitted.
7. The operator committed to monitoring all wells for inclusion of establishing baseline information in the June 1 adequacy response. However, the text in Exhibit G was not updated to reflect this change and no additional data was submitted.
8. See #7 above.
9. See #7 above.
10. Adequate as submitted.
11. Adequate as submitted.
12. See #7 above.
13. Adequate as submitted.

6.4.8 EXHIBIT H - Wildlife Information -

14. Adequate as submitted.
15. Adequate as submitted.

6.4.9 EXHIBIT I - Soils Information - Adequate as submitted.

6.4.10 EXHIBIT J - Vegetation Information - Adequate as submitted.

6.4.11 EXHIBIT K - Climate - Adequate as submitted.

6.4.12 EXHIBIT L - Reclamation Costs

16. A cost estimate was not completed at this time because a significant amount of information needed to complete an estimate was requested in this adequacy review. A cost estimate will be completed when the information is received, and J&T Consulting will have an opportunity to review/comment on it.

6.4.13 EXHIBIT M - List of Other Permits and Licenses Required - Adequate as submitted.

6.4.14 EXHIBIT N - Source of Legal Right-to-Enter - Adequate as submitted.

6.4.15 EXHIBIT O Owner(s) of Record of Affected Land and Substance to be Mined – Adequate as submitted.

6.4.16 EXHIBIT P - Municipalities Within a Two-Mile Radius: Adequate as submitted.

6.4.17 EXHIBIT Q - Proof of Mailing of Notices to Board of County Commissioners and Conservation District- Adequate as submitted.

6.4.18 EXHIBIT R - Proof of Filing with County Clerk and Recorder - Adequate as submitted.

6.4.19 EXHIBIT S - Permanent Man-made Structures

- 17. Adequate as submitted.
- 18. Adequate as submitted.
- 19. Adequate as submitted.
- 20. Adequate as submitted.

The decision date for this application is July 9, 2024. If you are unable to provide satisfactory responses to any inadequacies prior to this date, it will be your responsibility to request an extension of time to allow for continued review of this application.

All corrected pages must be provided to the Weld County Clerk & Recorder.

If you have any questions, please contact me at (720) 774-0040 or brock.bowles@state.co.us.

Sincerely,



Brock Bowles
Environmental Protection Specialist