

STATE OF
COLORADO

Renfro - DNR, Joel <joel.renfro@state.co.us>

Legal Right of Entry For Rother Pits No. 1 and 2 - Need Additional Information

Renfro - DNR, Joel <joel.renfro@state.co.us>

Tue, Jul 29, 2025 at 2:25 PM

To: lflewellyn@solovievgroup.com, Marcy Brossman <ccadmin@rebeltec.net>

Cc: Amy Eschberger - DNR <amy.eschberger@state.co.us>

Good Afternoon,

This morning, I received a letter granting Cheyenne County legal right of entry to reclaim the Rother No. 1 and 2 pits. Thanks for getting that sent over so quickly, I appreciate it. The State does require some more information before we can acknowledge Cheyenne County as having legal right of entry to their site.

First, the sent letter needs to be acknowledged by a Notary Public stating that the Operator has legal right to enter to conduct mining and reclamation as required in Rule 6.3.7 of the Construction Materials Rules (which I've attached to this email).

Additionally, the legal right to enter must be maintained for the duration of the mines life, which includes reclamation. I'm not sure the extent of the agreement between the landowner and the County, but it sounds like you are granting them access to the site to complete reclamation. If that is the case, then they will need access to their sites until the State has approved a full release of the permit. Given the condition of either site right now, they will still need to complete earthwork, reseed, manage weeds, and establish a diverse, effective, long-lasting vegetative cover as required in Rule 3.1.10. Especially with revegetation, this will take a few growing seasons to accomplish, and December 2025 will not be enough time for the County to satisfy these requirements. All of this is to say that we need the letter to say that the County has the right to enter for the life of mine or until the permit is released by the State.

I'm attaching my inspection reports from the Rother No. 1 and 2 sites to this report for further information on the current status of either site and the Division's reasons for denying their full release.

Once we receive this updated letter satisfying the Division requirements, I can get it filed away and abate the problem citations. I am more than happy to answer any questions and clarify any of the Division's requirements.

Thanks,

Joel Renfro
Environmental Protection Specialist



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

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3 attachments



Construction-Materials_Rules_Effective_2019-07-15 (2).pdf

762K



Rother Pit No .1 M1999-083 SL-1 Inspection Report.pdf

1880K



Rother Pit #2 M2019-036 SL-2 Inspection Report.pdf

1652K