



WASTELINE, INC.

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19 AUG 2025

Mr. Todd Jesse, Environmental Protection Specialist
Division of Reclamation Mining and Safety
VIA E-mail

SUBJECT: M-2025-034 Granger Pit Response to Adequacy Review and Request for Extension

Dear Mr. Jesse:

Thank you for your review and the cost estimate. As we discussed, this also includes a request for extension, for reasons explained below.

Response to adequacy issues:

Exhibit C

1. As stated in Exhibit C. Item 6. g. (bottom of page 16) the depth of the deposit is at least 20 feet. Mining may not be to that depth because we want to stay 2 feet above the water table. The actual deposit, based on mining in the immediate vicinity is actually considerably different and may be up to 40 feet below the original surface.

Exhibit E

2. As stated in Exhibit C, Item 4 (middle of page 18), very little overburden is anticipated. A quantitative estimate would be 1 foot, including the 7 inches of soil (Exhibit C item 3. Top of page 18). However, because of the cobbles and smaller stones in the profile, we anticipate screening out larger particles, reducing the average overburden in reclamation (for the entire area) to between 0 and 8 inches (average 4" thickness) as discussed in Exhibit D.4.a. Soil replaced, after screening, will range between 4 to 6 inches as stated in Exhibit D.4.c.1. and average 5 inches thick. The map at Exhibit E (see attached) has that information annotated.

Public Notice

3. As we discussed, the Public Notice was submitted to the San Luis Valley Journal on 30 July 2025, as evidenced by the attached email image. It was scheduled to be published on 6 August 2025. Since we had not yet received the usual affidavit of publication by yesterday, 18 August 2025, I contacted the newspaper. I have received an email from Mr. Williams apologizing for *not* publishing it, stating that it will be published on the 27th of August, so that the first business day after the 10th day would be Monday, 8 September 2025.

4. Therefore, I am requesting an extension of the decision date until Wednesday, 10 September 2025, from the current date of 29 August 2025, to give time for public comments and mail and a few days for your final review.
5. This clearly does not comply with Rule 1.6.2(1)(d), though through no fault of the applicant/operator. Therefore we request a waiver of the time required. We do not that the public notice provided to nearby landowners, posted on the public road at the site, and provided to the Rio Grande Board of County Commissioners and Conservation District have not, to our knowledge, generated any comments of support or objections. We may have to again request an extension of the vesting time for the County land use permit from the BOCC.
6. Please let me know as soon as possible so I can give the newspaper notice.
7. I will go through the cost summary work sheets in the next day or so and get back to you if that is okay.

I appreciate your assistance in this and your patience with all these complications. Please let me know if there is anything else we can do right now.

If you have any questions, please contact the undersigned at (605) 930-0650, (970) 564-1380, or by email at NABarton@WastelineInc.net.

Thank you for your time and consideration.

Respectfully,



Nathan A. Barton, CE, PE, DEE
Comptroller and Engineering Manager, WASTELINE, Inc.
Environmental and Permitting Compliance Engineer

NBarton@WASTELINEINC.NET

3 attachments
CF: Wade O'Rourke

Attachment B. Email 30 JUL 2025

PUBLIC NOTICE

Thomas "Wade" O'Rourke, 267 CR-18, South Fork, CO 81154 (719)580-1160, (the "Applicant/Operator") has applied for a Limited Impact (110c) Construction Materials Operation Reclamation Permit M2025-034 with the Colorado Mined Reclamation Board (the "board") under provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials. The proposed operation is known as the Granger Pit, west of CR-18 in Rio Grande County, located in the SE ¼ NE ¼ Sec 27, T40N, R04E, 10th (NM) PM. The proposed date of commencement is approximately 1 September 2025, and proposed date of completion is 30 September 2035. The proposed future use of the land is irrigated pasture. Additional information and the tentative decision date may be obtained from the Colorado Division of Reclamation, Mining, and Safety (DRMS), 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567 and the Rio Grande County Clerk and Recorder, 965 6th Street, Del Norte 81132, or the above-named applicant. A complete copy of the application is available at the Rio Grande County Clerk's Office, at the DRMS office and at 140 Daniel Lane, South Fork.

Comments concerning the application and exhibits must be in writing and must be received by DRMS by 4 PM of 18th August 2025.

Please note that under provisions of C.R.S. §34-32.5-101 et seq. comments related to noise, truck traffic, hours of operation, visual impacts, effects on property values and other social or economic concerns are issues not subject to this Office's jurisdiction. These subjects, and similar ones, are typically addressed by your local governments, rather than the Division of Reclamation, Mining, and Safety or the Mined Land Reclamation Board.

From: Brian Williams <bwilliams@valleypublishinginc.com>

Sent: Wednesday, July 30, 2025 10:51 AM

To: Nathan Barton <NABarton@WastelineInc.net>

Subject: Re: Newspaper Notice

Hi Nathan,

I have this and will get it into the Aug. 6 newspaper - SLV Journal.

Thank you,

BRIAN WILLIAMS

Valley Publishing, Inc.

Publisher/Editor

Attachment C. Email 18 AUG 2025

From: Brian Williams <bwilliams@valleypublishinginc.com>

Sent: Monday, August 18, 2025 3:53 PM

To: Nathan Barton <NABarton@WastelineInc.net>

Subject: Re: Affidavit of publication on public notice for Wade O'Rourke

Hi Nathan,

I am very sorry but this did not publish as you requested. I don't know what happened, but it did not get into the paper. I can publish it at no charge on Aug. 27. That is the soonest I can get it in.

Thank you,

BRIAN WILLIAMS

Valley Publishing, Inc.

Publisher/Editor

Valley Courier and SLV Journal

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