



CHEYENNE COUNTY BOARD OF COMMISSIONERS

P.O. Box 567, 51 South 1st Cheyenne Wells, CO 80810 Website: www.co.cheyenne.co.us
Phone: (719) 767-5872 Fax: (719) 767-5753 Email: ccadmin@rebeltec.net

July 26, 2024

Division of Reclamation, Mining & Safety
Attn: Nikie Gagnon, Environmental Protection Specialist
1313 Sherman Street, Room 215
Denver, CO 80203

Re: Inspection Corrective Actions (Mattics Pit, #M-2021-044)

Dear Ms. Gagnon,

We are in receipt of your email report May 24, 2024 regarding the aforementioned construction materials reclamation pit permit inspection in Cheyenne County, Colorado. We thank you for allowing for an extension to respond to the inspection report findings. We have attached information with this letter in order to have the inspection corrective actions be considered resolved.

Problem 1: Attached is a copy of the notarized structure agreement with the owner of the wells, which was submitted with the transfer application paperwork. The landowner indicated that he felt it was necessary to add an additional well in the permit area to prevent stormwater. The well will serve as a culvert and re-route the potential stormwater to a water tank outside of the permit boundary for his cattle to drink. The road and bridge staff have marked the well location to prevent hitting. The Road & Bridge crews marked the well site with a post and cover to prevent being hit.

Problem 2: Attached are photographs showing the pit signs and markers.

Problem 3: Attached are pictures of seeding activities and removing stockpile material to prevent erosion and the seed sales' order.

If you have any questions or concerns, please do not hesitate to contact me at the address, phone number or email address listed above.

Sincerely,

Marcy L. Brossman
Cheyenne County Administrator
Attachments

R.J. Jolly, Commissioner, Vice Chairman

Ronald R. Smith, Commissioner, Chairman

Darin C. Dickey, Commissioner

Marcy L. Brossman, Administrator

Allison Brown, Clerk to the Board

Structure Agreement

This letter has been provided to you as the owner of a structure on or within two hundred (200) feet of a proposed mine site. The State of Colorado, Division of Reclamation, Mining and Safety ("Division") requires that where a mining operation will adversely affect the stability of any significant, valuable and permanent man-made structure located within two hundred (200) feet of the affected land, the Applicant shall either:

Provide a notarized agreement between the Applicant and the Person(s) having an interest in the structure, that the Applicant is to provide compensation for any damage to the structure; or

Where such an agreement cannot be reached, the Applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or

Where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility. (*Construction Materials Rule 6.3.12 and Rule 6.4.19 & Hard Rock/Metal Mining Rule 6.3.12 and Rule 6.4.20*)

The Colorado Mined Land Reclamation Board ("Board") has determined that this form, if properly executed, represents an agreement that complies with Construction Materials Rule 6.3.12(a), Rule 6.4.19(a), and C.R.S. § 34-32.5-115(4)(e) and with Hard Rock/Metal Mining Rule 6.3.12(a), Rule 6.4.20(a), and C.R.S. § 34-32-115(4)(d). This form is for the sole purpose of ensuring compliance with the Rules and Regulations and shall not make the Board or Division a necessary party to any private civil lawsuit to enforce the terms of the agreement or create any enforcement obligations in the Board or the Division.

The following structures are located on or within 200 feet of the proposed affected area:

1. Water Impoundment
2. Fences
3. Well and Stock Pond
4. Barn and Corrals

NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner Mattie's Family Discretionary Trust Name Amy Church aka Amy Tagtmeier
Date 3-6-24 Title Trustee

STATE OF Colorado,
COUNTY OF Cheyenne ss.

The foregoing was acknowledged before me this 6th day of March, 2024 by

Amy Church aka Amy Tagtmeier as Trustee of Mattie Family Discretionary Trust

(Barbara McCain) My Commission Expires: 3/22/2025
Notary Public

BARBARA MCCOIN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19974003035
MY COMMISSION EXPIRES MARCH 22, 2025

CERTIFICATION

The Applicant, Cheyenne County, Colorado (applicant/company name), by Ronald R. Smith (representative's name), as Chairman (representative's title), does hereby certify that Mattics Family Discretionary Trust/Amy Church, Trustee (structure owner) shall be compensated for any damage from the proposed mining operation to the above listed structure(s) located on or within 200 feet of the proposed affected area described within Exhibit A, of the Reclamation Permit

Application for Mattics Pit (operation name), File Number M-2021-044.

This form has been approved by the Colorado Mined Land Reclamation Board pursuant to its authority under the Colorado Land Reclamation Act for the Extraction of Construction Materials and the Colorado Mined Land Reclamation Act for Hard Rock, Metal, and Designated Mining Operations. Any alteration or modification to this form shall result in voiding this form.

NOTARY FOR PERMIT APPLICANT

ACKNOWLEDGED BY:

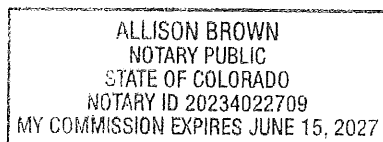
Applicant: Cheyenne County Representative Name: Ronald R. Smith

Date: 3-11-2024 Title: Chairman

STATE OF Colorado)
) ss.
COUNTY OF Cheyenne)

The foregoing was acknowledged before me this 11th day of March, 20 24, by
Ronald R. Smith as Chairman of Cheyenne County.

Allison Brown My Commission Expires: 6/15/27
Notary Public



Subject Marker Post for water source at Mattics Pit Mining Area 2.

From Victor Gibbs <victorgibbs106@gmail.com>

To Marcy (Devers) Brossman <ccadmin@rebeltec.net>

Date 2024-06-21 08:39



-
- 20240620_101019.jpg(~5.5 MB)

This post will be painted a reflective orange color when get some paint.



20240620_101019.jpg
~5.5 MB

Subject An original marker before Cheyenne County received the Mattics Pit Lease

From Victor Gibbs <victorgibbs106@gmail.com>

To Marcy (Devers) Brossman <ccadmin@rebeltec.net>

Date 2024-06-21 08:46



-
- 20240620_102643.jpg(~6.3 MB)
 - 20240620_102715.jpg(~5.0 MB)

This is located at least 1 mile straight East of the Mattics Pit Sign on County Road AA.
We added a tire to help identify the marker.



20240620_102643.jpg
~6.3 MB



20240620_102715.jpg
~5.0 MB

Subject Marker Post with tire
From Victor Gibbs <victorgibbs106@gmail.com>
To Marcy (Devers) Brossman <ccadmin@rebeltec.net>
Date 2024-06-21 08:55



- 20240620_125516.jpg(~4.5 MB)
- 20240620_130001.jpg(~7.3 MB)

This is a U.S. Geological Survey Marker located straight west of Mining Area 2.



20240620_125516.jpg
~4.5 MB



20240620_130001.jpg
~7.3 MB

Subject Cover for the supposed well at the Mattics Pit
From Victor Gibbs <victorgibbs106@gmail.com>
To Marcy (Devers) Brossman <ccadmin@rebeltec.net>
Date 2024-06-24 10:51



- 20240624_104922.jpg(~5.7 MB)
-



20240624_104922.jpg
~5.7 MB

Subject Mattias Pit Sign on C.R. AA

From Victor Gibbs <victorgibbs106@gmail.com>

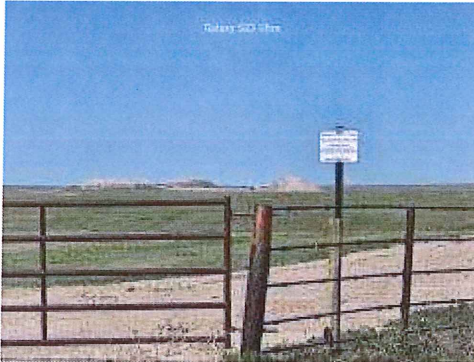
To Marcy (Devers) Brossman <ccadmin@rebeltec.net>

Date 2024-06-17 11:45



- 20240612_154600.jpg(~3.2 MB)
- 20240612_154756.jpg(~4.9 MB)

The sign is located next to metal gates and the post is approximately 2 feet east of a Pin Marker with a pink or faded red ribbon.



20240612_154600.jpg
~3.2 MB



20240612_154756.jpg
~4.9 MB

Subject Mattias Pit Sign located on road to north entrance.

From Victor Gibbs <victorgibbs106@gmail.com>

To Marcy (Devers) Brossman <ccadmin@rebeltec.net>

Date 2024-06-17 11:50

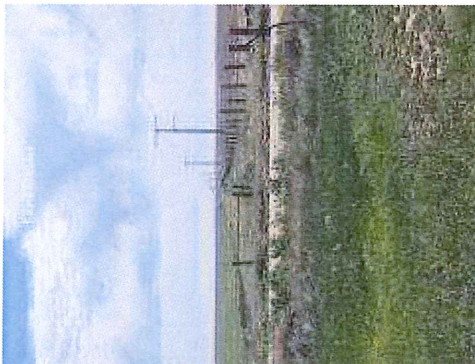


- 20240617_101615.jpg(~4.8 MB)
- 20240617_101831.jpg(~5.2 MB)

This sign is 1 mile south of C.R. DD on C.R. 25 next to an old county road CC (intersection) and 1 mile north of the north entrance to the Pit.



20240617_101615.jpg
~4.8 MB



20240617_101831.jpg
~5.2 MB

Subject Changing the slope of the Mining Area #2
From Victor Gibbs <victorgibbs106@gmail.com>
To Marcy (Devers) Brossman <ccadmin@rebeltec.net>
Date 2024-06-17 11:39

- 20240604_131507.jpg(~7.2 MB)
-



20240604_131507.jpg
~7.2 MB

Subject Planting grass seed at the Mattics Pit
From Victor Gibbs <victorgibbs106@gmail.com>
To Marcy (Devers) Brossman <ccadmin@rebeltec.net>
Date 2024-06-24 09:19

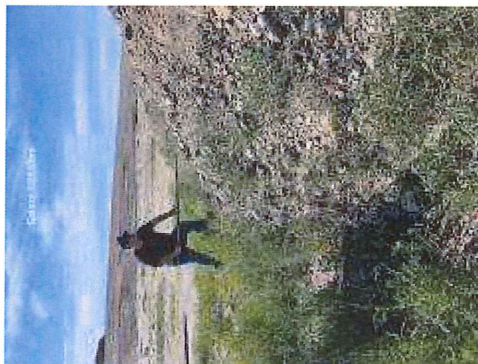
- 20240624_084756.jpg(~7.2 MB)
- 20240624_084840.jpg(~3.3 MB)
- 20240624_084855.jpg(~7.1 MB)
- 20240624_084813.jpg(~7.4 MB)



20240624_084756.jpg
~7.2 MB

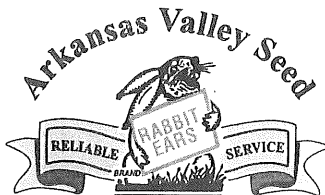


20240624_084840.jpg
~3.3 MB



20240624_084855.jpg
~7.1 MB

20240624_084813.jpg
~7.4 MB



Limitation of Warranty and Finance Charge Agreement are part of the terms and conditions of this sale. See back of this invoice.

www.avseeds.com

Sales Order

Page 1

Date:

Inv #: 2417956-Cheyenne Cou

Acct #: 444987

BILL TO CASH CUSTOMER - ROCKY FORD
098 12TH STREET
ROCKY FORD, CO 81067

SHIP TO CASH CUSTOMER - ROCKY FORD
098 12TH STREET
ROCKY FORD, CO 81067

Sale # 2417956-Cheyenn	Ordered: 19-Jun-24	Terms: COD
Sold By: HOUSE	Shipped:	Due:
Cust PO #: Cheyenne County Road	Via: Customer Pick-Up	FOB: .

DESCRIPTION LOT CODE	QUANTITY	NET PRICE	EXTENSION Taxes
-------------------------	----------	-----------	--------------------

1 Sale	Mixture, Foothills lbs. FOOTHILLS-24./50 Lb	100.000 lbs	\$6.1500 /lb	\$615.00
--------	--	-------------	--------------	----------

Cheyenne County Road and bridge district 1

Invoice Total: \$615.00

Payments: \$0.00

BALANCE DUE: \$615.00



Thank you for your business!

*A finance charge of 1.5% per month will be charged for accounts not paid within terms.
There will be a 2% charge for credit card processing.*