



COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY

1313 Sherman Street, Room 215, Denver, Colorado 80203 ph(303) 866-3567

REQUEST FOR TECHNICAL REVISION (TR) COVER SHEET

File No.: M- 2001-005 Site Name: Grisenti Farms Pit

County Freemont County TR# _____ (DRMS Use only)

Permittee: Riverbend Industries

Operator (If Other than Permittee): _____

Permittee Representative: Jerald Schnabel

Please provide a brief description of the proposed revision: _____

We propose to change the seed mix to the Granite Dry Pasture seed recommendation

As defined by the Minerals Rules, a Technical Revision (TR) is: "a change in the permit or application which does not have more than a minor effect upon the approved or proposed Reclamation or Environmental Protection Plan." The Division is charged with determining if the revision as submitted meets this definition. If the Division determines that the proposed revision is beyond the scope of a TR, the Division may require the submittal of a permit amendment to make the required or desired changes to the permit.

The request for a TR is not considered "filed for review" until the appropriate fee is received by the Division (as listed below by permit type). Please submit the appropriate fee with your request to expedite the review process. After the TR is submitted with the appropriate fee, the Division will determine if it is approvable within 30 days. If the Division requires additional information to approve a TR, you will be notified of specific deficiencies that will need to be addressed. If at the end of the 30 day review period there are still outstanding deficiencies, the Division must deny the TR unless the permittee requests additional time, in writing, to provide the required information.

There is no pre-defined format for the submittal of a TR; however, it is up to the permittee to provide sufficient information to the Division to approve the TR request, including updated mining and reclamation plan maps that accurately depict the changes proposed in the requested TR.

Required Fees for Technical Revision by Permit Type - Please mark the correct fee and submit it with your request for a Technical Revision.

<u>Permit Type</u>	<u>Required TR Fee</u>	<u>Submitted</u> (mark only one)
110c, 111, 112 construction materials, and 112 quarries	\$216	<input checked="" type="checkbox"/>
112 hard rock (not DMO)	\$175	<input type="checkbox"/>
110d, 112d(1, 2 or 3)	\$1006	<input type="checkbox"/>



Castle Aggregate

549 East Cucharas, Street Colorado Springs, CO 80903

October 8 2024

Division of Reclamation, Mining & Safety

Room 215 c/o: Jocelyn Carter

1001 E 62nd Ave., Denver, CO 80216

RE: Permit M2001-005 Grisenti Farms Pit

Dear Jocelyn:

Please consider our request for a technical revision to reclamation project M2001-005. Due to the three unsuccessful attempts to grow natural grasses in this pit, we are suggesting a change to include an alfalfa seed mix and allow the landowner to replant the site. The land owners support this change and favor the change to end use. The intent is for the Alfalfa to provide an early shade plant to allow the grass to survive the hot sun early in the growth cycle.

Wildlife will still benefit from this revision. The alfalfa seed is only 9% of the dryland Pasture mix. The rest is native grass seed the will provide a permant source of cover and food for wildlife in the area. This area along the Arkansas River is home to native birds, migratory birds, deer , and various other species. Attached is the seed mix specification for your review.

If you have any questions please contact me.

Sincerely,

Jerald Schnabel

Jerald Schnabel,
Castle Aggregate

Site: 7250 Allegheny Drive, Colorado Springs CO 80919

Email: Jerald_schnabel@castleaggregate.com

[Cell 719-491-0114](tel:719-491-0114)

Dy-Hard Brand Alfalfa

Lot# 23b332 NCTO

Ingredients

49.75% Pure seed

00.08% Other seed

50.12% Inert Matter

00.05# weed seeds

50.00% coating Materials

Test Date 3/25

Coated with ALL-VANTAGE

Tug of War Seeds LLC Plymoth ID

From: Granite Seed - Denver
490 East 76th Ave., Unit A
Denver, CO 80229

Mix Name: Pasture Blend Dryland

Mix #: 297838

% Pure	Common Name	Variety	G + D or H	Origin
29.78	INTERMEDIATE WHEATGRASS	Rush	96 + 0 = 96	MT
27.56	BROMEGRASS, SMOOTH	Carlton	95 - TZ	KS
19.37	CRESTED WHEATGRASS	Kirk	91 + 0 = 91	CAN
9.98	ALFALFA	Rambler	84 + 9 = 93	CAN
9.84	ORCHARDGRASS	Paiute	95 + 0 = 95	MT

0.29	Other Crop	Date Tested: 17-Jul-24
3.14	Inert Matter	Hard Seed: 0.90
0.04	Weed Seed	Noxious Weed: NONE FOUND

Net Weight:	42.73 Lbs. PLS	50.00 Lbs. Bulk
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NOTICE TO BUYER LIMITATIONS OF WARRANTIES AND REMEDIES

Crop yield and quality are dependent upon many factors beyond the control of the labeled seller and NO WARRANTY is made for crop yield and quality. The labeled seller warrants that all seed sold has been labeled as required under applicable state and federal seed law and that the seed conforms to the label description, within recognized tolerances. THIS WARRANTY IS IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. THERE ARE NO WARRANTIES WHICH EXTEND BEYOND THE DESCRIPTION ON THE LABEL.

No claim shall be asserted against the labeled seller unless Buyer reports to the labeled seller within a reasonable period after discovery (not to exceed thirty days), any condition that might lead to a complaint. BUYER'S EXCLUSIVE REMEDY FOR ANY CLAIM OR LOSS RESULTING FROM BREACH OF WARRANTY, BREACH OF CONTRACT OR NEGLIGENCE (INCLUDING BUT NOT LIMITED TO INCIDENTAL OR CONSEQUENTIAL DAMAGES) SHALL BE LIMITED TO REPAYMENT OF THE PURCHASE PRICE.

By acceptance of the seed, Buyer agrees the terms and conditions stated above are a benefit to the bargain and constitute the entire agreement between Buyer and the labeled seller. Buyer shall return the original unopened seed package to the labeled seller within twenty days of receipt for a refund of the purchase price if not accepted under these terms.

NOTICE: REQUIRED ARBITRATION / CONCILIATION / MEDIATION

The seed laws of several states including Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Minnesota, Mississippi, Montana, North Dakota, South Carolina (Section 45-21-280), South Dakota, Texas and Washington require arbitration, conciliation or mediation of disputes involving alleged defective seed before certain legal actions may be maintained against a seller. North Carolina offers an alternative to court action that allows claims to be investigated and heard before the Special Seed Board. A complaint (sworn for AR, CO, FL, IL, IN, MN, MS, MT, NC, SC, TX, WA; signed only, CA, GA, ID, ND, SD) must be filed with the Department of Agriculture or Seed Commissioner (IN) or State Plant Board (AR) or Commissioner of Agriculture (NC) within such time to permit an inspection of seed, crops or plants (by an Arbitration Committee – AR, ID, MS, SC). In NC, failure to follow this procedure will limit the amount of damages recoverable. Certified copy of complaint must be sent by registered mail to the labeled seller as provided in individual state law. Information about these requirements may be obtained from the state Department of Agriculture.