

June 18, 2025

Mr. Patrick Lennberg
Division of Reclamation, Mining, and Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

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

Dear Mr. Lennberg:

This letter addresses the *Adequacy Review* letter dated June 4th, 2025 regarding the Section 25 Gravel Mine 112 Construction Materials Reclamation Permit Application Package. Responses to the Division's comments follow in **bold**:

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.

See attached survey plat showing the surveyed location 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.

All items mentioned have been identified on the updated Map C-1.

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.

The water reservoir will be approximately 224 acres and the total mined acreage for this cell will be 396 acres. The maps and mine plan have been revised to reflect this.

Another change to the mine plan and maps is the inclusion of the mining the existing infiltration ponds. The bottom of the infiltration ponds will be mined down an additional five feet.

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.

The proposed mine limit for Cell 1 is approximately 396 acres. The maps and plan have been updated to reflect these changes.

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.

The plan has been updated to indicate that the aggregate will be washed and that the lined pond water will be utilized.

EXHIBIT E – Reclamation Plan (Rule 6.4.5):

6. In subsection (a) it is stated that if no reclamation phase is pen, 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.

The topsoil material and overburden material will be stockpiled in the same area but segregated. This has been reiterated in the plan.

7. In the reclamation plan and on Map F-1 clearly indicate the area, in acres, to be revegetated.

The disturbed areas one foot above the maximum water surface of the pond will be revegetated with the seed mix indicated. The hatch sizing has been increased on map F-1 to provide more clarity on reseeded areas.

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.

The language on page E-5 have been changed to 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.

All areas will receive a minimum of 6 inches. The text of the plan has been changed to be consistent in this regard.

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?

Correct.

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.

The plant will sit on a 30' by 50' by 2' concrete pad. The office has been removed from the mine plan. The concrete base for the scale will be approximately 15' x 70'.

12. Please provide the dimensions and the anticipated general construction details of the shop.

The shop has been removed from the mine plan.

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.*

Structure agreements have been sent out to the surrounding structure owners including, NGL Partners, Xcel Energy Transmission, Civitas Resources, and Noble Energy.

*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:*

The stability analysis will be provided under a different letter.

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.

See attached confirmation email.

Page 4

Mr. Patrick Lennberg

June 18, 2025

Please feel free to contact me with any questions or concerns at Kyle@civilresources.com or my cell number 408-930-2544.

Regards,

CIVIL RESOURCES, LLC

A handwritten signature in blue ink, appearing to read 'Kyle Regan', with a long horizontal flourish extending to the right.

Kyle Regan
Project Geologist