



September 30, 2025

Rick Miller  
Superior Oilfield Services Co., LTD  
2986 W. 29th St., #12-13  
Greeley, CO 80631

**RE: North Star Pit, Permit No. M-2012-004, Amendment 3 (AM-3), Adequacy Review 1**

Dear Mr. Miller:

The Division of Reclamation, Mining and Safety (Division) is in the process of reviewing the content of your 112c Amendment application for the North Star Pit submitted on July 23, 2025. The review consisted of comparing the application content with specific requirements of Rules 1, 3, 6.1, 6.2, and 6.4 of the Minerals Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials. During review of the material submitted, the Division determined that the following issues of concern shall be adequately addressed before the application can be considered for approval. Any inadequacies are identified under the respective exhibit heading.

**Exhibit C: Pre-Mining and Mining Plan Maps of Affected Lands**

1. Map Scale and Features: The map of the permit area is difficult to read due to the small scale. Please enlarge the permit area on the mining plan map, include the required elements listed in Rule 6.4.3, and label the operational features within the mining area (e.g., mining area, processing area, stockpiles, topsoil storage areas, scale, haul roads).
2. Setback Area: The mining plan describes a 10-foot setback from the mining boundary. In accordance with Rule 6.4.2(d), please show the extent of the area to be mined and the 10-foot setback around the site on the mining plan map.
3. Structures within 200 Feet: The adjoining landowner map in Exhibit C shows a barbed wire fence and CR 138 adjacent to the south side of the mining area, both are within 200 feet of the permit boundary. In accordance with Rule 6.4.3(g), please revise the map to include the type and owner's name for all significant, valuable, and permanent man-made structures located within 200 feet of the permit boundary. This map should also be labeled according to the general requirements for maps and exhibits described in Rule 6.2.1.
4. Existing Vegetation: Per Rule 6.4.3(e), please show the type of vegetation covering the affected land on one of the Exhibit C maps.



#### **Exhibit D: Mining Plan**

5. Setback and Slope Maintenance (Rule 6.4.4(a)): During the pre-operational inspection, the Division observed a vertical highwall along the eastern permit boundary, adjacent to the proposed amendment area. The mining plan in the amendment application describes a 10-foot setback along the perimeter of the mining areas and a minimum 4:1 slope during mining. Please update the narrative in the mining plan to describe the methods that will be implemented to ensure the 10-foot setback and adequate slope are maintained during mining going forward.
6. Overburden Description (Rule 6.4.4(f)(i)): Please revise the narrative to include a description of the type of overburden layer that will be removed/stockpiled/replaced.
7. Roads and Drainage (Rule 6.4.4(j)): Exhibit N, Right-of-Entry document, authorizes the construction of an access road for mining and reclamation. Please update the Mining Plan narrative to:
  1. Describe all roads used for the operation.
  2. Specify dimensions for both existing and proposed roads.
  3. Detail any necessary improvements to existing roads.
  4. Provide specifications for the construction of new roads.
  5. Describe associated drainage and runoff conveyance structures.

#### **Exhibit E: Reclamation Plan**

8. Access Road Reclamation (Rule 6.4.5): As mentioned in item #7 above, the Right-of-Entry document in Exhibit N includes authorization for an access road. Please revise the reclamation plan to describe the proposed reclamation for the access road.
9. Topsoil Stockpile Locations: Page 2 of the Reclamation Plan refers to "the mining plan map, in Exhibit C for general locations of stockpiles." Consistent with item #1 above, please revise the mining plan map (Exhibit C) to clearly show the location of the topsoil stockpiles.
10. Expansion Clarification: Page 2 of the Reclamation Plan states, "the site can be extended to include approximately another 400 acres if market conditions allow." Please clarify this narrative to state that any expansion of mining will require the operator to submit an amendment application to the Division and obtain approval to increase the affected acreage or significantly alter the approved mining and reclamation plans.

#### **Exhibit F: Reclamation Plan Map**

11. Map Scale and Components (Rule 6.4.6(a) and (b)): Similar to item #1, the current reclamation plan map (Exhibit F) has a small scale, making the permit area difficult to read. Please revise and resubmit Exhibit F at a larger scale. Ensure it includes all components

required by Rule 6.4.6(a) and (b), including the proposed reclamation for the mining areas, access road, and the truck scale area.

#### **Exhibit J: Vegetation**

12. Exhibit J does not adequately describe the existing vegetation in the mine and amendment areas, based on observations during the pre-operational inspection. Please update Exhibit J, per Rule 6.4.10, with a narrative description of the current vegetation types. This description should include quantitative estimates of cover and height for the principal species within each life-form (e.g., trees, tall shrubs, low shrubs, grasses, and forbs).

#### **Exhibit L: Reclamation Costs**

13. A detailed cost estimate, as required by Rule 6.4.12, was not included in the amendment application. Please submit all necessary information to calculate reclamation costs, broken down into major phases such as backfilling, grading, topsoiling, and seed preparation for all areas affected by the mining operation. The provided information must be sufficient for the Division to calculate the reclamation costs that would be incurred by the state.

#### **Exhibit S: Permanent Man-made Structures**

14. In Exhibit S, the operator states, "the mining operation will not adversely affect the stability of any significant, valuable, and permanent man-made structures located within 200 feet of the affected land as there are no structures on or adjacent to the site." However, the maps in Exhibit C show a barbed wire fence and a gravel road adjacent to the south side of the mining area, both within 200 feet of the permit boundary. Pursuant to Rule 6.4.19, please revise the narrative in Exhibit S to list all structures within 200 feet of the permit boundary and provide the names of their owners. Additionally, pursuant to Rule 6.14.19(a), please submit a notarized agreement between the applicant and the persons with an interest in the structure, stating that the applicant will provide compensation for any damage to the structure.

The Division is required to issue a decision on the amendment application by **November 17, 2025**. If additional time is required to respond to these adequacy issues, please submit a written request for an extension of the decision date. The Division will continue to review your application and will contact you if additional information is needed.

If you have any questions, please contact me by telephone at (720) 527-1640, or by email at nikie.gagnon@state.co.us.

Sincerely,



Nikie Gagnon  
Environmental Protection Specialist

Ec: Jim McFarland, Superior Oilfield Services  
Jared Ebert, Senior EPS, DRMS