



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

July 22, 2025

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

**Re: Adequacy Review No. 2, 112c Construction Materials New Application,
Section 25 Sand Mine, Permit No. M-2025-015**

Mr. VonLembke:

On June 18, 2025, the Division of Reclamation, Mining and Safety (Division/DRMS) received your responses to the Division's Preliminary Adequacy Review letter dated June 4, 2024. After review of your responses the Division has identified additional items that need to be addressed.

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. After receipt and review of the Applicant/Operator's response to these items the Division may identify additional adequacy items. Please respond to Adequacy Review No. 2 with the requested additional/updated information and summarize each response in a cover letter titled "Adequacy No. 2 Responses: M-2025-015".

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

1. In the Division's item no. 1, of the June 4th letter, it requested the coordinates of the permit boundary corners. In response the Applicant provided a land survey plat of the permit area. The map provided indicates the permit boundary to be the section lines. The area of Lot 25 is stated to be 621.97 acres. The permit application is for 640 acres not 621.97 acres. Please clarify this discrepancy and provide the coordinates of the permit boundary corners.

EXHIBIT D – Mining Plan (Rule 6.4.4):

2. In response to Division's item no. 3 the Applicant stated that the existing infiltration ponds will be mined down another 5 feet. Is the applicant referring to the lined pond? If so, please update Figure C-2 to adjust the mine limit boundary to include the pond and update the narrative of Mining Plan to



clearly indicate mining of the pond. If the pond is included does that increase the total mine acreage of 396 acres?

If the Applicant is referring to infiltration ponds that will be installed as part of the processing plant, please show their general location as part of the processing plant. The Division cannot locate within the Mining Plan, where it discusses mining down of the infiltration ponds, please update.

3. In the last paragraph of page D-2 it is stated that a near vertical highwall will be developed during mining. Please state the maximum dimensions of the highwall (length x height) that may be developed during mining and that may need to be reclaimed.
4. In the Earthmoving subsection there is a reference to Figure C-6, please revise with the correct figure.

EXHIBIT E – Reclamation Plan (Rule 6.4.5):

5. On page E-5 first paragraph it is stated that mulch will be used. Please state the amount of mulch to used per acre and whether it will be crimped into place or not.

EXHIBIT L – Reclamation Costs (Rule 6.4.12):

6. Attached for your review is the Division's reclamation cost estimate. If agreed upon this is the amount the Applicant will be bonded to for the permit to be issued.

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

7. The engineering evaluation, pursuant to Rule 6.4.19(b), for the structures at the site is still outstanding.

Other:

8. 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.

Additionally, the proof of filing for the responses to the Division's preliminary adequacy review was not attached to the submittal, please provide the conformation email.

Please respond to these adequacy items as soon as you are able so the Division can complete its review prior to its decision date. **The decision date for this application is July 30, 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.

Sincerely,

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

Patrick Lennberg
Environmental Protection Specialist

Attachment: Division Reclamation Cost Estimate

cc: Jared Ebert, DRMS

ec: Kyle Regan, Civil Resources, LLC, kylar@civilresources.com

Attachment

COST SUMMARY WORK

Task description: Cost Summary

Site: Section 25 Sand Mine

Permit Action: New Permit

Permit/Job#: M2025015

PROJECT IDENTIFICATION

Task #: 000

State: Colorado

Abbreviation: None

Date: 6/3/2025

County: Weld

Filename: M015-000

User: JPL

Agency or organization name: DRMS

TASK LIST (DIRECT COSTS)

Task	Description	Form Used	Fleet Size	Task Hours	Cost
001	Scarify Ground	GRADER	1	146.82	\$21,854
002	Spread 6-inch TS Over 172 acres	SCRAPER1	1	141.86	\$257,570
003	Demo Concrete Pads	DEMOLISH	1	7.00	\$5,747
004	Seed and Mulch	REVEGE	1	40.00	\$305,146
005	Mob/Demob	MOBILIZE	1	3.42	\$9,463
<u>SUBTOTALS:</u>				339.1	\$599,780

INDIRECT COSTS

OVERHEAD AND PROFIT:

Liability insurance: 2.02

Total = \$12,116

Performance bond: 1.05

Total = \$6,298

Job superintendent: 169.55

Total = \$12,738

Profit: 10.00

Total = \$59,978

TOTAL O & P = \$91,130

CONTRACT AMOUNT (direct + O & P) = \$690,910

LEGAL - ENGINEERING - PROJECT MANAGEMENT:

Financial warranty processing (legal/related costs): \$500

Total = \$500

Engineering work and/or contract/bid preparation: 6.00

Total = \$41,455

Reclamation management and/or administration: 5.00

\$34,545

CONTINGENCY: 0.00

Total = \$0

TOTAL INDIRECT COST = \$167,630

TOTAL BOND AMOUNT (direct + indirect) = \$767,410

MOTOR GRADER WORK

Task description: Scarify Ground

Site: Section 25 Sand Mine

Permit Action: New Permit

Permit/Job#: M2025015

PROJECT IDENTIFICATION

Task #: 001 State: Colorado Abbreviation: None
Date: 6/3/2025 County: Weld Filename: M015-001
User: JPL

Agency or organization name: DRMS

HOURLY EQUIPMENT COST

Basic Machine: CAT 120M Horsepower: 138
Ripper Attachment: Multi-Shank Ripper Shift Basis: 1 per day
Data Source: (CRG)

Cost Breakdown:

		Utilization %
Ownership Cost/Hour:	\$46.95	NA
Operating Cost/Hour:	\$37.51	100
Ripper Ownership Cost/Hour:	\$3.18	NA
Ripper Operating Cost/Hour:	\$3.13	100
Operator Cost/Hour:	\$58.07	NA
Total Unit Cost/Hour:	\$148.84	
Total Fleet Cost/Hour:	\$148.84	

MATERIAL QUANTITIES

Total Area to be graded or ripped: 172.00 acres

Source of estimated acreage: Ex L Permit Application

HOURLY PRODUCTION

Average Grader Speed: 1.50 mph
Selected Application: Ripping (0-3 mph) - 1.50
Selected Blade Angle: -1 degrees
Effective Blade Length: 0.00 feet
Width of blade overlap per pass: 2.00 feet
Net grading or ripping width per pass: 7.58 feet
Unadjusted Hourly Unit Production: 1.3782 acres/hour

Job Condition Correction Factors

Site Altitude: 4600 feet

Altitude Adj: 1.00 Source
Job Efficiency: 0.85 (CAT HB)
Net Correction: 0.8500 (1sh/d, mod.)
multiplier

Adjusted Hourly Unit Production: 1.1715 acres/Hour
Adjusted Hourly Fleet Production: 1.1715 acres/Hour

JOB TIME AND COST

Fleet size: 1 Grader(s) Total job time: 146.83 Hours

Unit cost: \$127.06 per acre Total job cost: \$21,854

SCRAPER TEAM WORKTask description: Spread 6-inch TS Over 172 acresSite: Section 25 Sand MinePermit Action: New PermitPermit/Job#: M2025015**PROJECT IDENTIFICATION**Task #: 002State: ColoradoAbbreviation: NoneDate: 6/4/2025County: WeldFilename: M015-002User: JPLAgency or organization name: DRMS**HOURLY EQUIPMENT**COSTShift basis: 1 per day

Equipment Description	
-Scraper:	Cat 627G
-Dozer:	NA
Support Equipment -Load Area:	NA
-Dump Area:	Cat D7R DS XR Series II
Road Maintenance -Motor Grader:	NA
-Water Truck:	NA

Cost Breakdown:

	Scraper Work Team		Support Equipment		Maintenance Equipment	
	Scraper	Dozer	Load Area	Dump Area	Motor Grader	Water Truck
%Utilization-machine:	100	NA	NA	75	NA	NA
Ownership cost/hour:	\$226.97	NA	NA	\$97.39	NA	NA
Operating cost/hour:	\$252.68	NA	NA	\$60.52	NA	NA
%Utilization-ripper:	NA	NA	NA	NA	NA	NA
Ripper own. cost/hour:	NA	NA	NA	\$0.00	NA	NA
Ripper op. cost/hour:	NA	NA	NA	\$0.00	NA	NA
Operator cost/hour:	\$59.78	NA	NA	\$39.46	NA	NA
Unit Subtotals:	\$539.43	NA	NA	\$197.37	NA	NA
Number of Units:	3	0	0	1	0	0
Group Subtotals:	Work:	\$1,618.29	Support:	\$197.37	Maint:	\$0.00

Total work team cost/hour: \$1,815.66**MATERIAL QUANTITIES**Initial volume: 97,100

CCY

Swell factor: 1.429Loose volume: 138,717

LCY

Source of estimated volume: Ex L Reclamation Cost EstSource of estimated swell factor: Cat Handbook**HOURLY PRODUCTION****Scraper Bowl (volume) Basis:**

Material weight:	<u>1,600 lbs/LCY</u>	Struck Volume:	<u>15.70</u>	LCY
Material description:	<u>Top Soil</u>	Heaped Volume:	<u>22.00</u>	LCY
Rated Payload:	<u>52,800 pounds</u>	Average Volume:	<u>18.85</u>	LCY
Payload Capacity:	<u>33.00 LCY</u>	Adjusted Capacity:	<u>18.85</u>	LCY

Cycle Time:

Scraper Loading Time: 0.70 Minutes
 Maneuver and Spread Time: 0.60 Minutes

Job Condition Correction:

Site Altitude: 4600 feet

	Scraper	Push Dozer	Source
Altitude Adj:	1.000	NA	(CAT HB)
Job Efficiency:	0.830	NA	(CAT HB)
Net Correction:	0.830	NA	

Travel Time:Road Condition: Firm, smooth, rolling, dirt/lt. surfaced, watered, maintained 3.0Haul Route:

Seg #	Haul Distance (Ft)	Grade (%)	Roll. Res (%)	Total Res (%)	Velocity (fpm)	Travel Time (min)
1	1500.00	4.00	3.00	7.00	1568	1.01

Haul Time: 1.01 minutesReturn Route:

Seg #	Haul Distance (Ft)	Grade (%)	Roll. Res (%)	Total Res (%)	Velocity (fpm)	Travel Time (min)
1	1500.00	-4.00	3.00	-1.00	2938	0.57

Return Time: 0.57 minutesTotal Scraper team cycle time: 2.88 minutesAdjusted for job conditions: 325.95 LCY/HourSelected Number of Scrapers: 3 Scraper(s)Adjusted single scraper team (unit) hourly production: 977.84 LCY/HourAdjusted multiple scraper team (fleet) hourly production: 977.84 LCY/HourUnadjusted unit production/hour: 392.71 LCY/Hour

Optimal Number of Scrapers per push dozer: _____

JOB TIME AND COSTFleet size: 1 Team(s)Total job time: 141.86 HoursUnit cost: \$1.857 /LCYTotal job cost: \$257,570

DEMOLITION WORK

Task description: **Demo Concrete Pads**

Site: **Section 25 Sand Mine**

Permit Action: New Permit

Permit/Job#: M2025015

PROJECT IDENTIFICATION

Task #: 003

State: Colorado

Abbreviation: None

Date: 7/22/2025

County: Weld

Filename: M015-003

User: JPL

Agency or organization name: DRMS

UNIT COSTS

Location adjustment: 89.20 %

Structure or Item Description	Dimensions	Demolition Menu Selection	Quantity	Unit	Unit Cost	Total Cost
Plant	30x50x2	Demo. and on-site disposal in excavated pit, 12 in. thick - Max. 50 ft. push	1,500.00	SF	\$2.53	\$3,789.90
Scales	15x70	Demo. and on-site disposal in excavated pit, 12 in. thick - Max. 50 ft. push	1,050.00	SF	\$2.53	\$2,652.93

Job Hours: 7.00

Subtotal
(unadjusted): \$6,442.83

Total Cost
(adjusted for location): \$5,747.00

REVEGETATION WORKTask description: Seed and MulchSite: Section 25 Sand MinePermit Action: New PermitPermit/Job#: M2025015**PROJECT IDENTIFICATION**Task #: 004State: ColoradoAbbreviation: NoneDate: 7/22/2025County: WeldFilename: M015-004User: JPLAgency or organization name: DRMS**FERTILIZING****Materials**

Description	Units / Acre	Unit	Cost / Unit	Cost /Acre
			\$	\$
			Total Fertilizer Materials Cost/Acre	\$0.00

Application

Description	Cost /Acre
	\$
Total Fertilizer Application Cost/Acre	\$0.00

TILLING

Description	Cost /Acre
	\$
Total Tilling Cost/Acre	\$0.00

SEEDING

Seed Mix	Rate – PLS LBS / Acre	Seeds per SQ. FT	Cost /Acre
Indiangrass - Cheyenne	0.50	1.52	\$6.30
Indian Ricegrass - Nespar	3.00	9.71	\$52.90
Sand Lovegrass - Bend	2.50	86.09	\$44.58
Switchgrass - Nebraska 28	1.50	13.40	\$17.09
Little Bluestem - Camper	1.00	5.97	\$13.91
Little Bluestem - Cimarron	0.75	4.48	\$10.41
Sand Dropseed	0.50	59.69	\$6.66
Needlegrass, Green - Lodorm	1.50	6.23	\$13.28
Prairie Sandreed - Goshen	0.75	4.70	\$13.07

Totals Seed Mix	12.00	191.78	\$178.21
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Application

Description	Cost /Acre
Drill Seeding (DRMS Survey Cost)	\$242.30
Total Seed Application Cost/Acre	\$242.30

MULCHING and MISCELLANEOUS

Materials

Description	Units / Acre	Unit	Cost / Unit	Cost /Acre
Hay, delivered	2.00	TON	\$504.56	\$1,009.12
Total Mulch Materials Cost/Acre				\$1,009.12

Application

Description	Cost /Acre
Crimping, with tractor {DMG survey data}	\$239.35
Total Mulch Application Cost/Acre	\$239.35

NURSERY STOCK PLANTING

Common Name	No / Acre	Type and Size	Planting Cost	Fertilizer Pellet Cost	Cost /Acre
					\$
Totals Nursery Stock Cost / Acre					\$0.00

JOB TIME AND COST

No. of Acres:	<u>172</u>	Cost /Acre:	<u>\$1,668.98</u>
Estimated Failure Rate:	<u>25%</u>	Cost /Acre*:	<u>\$420.51</u>
*Selected Replanting Work Items:	<u>SEEDING</u>		
Initial Job Cost:	<u>\$287,064.56</u>		
Reseeding Job Cost:	<u>\$18,081.93</u>		
Total Job Cost:	<u>\$305,146</u>		
Job Hours:	40.00		

EQUIPMENT MOBILIZATION/DEMOBILIZATIONTask description: **Mob/Demob**Site: **Section 25 Sand Mine**Permit Action: **New Permit**Permit/Job#: **M2025015****PROJECT IDENTIFICATION**Task #: **005**State: **Colorado**Abbreviation: **None**Date: **7/22/2025**County: **Weld**Filename: **M015-005**User: **JPL**Agency or organization name: **DRMS****EQUIPMENT TRANSPORT RIG COST**Shift basis: **1 per day**Cost Data Source: **CRG Data**Truck Tractor Description: **GENERIC ON-HIGHWAY TRUCK TRACTOR, 6X4, DIESEL POWERED,
400 HP (2ND HALF, 2006)**Truck Trailer Description: **GENERIC FOLDING GOOSENECK, DROP DECK EQUIPMENT
TRAILER (25T, 50T, AND 100T)****Cost Breakdown:**

Available Rig Capacities	0-25 Tons	26-50 Tons	51+ Tons
Ownership Cost/Hour:	\$21.47	\$38.32	\$48.96
Operating Cost/Hour:	\$31.47	\$60.11	\$65.86
Operator Cost/Hour:	\$22.52	\$22.52	\$22.52
Helper Cost/Hour:	\$0.00	\$22.25	\$22.25
Total Unit Cost/Hour:	\$75.46	\$143.20	\$159.59

NON ROADABLE EQUIPMENT:

Machine Description	Weight/ Unit (TONS)	Owner ship Cost/hr/ unit	Haul Rig Cost/hr/unit	Fleet Size	Haul Trip Cost/hr/ fleet	Return Trip Cost/hr/ fleet	DOT Permit Cost/ fleet
CAT 120M	15.53	\$50.13	\$75.46	1	\$125.59	\$75.46	\$250.00
Cat D7R DS XR Series II	32.01	\$97.39	\$143.20	1	\$240.59	\$143.20	\$250.00
Cat 627G w/push- pull	43.48	\$240.49	\$143.20	3	\$1,151.07	\$429.60	\$750.00
Drill/Broadcast Seeder with Tractor	25.00	\$5.99	\$75.46	2	\$162.90	\$150.92	\$500.00
Power Mulcher (Bowie LD-90)	6.00	\$29.91	\$75.46	1	\$105.37	\$75.46	\$250.00

Subtotals: **\$1,785.52** **\$874.64** **\$2,000.00****ROADABLE EQUIPMENT:**

Machine Description	Total Cost/hr/ unit	Fleet Size	Haul Trip Cost/hr/ fleet	Return Trip Cost/hr/ fleet
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Subtotals: **\$0.00** **\$0.00**

EQUIPMENT HAUL DISTANCE and Time

Nearest Major City or Town within project area region:	<u>GREELEY</u>	
Total one-way travel distance:	<u>16.00</u>	miles
Average Travel Speed:	<u>45.00</u>	mph

Total Non-Roadable Mob/Demob Cost *	<u>\$9,462.71</u>
** two round trips with haul rig:	
Total Roadable Mob/Demob Cost **	<u>\$0.00</u>
** one round trip, no haul rig:	

Transportation Cycle Time:

	Non-Roadable Equipment	Roadable Equipment
Haul Time (Hours):	<u>0.36</u>	<u>0.36</u>
Return Time (Hours):	<u>0.36</u>	<u>0.36</u>
Loading Time (Hours):	<u>0.50</u>	<u>NA</u>
Unloading Time (Hours):	<u>0.50</u>	<u>NA</u>
Subtotals:	<u>1.71</u>	<u>0.71</u>

JOB TIME AND COST

Total job time:	<u>3.42</u>	Hours
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Total job cost:	<u>\$9,463</u>
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