



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

May 1, 2025

Chris Zadel
Northern Colorado Constructors, Inc.
9075 Weld County Rd 10
Fort Lupton, CO 80621

RE: Adequacy Review No. 1, TR-3, Bennett Pit; Permit File No. M-2016-085

Dear Mr. Zadel,

On April 16, 2025, the Division of Reclamation, Mining and Safety (Division/DRMS) received your request for Technical Revision No. 3 (TR-3) to allow for additional resource extraction between the North and South Cells, backfill a portion of the South Cell to be more than 400-feet away from the South Platte River eliminating the need for a spillway, and to reconfigure the spillway in the North Cell at the Bennett Pit, Permit No. M-2016-085. The following clarifications or items need to be addressed to the Division's satisfaction.

1. During the original permit application review the Operator in Adequacy Review Response #3, dated October 12, 2017, provided Appendix E Side Channel Spillway Maps and Calculations. In the submittal the Operator provided calculations and an explanation for the sizing of spillways for both reservoirs. Please update and submit a new Side Channel Maps and Calculations that discusses and accounts for decreasing the size of the side channel and spillway for the North Reservoir from 215 feet to 125 feet include a clear statement for why a spillway is no longer needed for the South Reservoir. Since the Rock Chute Design data was last completed in 2017, please update as needed and provide a summary of the differences, if any. Include what guidelines were used to determine the factor of safety used for the rip rap and what the basis for the estimated flow used is.
2. For construction of the spillway is an USACE permit required and, if so, has the Operator obtained the permit?
3. Please clearly state the reason why mining between the reservoirs can occur whereas in the original permit it could not happen. The Division during review assumes that the reason this can occur is because the tank battery and separator and associated pipeline have been abandoned and removed. A review of the most recent aerial imagery indicates these structures are still present at the site.



This concludes the Division's adequacy review of your application. The Division reserves the right to further supplement this document with additional adequacy items and/or details as necessary.

The decision date for your application is set for **May 16, 2025**. If additional time is needed to respond, an extension request must be received by our Office by the decision date. If on the decision date, outstanding adequacy items remain, and no extension request has been received, your revision may be denied and the file terminated.

If you need additional information or have any questions, please contact me by email at patrick.lennberg@state.co.us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patrick Lennberg".

Patrick Lennberg
Environmental Protection Specialist

cc: Jared Ebert, DRMS

ec: Chris Zadel, NCCI, chrisz@nconconstructors.com
JC York, JT Consulting, jcyork@j-tconsulting.com