



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

June 4, 2025

Jason VonLembke  
70 RANCH, L.L.C.  
8301 East Prentice Suite 100  
Greenwood Village, CO 80111

**Re: Preliminary Adequacy Review, 112c Construction Materials New Permit Application,  
Section 25 Sand Mine, Permit No. M-2025-015**

Mr. VonLembke:

On April 10, 2025, the Division of Reclamation, Mining and Safety (Division/DRMS) deemed the above referenced application complete for the purposes of filing. Pursuant to Rule 1.4 the 90-day decision date for the application has been set for July 9, 2025.

The following items will need to be addressed to the Division's satisfaction prior to the decision date. If you are unable to satisfactorily address the concerns identified in this review before the decision date, it will be your responsibility to request an extension of the review period. If there are outstanding issues that have not been adequately addressed prior to the end of the review period, and no extension has been requested, the Division may deny this application. To allow the Division sufficient time to review your responses to the adequacy issues, please submit your adequacy responses to the Division no later than two weeks prior to the decision date. After receipt and review of the Applicant/Operator's response to these items the Division may identify additional adequacy items. Please respond to this Preliminary Adequacy Review with the requested additional/updated information and summarize each response in a cover letter titled "Preliminary Adequacy Response; M-2025-015".

**EXHIBIT C – Pre-Mining and Mining Plan Map(s) of Affected Lands (Rule 6.4.3):**

1. On Map C-1 please provide a table or clearly indicate on the map the coordinates, in decimal degrees, of the four corners of the permit boundary.
2. Pursuant to Rule 6.4.3(b) and (g) the following items need to be identified on Map C-1:
  - Please clearly identify the power line, and owner of the power line, that is located along the northern portion of the permit boundary.
  - Another power/transmission line is in the northeast corner of the permit boundary that appears to be different from the one noted above that needs to be identified.



- In the southwest corner and within 200 feet of the permit boundary there appears to be oil and gas wells and tanks that have not been identified.
- Along the western permit boundary, near the mid-point, there appears to be a fenced storage yard, the fence should be identified.
- If there is a fence that borders the proposed permit boundary, please identify.

**EXHIBIT D – Mining Plan (Rule 6.4.4):**

3. On page D-1, section a) third paragraph, it is stated that the site will contain one mining cell that is approximately 225 acres. The maps provided indicate the developed water reservoir will be approximately 222 acres but other areas outside this area may be mined as well, please clarify.
4. The permit and affected land boundaries are the same and that area is 640 acres. Please state what the area is of the proposed mine limit and if this will be the maximum disturbance area. Please update Map C-2 with this information as well.
5. On page D-2, under the processing header it is stated that material will be dry screened or not screened at all but under subsection (c) it states that wash cycle for the aggregate will be established, please clarify. Please clearly state if the existing lined pond will be utilized and if so in what capacity.

**EXHIBIT E – Reclamation Plan (Rule 6.4.5):**

6. In subsection (a) it is stated that if no reclamation phase is open, any unsuitable materials will be stockpiled in the stockpile location shown on Map C-2. Map C-2 only indicates a topsoil stockpile location. Please clarify if this is location for overburden stockpile material. If it is, please reiterate that the overburden material will be segregated from topsoil material as stated in section 3.1.9.
7. In the reclamation plan and on Map F-1 clearly indicate the area, in acres, to be revegetated.
8. On page E-5, subsection iv it is stated that the site will be revegetated with an upland seed mix. Please clarify that the seed mix to be used is the Weld County Sandy Site seed mix.
9. Please clarify, on page E-4 subsection d second paragraph it is stated that 6-inches of topsoil will be placed in areas disturbed by mining above the high water line. On page E-6 subsection v it is stated that topsoil will be uniformly placed and spread on all areas disturbed by mining above the high water line at a minimum thickness of 12 inches. If different areas are to received different thicknesses of topsoil please clearly state that along with the anticipated area (in acres) to receive the different thicknesses. These areas should be shown or stated on Reclamation Plan Map.

**EXHIBIT G – Water Information (Rule 6.4.7):**

10. Will the source of water for dust control be the lined pond located within the permit boundary?

**EXHIBIT L – Reclamation Costs (Rule 6.4.12):**

11. Please provide the dimensions of the wash plant concrete pad, footings for the office, and concrete base for the scale.
12. Please provide the dimensions and the anticipated general construction details of the shop.

**EXHIBIT S – Permanent Man-made Structures (Rule 6.4.19):**

13. It appears the Applicant did not submit an Exhibit S. The Division reviewed the provided maps and there are a permanent man-made structures, which the Operator needs to obtain structure agreements for, within 200 feet of the affected land boundary. Pursuant to Rule 6.4.19, Where the affected lands are within two hundred (200) feet of any significant, valuable and permanent man-made structure, the applicant shall:
  - Provide a notarized agreement between the applicant and the person(s) having an interest in the structure, that the Applicant is to provide compensation for any damage to the structure\*; or
  - Where such an agreement cannot be reached, the applicant shall provide an engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
  - Where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have “no negative effect” on their utility.

\* Structure agreements shall be sent by a trackable method, i.e. certified mail. In addition, the individual structure agreements shall be labeled with the certified mail number or other tracking number.
14. If the Applicant has attempted to get structure agreements from structure owners within 200 feet of the affected land boundary but have not received signed agreements, then please perform an engineering evaluation for the structures pursuant to Rule 6.4.19(b).

**Other:**

15. Pursuant to Rule 1.6.2(2), please demonstrate that the Applicant’s response to these adequacy issues have been placed with the application materials previously placed with the County Clerk or Records Office and made available for public review.

Please respond to these adequacy issues no later than two weeks before the decision deadline, to ensure ample time for the Division to complete its review prior to its decision date. **The decision date for this**

**application is July 9, 2025.** If additional time is required to respond to these adequacy issues, please submit a written request for extension of the review period. The Division reserves the right to further supplement this document with additional adequacy issues and details as necessary.

If you need additional information or have any questions, please contact me by email at [patrick.lennberg@state.co.us](mailto:patrick.lennberg@state.co.us).

Sincerely,



Patrick Lennberg  
Environmental Protection Specialist

cc: Jared Ebert, DRMS

ec: Kyle Regan, Civil Resources, LLC, [kyler@civilresources.com](mailto:kyler@civilresources.com)