

STATE OF
COLORADO

Zuber - DNR, Rob <rob.zuber@state.co.us>

Best Rock SO-01, second incompleteness letter

1 message

Zuber - DNR, Rob <rob.zuber@state.co.us>

Wed, Apr 2, 2025 at 7:32 AM

To: Best Rock Sand and Gravel <bestrock970@outlook.com>, reed@seatonasset.com

Cc: Amy Eschberger - DNR <amy.eschberger@state.co.us>, Sara Stevenson-Benn - DNR <sara.stevenson-benn@state.co.us>, Kellie Williams <kellie@seatonasset.com>

Good morning. I am emailing you regarding the Best Rock Sand & Gravel Pit 1 in Delta County, Colorado. Please see the attached incompleteness letter for SO-01.

I will be in the field today and tomorrow. If you contact me with questions on the process for SO-01 (or the subsequent process for a surety increase), I will be delayed getting back to you. I appreciate your patience.

Regards,
Rob

Rob Zuber, P.E.
Environmental Protection Specialist
Active Mines Program



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

Phone: 720.601.2276 | Fax: 303.832.8106

Physical Address:

1313 Sherman Street, Room 215
Denver, CO 80203

Address for FedEx or UPS:

Division of Reclamation, Mining and Safety, Room 215
1001 East 62nd Avenue
Denver, CO 80216

rob.zuber@state.co.us | <http://drms.colorado.gov>



M2019018__SO1_DRMS_Second_Incompleteness_Letter.pdf
138K



April 2, 2025

Jared Graff
J Graff Enterprises, LLC
6450 Graff Road
Delta, CO 81416

Reed Seaton
Best Sand and Gravel LLC
8701 Bee Cave Road, East Building, Suite 310
Austin, TX 78746

**Re: Best Rock Sand & Gravel Pit 1, Permit M-2019-018;
Second Notice of Incomplete Request for
Transfer of Mineral Permit and Succession of Operators Application (SO-01)**

Mr. Graff and Mr. Seaton:

On February 21, 2025, the Division of Reclamation, Mining and Safety (Division) received your Request for Transfer of Mineral Permit and Succession of Operators Application Packet (SO-01) for the Best Rock Sand & Gravel Pit 1, Permit No. M-2019-018. The Division sent an incompleteness letter to you on February 25, 2025, and we received your response to that letter on March 31, 2025.

There are additional items that the Division must receive before we can consider the application as being complete. Regarding signed or initialed documents, only originals (no photocopies) will be accepted.

Demonstration of Legal Right to Enter

The new operator is named Best Sand and Gravel LLC. However, the title document for demonstrating the legal right to enter has the name BSG Landholdings, LLC. Please provide a notarized letter (from BSG Landholdings, LLC) stating that Best Sand and Gravel LLC has the legal right to enter the affected lands to conduct mining and reclamation activities.

Structure Agreements

In addition to the certified mail receipts that you provided, you must provide the forms sent to the owners of applicable structures. Also, please attach the currently approved slope stability analysis to your response letter.

Regarding the application form for this SO, you may want to consider revising page 6 of the form (the Designation of Review Timeline) to expedite the SO process. Currently, you have selected Option 1 (waiving your right to a decision in 30 days), which allows Best Sand and Gravel to know what the existing reclamation liability is at the site prior to taking over the permit. However, Option 1 will take longer to process than Option 2.



If you change to Option 2 (maintaining the right to a decision in 30 days), then the Division can approve/issue the SO application after we find it complete. Then within 60 days of issuance, we will need to inspect the site to assess current reclamation liability. A Surety Increase (SI) will be issued to Best Sand and Gravel, and you will have 60 days to submit the additional required FW. If you choose this option, you will need to change page 6 of the form with new initials from Jared J. Graff and Reed J. Seaton and send the original to the Division.

You have until April 26, 2025, to submit all necessary information for the application to be considered filed. If the completeness items identified above have not been addressed by this deadline, your Request for Transfer of Mineral Permit and Succession of Operators Application Packet (SO-01) may be denied.

Please mail documents to me at one of these addresses:

Address for standard US Postal Service:

Division of Reclamation, Mining and Safety
1313 Sherman St., Ste. 215
Denver, CO 80203

Address for FedEx, UPS, certified mail, or hand delivery:

Division of Reclamation, Mining and Safety
1001 E 62nd Ave
Denver, CO 80216

If you have any questions, please contact me at Rob.Zuber@state.co.us or by calling (720) 601-2276.

Thank you,

A handwritten signature in blue ink, appearing to read "Robert D. Zuber".

Robert D. Zuber, P.E.
Environmental Protection Specialist

Copied via email:

Amy Eschberger and Sara Stevenson-Benn, Division of Reclamation, Mining and Safety
Kellie Williams, Best Sand and Gravel LLC