



WRAY - YUMA - HOLYOKE - STERLING

PO BOX 425

Wray CO 80758

970-332-4355

December 5, 2024

Ms. Jocelyn Carter  
Division of Reclamation, Mining & Safety  
Minerals Section  
1313 Sherman St, # 215  
Denver, CO 80203

Dear Jocelyn:

RE: Falk Pit #1 - Permit # M-2012-023 (CN1) - Adequacy Response 01

Exhibit A- Legal Description

1. The main entrance of the pit is as followed.  
40.484550N  
102.572170W

A revised Exhibit A-1 is provided with the entrance coordinates added. The legal description on this exhibit also has the correct permit acreage.

Exhibit C- Pre-Mining and Mining Plan Map(s) of Affected Lands

2. The permit area is 13.19 as stated on the maps and in Exhibit A instead of the 11.19 in the mining plan text, thus allowing room to navigate around once we are ready to reclaim.

3. Steve O'Brian states the affected area and permitted area are the same, which is the entire outlined area. Hatching and the size of each area was added to show the future mining area on the Mining Plan Map - Exhibit C-1. The Existing Conditions Map - Exhibit C was also updated showing the current area or the expansion, and disturbed areas.

4. Steve O'Brian has removed the arrow and we will be mining per the mining plan. A revised Exhibit C-1 is attached.

5. Philips County Soil Conservation observed the current vegetation present at the mining sight, Smooth Brome, Western Wheat, Switchgrass, Sand Dropped, Blue Grama, Little Bluestem.

#### Exhibit D-Mining Plan

6. Chamberlain Concrete will be utilizing a screen on site in the future to sort off larger rock. Currently all sorting and washing is done off site.

7. There will be no more than 10 acres disturbed and being worked at any one time, no more than 8 acres will need to be soiled or revegetated.

8. Our research suggests that underlaying the sand is a layer or reddish clay. Drill logs on surrounding water wells indicated a mixture of clay and gravel lies below the surface layer of material.

9. The short entrance road is 125 ft x 20 ft wide.

10. For item f, the current disturbed area is 6.23 acres.

#### Exhibit E- Reclamation Plan

11. The final affected areas shown on Map Exhibit F are as followed  
Creek Bottom- Tan area on the map, 4.80 Acres  
Seeded Area- Green area, 8.39 Acres

12. Once the area is reclaimed, it will be compatible with the habitat adjacent to it. At the current time the area is in a rural agricultural setting where the creek bottom and areas surrounding the existing mine area is use by wildlife. The larger animals used the Creek area as a corridor to move between the crop areas and as protection from the elements. Wildlife use the mine area when no activities are taking place and for this reason the impacts to wildlife are minimal and we expect this to continue once mining ends.

13. Steve missed that one and says thanks for pointing it out. The temporary Topsoil Piles will be located outside the creek channel on the upland area north of the creek. Please see attached the revised Mining Plan map.

14. The seed mix that was approved by the Division in 2010 is as follows:

Big Bluestem- Kaw	2.2 #s PLS/AC..
Indiangrass- Cheyenne	1.0 #s PLS/AC.
Switchgrass- Blackwell	2.0#s PLS/AC.
Alfalfa- Ladak (inoculated)	0.8#s PLS/AC.
<u>Western Wheatgrass-Barton</u>	<u>1.6 #s PLS/AC.</u>
Total per acre	7.6 #'s PLS/AC.

Exhibit F-Reclamation Plan Map

15. Please see revised map that is attached. The Creek bottom (tan areas on map) 4.80 acres. The revegetated areas (green area on map) 8.39 acres.

Exhibit I- Soil Information

16. Please see attached revised soil map.

Exhibit J- Vegetation Information

Philips County Soil Conservation observed the following grasses to be present at the mining sight, Smooth Brome, Western Wheat, Switchgrass, Sand Dropped, Blue Grama, Little Bluestem.

Exhibit L- Reclamation Costs

18. With updated information provided the Division should be able to calculate the cost for an estimate.

Thank you we will look forward to reviewing your numbers since the bond was just revaluated in 2023.

General Application

19. There has been a public notice ran for 4 weeks. Corie Chamberlain is in contact with Julie at Holyoke Enterprises (the local paper). Julie will be getting the proof of publication notarized Tuesday November 12<sup>th</sup>. A Proof of Placement of this Adequacy Review response with the Phillips Clerk and Records office will also be provided. The documents will be forwarded as soon as they are in my hands.

If you have more questions or needed more information please call us.

Sincerely,



Mason Chamberlain

Cc: Philips County Clerk  
File

Phillips County Weed & Pest District  
433 East Fletcher  
PO Box 81  
Haxtun, CO 80731

Kerri Doleshall, Manager  
Office: (970) 774-7453  
Cell: (970) 466-0628



Weed & Pest District

E-mail: [kerri.doleshall@phillipscounty.co](mailto:kerri.doleshall@phillipscounty.co)  
Web Page: [phillipscounty.colorado.gov](http://phillipscounty.colorado.gov)

### Weed/Pest Control Contract

In consideration of the mutual covenants and premises set forth herein, this agreement is made this 5th day of December between Phillips County CO. (County) and Chamberlain Concrete, (Landowner). The parties hereto acknowledge that the County is acting pursuant to the provisions of the duly formed Phillips County Weed and Pest Control District, and the landowner represents that he is acting on behalf of the owner of the real estate described below and agrees that he will assume joint liability under this contract.

- The County hereby agrees to furnish labor, equipment and chemicals, reasonably necessary to control noxious weeds and outdoor vertebrate pest control upon the following real estate (legal description)

Next crop / Plant date

- |  |                       |
|--|-----------------------|
| 1. Section; <u>14</u> Township; <u>6N</u> Range; <u>47W</u> Rangeland / Crop / CRP | <u>NA</u> / <u>NA</u> |
| 2. Section; _____ Township; _____ Range; _____ Rangeland / Crop / CRP              | _____ / _____         |
| 3. Section; _____ Township; _____ Range; _____ Rangeland / Crop / CRP              | _____ / _____         |
| 4. Section; _____ Township; _____ Range; _____ Rangeland / Crop / CRP              | _____ / _____         |

Other: Address \_\_\_\_\_

Control requested: Noxious weed control Common Mullein, Pest Control \_\_\_\_\_ (Please specify)

- The landowner: hereby agrees to allow Phillips County access upon the above land for the purpose of weed or pest control and understands the potential hazard to crops, livestock, and persons through their possible accidental contact of this products. Also agrees to any restrictions of the application as stated on the product label. Vertebrate pest control will require monitoring over a period of time and 14 day grazing restriction.

Cost of treatment are as listed;

Chemical; Cost Plus 10% Labor Rate; \$45.00 per hour with a minimum charge of \$45.00.

Prairie dog Blaster application; \$1.50 per burrow treated (oxygen & propane and marker)

Equipment fee; \$15.00 one charge per application

The landowner will be responsible for the cost of all applications and agrees to reimburse the County for the cost of any products applied and any labor charges accrued according to this agreement **within thirty (30) days** from receiving a bill for those charges from the County. If any chemical or labor bill is not paid to the County **within thirty (30) days**, the landowner hereby agrees to pay a late fee of **\$10.00 or 2% per month whichever is greater**, and if necessary, all costs of collection, including a reasonable attorney fee of not less than twenty percent (20%) of the total amount due.

- This contract shall constitute the full and complete agreement between the parties hereto and shall be in full force and effect for a period of 12 months, unless modified in writing and signed by both parties to this agreement.

Signature: \_\_\_\_\_

Landowner

County Representative; Kerri Doleshall

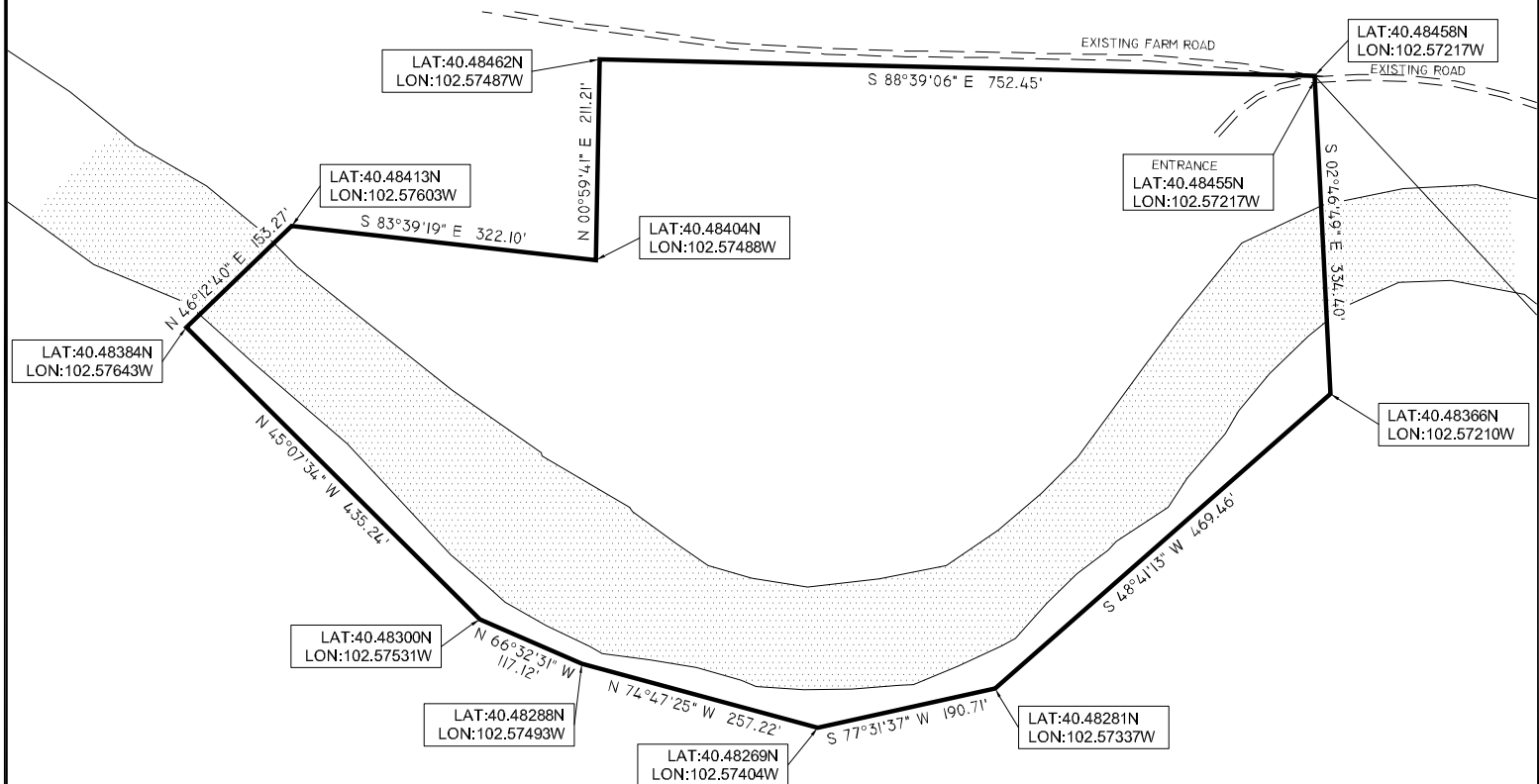
Address 36415 US HWY 385 Wray CO 80758

Phillips County Weed Manager

Phone Number 970-630-4184 E-mail masonchamberlain@yahoo.com

Comments:

# CHAMBERLIAN CONCRETE LEGAL DESCRIPTION MAP - EXHIBIT A1 FALK PIT #1 - PERMIT # M-2010-043



## Property Description

A tract of land situate in the Southeast Quarter of Section 14, Township 6 North, Range 47 West of the Sixth Principal Meridian, Phillips County, Colorado and being more particularly described as follows:

Considering the east boundary of said Section 14 to bear N 00°19'26" E between a 2½" pipe with ¾" aluminum cap LS 10586 at the southeast corner of said Section 14 and a ¾" smooth bar with ¾" aluminum cap PLS 26602 at the northeast corner of said Section 14 and all bearings relative thereto,

Commencing at the southeast corner of said Section 14:

Thence N 42°58'45" W a distance of 1173.78 feet to the point of beginning, said point being the northeast corner of that tract shown in a permit application recorded in the Phillips County, Colorado records with Reception Number 251301;

Thence S 02°46'49" E a distance of 334.40 feet;

Thence S 48°41'13" W a distance of 469.46 feet;

Thence S 77°31'37" W a distance of 190.71 feet;

Thence N 74°47'25" W a distance of 257.22 feet;

Thence N 66°32'31" W a distance of 117.12 feet;

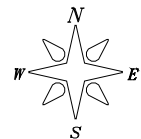
Thence N 45°07'34" W a distance of 435.24 feet;

Thence N 46°12'40" E a distance of 153.27 feet;

Thence S 83°39'19" E a distance of 322.10 feet to a point on the west boundary of said tract shown in Reception Number 251301;

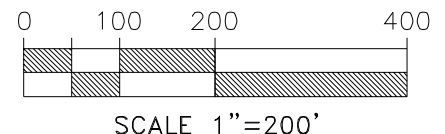
Thence N 00°59'41" E on said west boundary a distance of 211.21 feet to the northwest corner of said tract;

Thence S 88°39'06" E on the north boundary of said tract a distance of 752.45 feet to the point of beginning, said tract containing 13.19 acres, more or less.

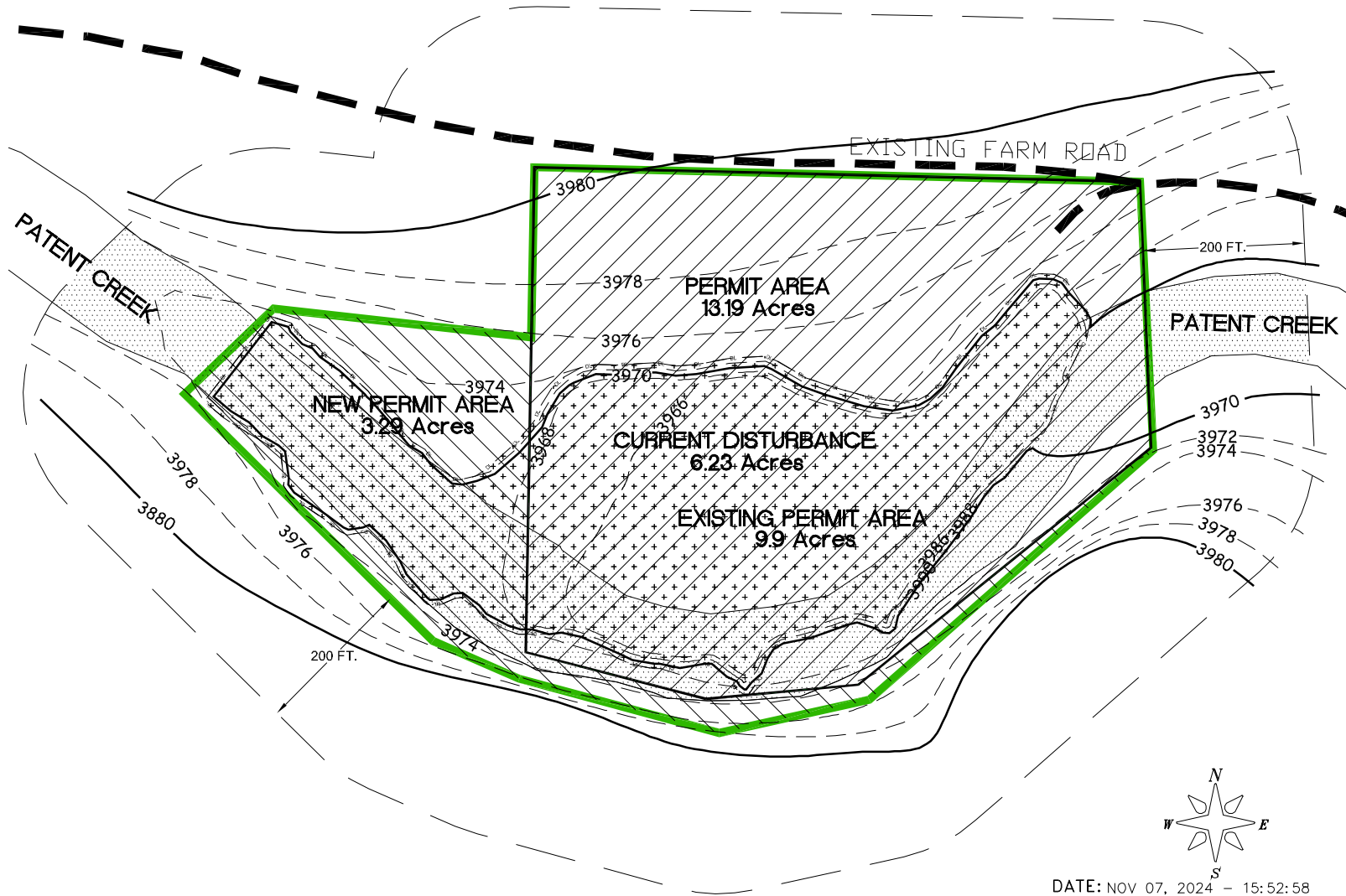


DATE: NOV 07, 2024 - 16:00:08

  
PREPARED BY: **ENVIRONMENT, INC.**  
7985 VANCE DR., # 205A  
ARVADA, CO 80003  
(303) 423-7297



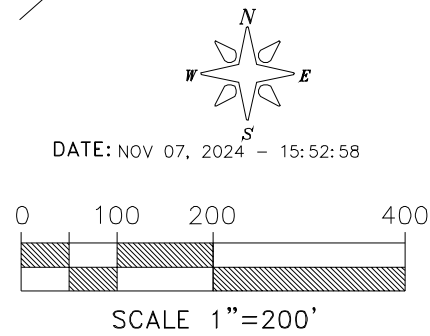
CHAMBERLAIN CONCRETE  
EXISTING CONDITIONS MAP - EXHIBIT C  
FALK PIT #1 - PERMIT # M-2010-043



*L E G E N D*

- PERMIT LINE/AFFECTED LANDS
- 200 FOOT LINE
- ROADS
- EPHEMERAL CREEK
- PARTIALLY MINED AREA
- CURRENT PERMIT AREA - 9.99 ac±
- AMENDMENT AREA - 3.29 ac. ±

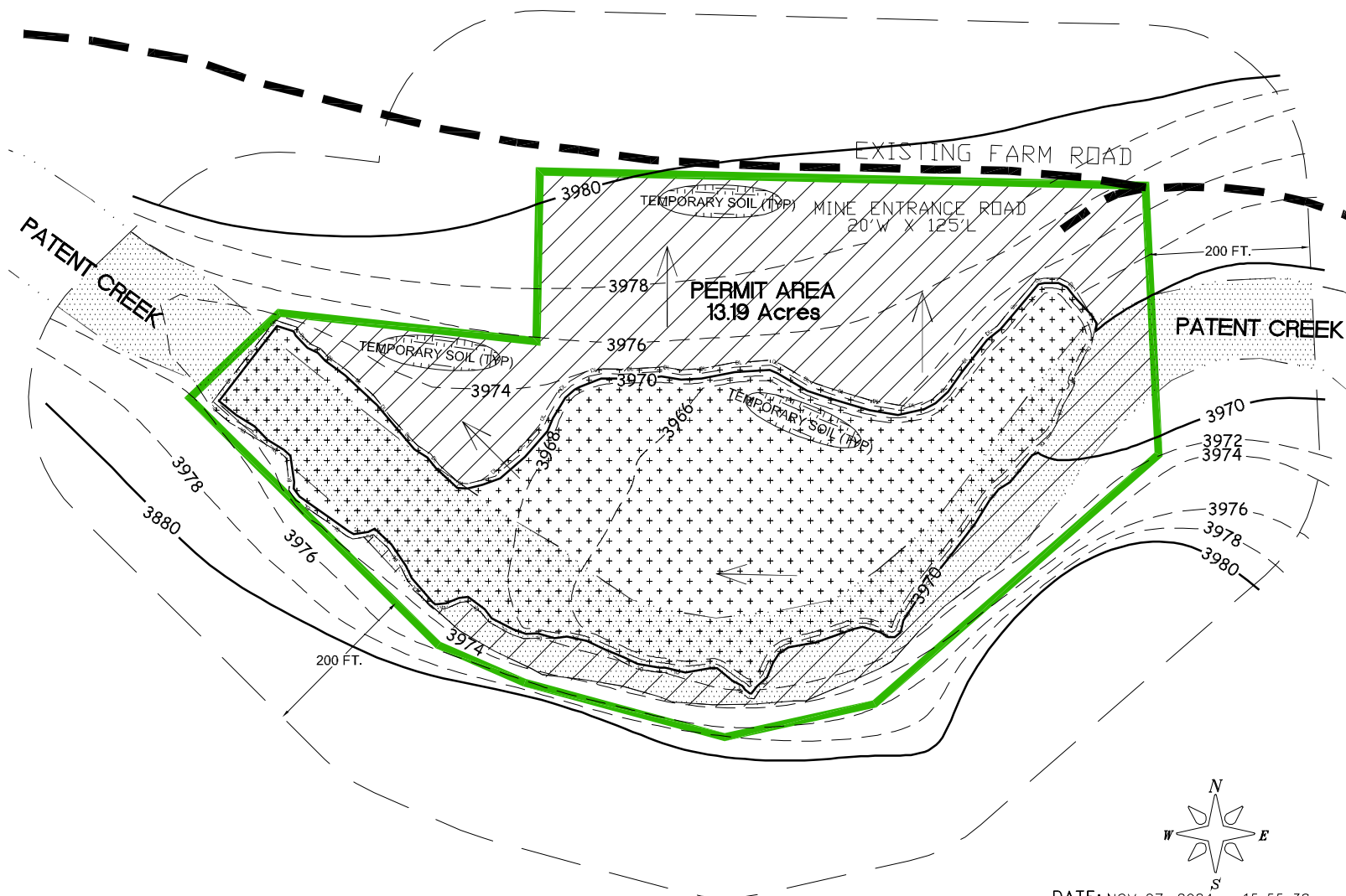
OWNERSHIP WITHIN 200 FEET  
AND AFFECTED LANDS  
SURFACE  
ROGER & BETH FALK  
SUB-SURFACE  
STEVEN KURTZER CHILDREN'S TRUST



PREPARED BY: **ENVIRONMENT, INC.**  
7985 VANCE DR., # 205A  
ARVADA, CO 80003  
(303) 423-7297

PART OF THE SE/4 SE/4 AND SW/4 SE/4, SECTION 14,  
TOWNSHIP 6 NORTH, RANGE 47 WEST, 6TH P.M.,  
PHILLIPS COUNTY, COLORADO

CHAMBERLAIN CONCRETE  
MINING PLAN MAP - EXHIBIT - C1  
FALK PIT #1 - PERMIT # M-2010-043



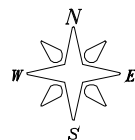
**L E G E N D**

- PERMIT LINE/AFFECTED LANDS
- 200 FOOT LINE
- ROADS
- EPHEMERAL CREEK
- ACTIVE MINED AREA - 6.23 ac. ±
- POTENTIAL FUTURE MINING AREA - 5.96 ac. ±
- TEMPORARY SOIL (TYP)
- APPROXIMATE GROWTH MEDIUM PILES

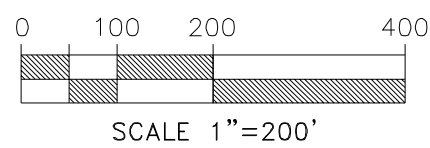
OWNERSHIP WITHIN 200 FEET  
AND AFFECTED LANDS

SURFACE  
ROGER & BETH FALK

SUB-SURFACE  
STEVEN KURTZER CHILDREN'S TRUST



DATE: NOV 07, 2024 - 15:55:32



PREPARED BY: *ENVIRONMENT, INC.*  
7985 VANCE DR., # 205A  
ARVADA, CO 80003  
(303) 423-7297

PART OF THE SE/4 SE/4 AND SW/4 SE/4, SECTION 14,  
TOWNSHIP 6 NORTH, RANGE 47 WEST, 6TH P.M.,  
PHILLIPS COUNTY, COLORADO

CHAMBERLAIN CONCRETE  
RECLAMATION PLAN MAP - EXHIBIT F  
FALK PIT #1 - PERMIT # M-2010-043



*L E G E N D*

- PERMIT LINE/AFFECTED LANDS
- 200 FOOT LINE
- ROADS
- REVEGETATED - 8.39 ac. ±
- CREEK BED (NO SEEDING) - 4.8 AC. ±
- EPHEMERAL CREEK

OWNERSHIP WITHIN 200 FEET  
AND AFFECTED LANDS  
SURFACE  
ROGER & BETH FALK  
SUB-SURFACE  
STEVEN KURTZER CHILDREN'S TRUST

PREPARED BY: *ENVIRONMENT, INC.*  
7985 VANCE DR., # 205A  
ARVADA, CO 80003  
(303) 423-7297

0 100 200 400  
SCALE 1"=200'

PART OF THE SE/4 SE/4 AND SW/4 SE/4, SECTION 14,  
TOWNSHIP 6 NORTH, RANGE 47 WEST, 6TH P.M.,  
PHILLIPS COUNTY, COLORADO


# Custom Soil Resource Report Soil Map




# Custom Soil Resource Report

## MAP LEGEND

### Area of Interest (AOI)

 Area of Interest (AOI)


### Soils


 Soil Map Unit Polygons


 Soil Map Unit Lines


 Soil Map Unit Points

### Special Point Features

 Blowout

 Borrow Pit

 Clay Spot

 Closed Depression

 Gravel Pit

 Gravelly Spot


 Landfill

 Lava Flow

 Marsh or swamp

 Mine or Quarry


 Miscellaneous Water


 Perennial Water

 Rock Outcrop


 Saline Spot

 Sandy Spot

 Severely Eroded Spot


 Sinkhole

 Slide or Slip


 Sodic Spot


 Spoil Area

 Stony Spot


 Very Stony Spot

 Wet Spot

 Other

 Special Line Features

### Water Features

 Streams and Canals

### Transportation

 Rails


 Interstate Highways

 US Routes

 Major Roads

 Local Roads

### Background

 Aerial Photography

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Phillips County, Colorado

Survey Area Data: Version 18, Aug 29, 2024

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 14, 2022—May 15, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Ra	Rago and Kuma loams	4.8	36.5%
WeE	Wages-Eckley-Dix complex, 5 to 25 percent slopes	8.4	63.5%
Totals for Area of Interest		13.2	100.0%

PROOF OF PUBLICATION  
THE HOLYOKE ENTERPRISE

Publication fee: \$

STATE OF COLORADO, }  
COUNTY OF PHILLIPS, } ss.

Holyoke, Colorado

Case No.:

I, Julie Thayer do solemnly swear that I am the Office Manager of THE HOLYOKE ENTERPRISE, a weekly newspaper published in Phillips County, Colorado, and having a general circulation therein. The said newspaper has been published continuously and uninterrupted in Phillips County for a period of more than fifty-two consecutive weeks next prior to the first publication of the annexed legal notice or advertisement. That said newspaper has been admitted to the United States mails as second class matter under the provisions of the Act of March 3, 1879, or any amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said weekly newspaper for the period of 4 insertions; that the first publication of said notice was in the issue of said newspaper dated October 13, 2024, and the last publication of said notice was in the issue of said newspaper dated October 24, 2024.

Julie Thayer

Office Manager

Subscribed and sworn to before me this 5<sup>th</sup> day of December, 2024.

My commission expires 8-19-26

Shm M. Talib

Notary Public

SHANNON TALICH  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20224032400  
MY COMMISSION EXPIRES AUGUST 19, 2026

**PUBLIC NOTICE**

Chamberlain Enterprises, LLC, 36415 US HWY 385, Wray, Colorado 80758 has filed an application for a regular (112) Construction Materials Operation Reclamation Permit with the Colorado Mined Land Reclamation Board under provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials. The proposed mine is known as Falk Pit and is located at or near Section 14, Township 6N, Range 47.0, W Prime Meridian.

The proposed date of commencement is December 1,

2024 and the proposed date of completion is June 2035. The proposed future use of the land is Habitat. Additional information and tentative decision date may be obtained from the Division of Reclamation, Mining, and Safety, 1313 Sherman Street Room 215, Denver, Colorado 80203, (303) 866-3567, or at the Phillips County Clerk and Recorder's office, 221 Interocean Ave, Holyoke CO, Or the above applicant.

Comments must be in writing and must be received by the Division of Reclamation, Mining,

and Safety by 4pm on the final date for comments.

Please note that under the provisions of C.R.S 34-32.5-101 et seq. Comments related to noise, truck traffic, hours of operation, visual impacts, effects on property values, and other social or economic concerns or issues not subject to this office's jurisdiction. These subjects and similar ones, are typically addressed by your local governments, rather than the Division of Reclamation, Mining, and Safety or the Mined Land Reclamation Board.