



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

February 21, 2025

Cody Weaver
CW Construction, LLC
825 21 1/2 RD
Grand Junction, CO 81505

**Re: Gunnison River Gravel Pits - File No. M-2009-048
CW Construction, LLC
Surety Reduction Request (SR-1)
Surety Reduction**

Dear Cody Weaver:

On February 21, 2025, the Division of Reclamation, Mining and Safety considered your request for a surety reduction. The Division found the site is not eligible for a reduction in surety and denied this request. The Division estimates the total site liability to be \$152,403 which is more than the currently held Financial Warranty of \$91,664. A Surety Reduction cannot be considered until settling associated with Pit 5 is resolved. Given that the compliance due date to correct the slope settling issues would be due before a potential surety increase, the Division will wait to adjust the financial warranty until the settling matter is resolved.

In accordance with Rule 1.4.11, any person who can demonstrate that they are directly and adversely affected or aggrieved by an action of the Office, may petition for a hearing before the Board on such action within thirty (30) days of the date of the Office decision, if the decision was a denial, without a hearing. Such petitions for a hearing shall state how the petitioner is directly and adversely affected or aggrieved by the Office's decision, and how the petitioner's interests are entitled to protection under the Act. The petitioner shall list and explain any issue the petitioner believes should be considered by the Board at the hearing on the matter. The petition for a hearing shall specify the application or file number assigned by the Office.

If you have any questions, please contact me by telephone at (970) 210-1272, or by email at Amy.yeldell@state.co.us.

Sincerely,

Amy C. Yeldell
Environmental Protection Specialist

cc: Tim Loncarich





Bond table changes SR-1

General Assumptions:

- Inflationary update to out of priority filling of Pit 5.
- Grading around scale house is complete-Mag is still required
 - No remaining demo
- Pit 2 has been graded and reveg. Not released hold failure reveg costs
 - Need revision for boat dock and house w/l permit boundary
- Pit 5 mining complete, graded and topsoiled - no reveg
 - Settling issues, needs additional grading
 - TR-6 building pad on north side

Below is a table which summarizes the input changes made from TR-3 to SR-1. This table does not account for inflation or unit cost changes.

Task	Form Used	Description
01a	N/A	<p>Out of Priority filling of Pit 5: 178.87 ac/ft @ \$121.57 per ac/ft = \$21,745.92</p> <p>Current Pit 5 pond surface is 7.5 ac with approx. 20 feet left to fill = 150 ac/ft + depletions (3.85 ft x 7.5ac = 28.875 ac/ft.) = 178.87ac/ft out of priority filling</p> <p>Per 5/9/2013 letter to the Division: Annual net evaporation of 46.25 inches per yr (3.85 ft) from exposed water surface. 2011 Colorado River Storage Project rate is \$83.28 per ac/ft plus \$1.00 ac/ft O&M expense.</p> <p>Jan 2011 to Jan 2025 CPI inflation 44.25% = \$121.57 per/ac ft total replacement cost</p> <p>Previously 147ac/ft @ \$84.38 = \$12,403.86</p>
		Pit 1 — Regrade Highwalls
		Pit 1 — Topsoil Application
02a	Reveg	<p>Pit 1 -Failure Reveg only 40%</p> <p>4.24 ac affected – 2.48 water surface = 1.76 ac x 40% = 0.7 ac</p>



		Update seed mix and method to hydro
	Ripper	Pit 5 – Rip Stockpile Area @ 7ac TR-6 building pad
	Dozer	Pit 5 – Topsoil Application 7,529 CCY
05a	Dozer	Pit 5 – Grade Settling Cracks 10.5 ac affected lands per 2024 annual report 10.5ac @ 2ftD = 33,880 CY
05b	Compact	Pit 5 – Compact slopes after regrading
05d	Reveg	Pit 5 – Reveg 3.7ac @ 40% failure 10.5ac affected- 6.8ac anticipated water surface = 3.7ac
10a	Mob	Initial Mobilization Update equipment utilized
10b	Mob	Secondary Mobilization

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Please feel free to contact me with any further questions. Amy Yeldell at the Division of Reclamation, Mining and Safety, Rm 215, 1001 E 62nd Ave, Denver CO 80216. Direct contact can be made by phone at 970-210-1272 or via email at amy.yeldell@state.co.us

Sincerely,



Amy Yeldell
Environmental Protection Specialist

Ec:
Travis Marshall, Senior EPS, Grand Junction DRMS

COST SUMMARY WORK

Task description: Updated based on 2/12/25 site conditions

Site: Gunnison River Gravel Pits

Permit Action: SR1

Permit/Job#: M2009048

PROJECT IDENTIFICATION

Task #: ACY

State: Colorado

Abbreviation: None

Date: 2/21/2025

County: Mesa

Filename: M048-ACY

User: ACY

Agency or organization name: DRMS

TASK LIST (DIRECT COSTS)

Task	Description	Form Used	Fleet Size	Task Hours	Cost
01a	Substitute Water Supply Plan - Out of priority filling pit 5	NA	1	1.00	\$21,746
02a	Pit 1-Reveg Failure	REVEGE	1	4.00	\$6,015
05a	Pit 5 - Grade Settling Cracks	DOZER	1	168.38	\$37,225
05b	Pit 5- Compact slopes after grading	COMPACT	1	56.88	\$14,555
05d	Pit 5-Reveg	REVEGE	1	8.00	\$29,979
10a	Initial Mob	MOBILIZE	1	3.06	\$3,733
10b	Second Mob	MOBILIZE	1	3.06	\$1,151
<u>SUBTOTALS:</u>				244.38	\$114,404

INDIRECT COSTS

OVERHEAD AND PROFIT:

Liability insurance:	2.02	Total =	\$2,311
Performance bond:	1.05	Total =	\$1,201
Job superintendent:	122.19	Total =	\$9,686
Profit:	10.00	Total =	\$11,440
		TOTAL O & P =	\$24,639
		CONTRACT AMOUNT (direct + O & P) =	\$139,043

LEGAL - ENGINEERING - PROJECT MANAGEMENT:

Financial warranty processing (legal/related costs):	\$500	Total =	\$500
Engineering work and/or contract/bid preparation:	4.25	Total =	\$5,909
Reclamation management and/or administration:	5.00		\$6,952

CONTINGENCY: 0.00 Total = \$0

TOTAL INDIRECT COST = \$38,000

TOTAL BOND AMOUNT (direct + indirect) = \$152,404