



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

November 5, 2025

Tom Andersen
Yuma County
1310 Blake Street
Wray, CO 80758

Re: Newton Pit, File No. M-2025-024, New Permit Application, Adequacy Review #2

Dear Mr. Andersen:

The Division of Reclamation, Mining and Safety (Division) completed its second adequacy review of your New 110c Permit Application submitted for the Newton Pit, File No. M2025-024, in Yuma County. The application was filed with our office on July 30, 2025. The current decision date is set for November 7, 2025.

The Division's review consisted of comparing the application content with the requirements of the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials. The Division has identified the following adequacy items in the revision application which require clarification or additional information:

Rule 6.3.1 Exhibit A – Legal Description and Location Map

1. The adequacy review response provided an updated mine entrance location in Latitude 40°5'16.00"N, Longitude 102°29'21.00"W. When plotting this location on a map, it shows the mine entrance in a field southeast of what appears to be the proposed Newton Pit across from Co Rd T. This does not appear to be the accurate mine entrance based on the provided maps. Please provide updated coordinates that accurately reflect where the mine entrance will be located. In addition, these coordinates appear to be mismatched with the entrance coordinates shown on the Exhibit A map.
2. As required in Rule 6.3.1(1), please provide the location of the mine to the nearest Quarter-Quarter. The Quarter (NE) was provided, but not the specific Quarter of that Quarter (NE, NW, SE, SW).
3. The provided Exhibit A Map is missing key features required by Rule 6.3.1(3). Please show the names of existing roads or access routes used in connection with the mining operation. Additionally, please show the names of all immediately adjacent surface owners of record. A standard U.S. Geological Survey topographic quadrangle or equivalent is acceptable. The location of the proposed operation shall be shown and labeled with the mine site name.

Rule 6.3.4 Exhibit D – Reclamation Plan



4. Please specify what seed mix will be used and state the grass, forb, shrub, and tree species to be planted and the applicable quantities. Specify the quantity of each grass and forb species as pounds of pure live seed per acre per Rule 6.3.4(c)(iii).
5. The construction of a dike to divert stormwater is mentioned in the mining plan, but there is no plan in place to reclaim this feature. Please describe how it will be reclaimed, or if it will remain after reclamation.

Rule 6.3.5 Exhibit E – Map

General Map Features - Rule 6.2.1(2):

6. Please label the Reclamation and Mining Plan maps under Exhibit E.
7. Per Rule 6.2.1(2)(a), please show the name of the applicant, i.e. Yuma County, on the Mining and Reclamation Plan Maps, preferably in the title of each map.
8. Please provide a legend for the Mining and Reclamation Plan Maps that identifies meaning and values to each polygon, line, symbol, color, and pattern as required in Rule 6.2.1(2)(e).
9. Please, on the Reclamation and Mining Plan Maps, show a scale and north arrow on the map as required by Rule 6.2.1(2)(e). This scale must be at a range no larger than 1 inch = 50 feet, nor smaller than 1 inch = 660 feet.
10. For clarity on each map, please assign different polygons, lines, symbols, colors, and/or patterns for each major identifiable feature on the map. Identifiable features include the permit boundary, stockpiles, mining boundaries, roads, reseeded areas, etc.

Mining Plan Map - Rule 6.3.5(2):

11. Please remove “Exhibit B” from the map, since this map does not satisfy the requirements of Exhibit B.
12. Please provide a legend for the map that shows the following features:
 - a. Label the permit boundary of the affected acreage, per Rule 6.3.5(2)(a).
 - b. Label the name of the owner(s) of record of the surface of the affected area and the land within two hundred (200) feet of the affected area per Rule 6.3.5(2)(b).
 - c. Additionally, identify the owner and structure type of any permanent man-made structures within two hundred (200) feet of the affected area per Rule 6.3.5(2)(b).
 - d. Label all major surface features to be used in connection with the proposed operation such as: existing and proposed roads, pit boundary, topsoil stockpiles, overburden



stockpiles, product stockpiles, waste rock fills, stream channels, buildings, processing plant, underground openings such as adits or ventilation facilities, ponds, impoundments, dewatering pumps, diversions or waste disposal areas per Rule 6.3.5(2)(c).

13. Please indicate, preferably with an arrow on the map, the direction that construction material extraction will proceed per Rule 6.3.5(2)(d).
14. Identify the location of any significant, valuable, and permanent man-made structures within two hundred (200) feet of the affected area per Rule 6.3.5(2)(e).
15. Outline and label existing disturbance within and/or adjacent to the permit boundary (e.g., previously mined areas, roads or excavations resulting from utility construction) per Rule 6.3.5(2)(f).

Reclamation Plan Map - Rule 6.3.5(3):

16. Please show the entire permit boundary on this map and label it on the legend.
17. Currently, there is one polygon on the Reclamation Plan Map labeled “Reclamation Plan”. It is unclear what this polygon represents on the map. Please describe what this polygon represents and label it on the legend.
18. Please show the gradient of all reclaimed slopes as horizontal:vertical (3H:1V, 2H:1V, etc.) sufficient to describe the post mine topography per Rule 6.3.5(3)(a).
19. Please indicate where vegetation will and will not be established per Rule 6.3.5(3)(b).
20. Please state the average thickness of replaced overburden and topsoil per Rules 6.3.5(3)(d) and (e).

Additional Items

21. Pursuant to Rule 1.6.2(1)(c) and (2), any changes or additions to the application on file in our office must also be reflected in the public review copy which was placed with the local County Clerk and Recorder. Pursuant to Rule 6.3.9, you must provide our office with an affidavit or receipt indicating the date on which the revised application/adequacy response was placed with the local County Clerk and Recorder
22. So the Division can effectively and efficiently review your application and response to this letter, please submit a copy of the application that will be updated for public review with the County Clerk and Recorder, along with your response to this adequacy letter.
23. Please respond to each of these adequacy items as well, and indicate whether they have been addressed and where in the application these items have been updated.



This concludes the Division's preliminary adequacy review of your application. The decision date is currently set for **November 7, 2025**. If additional time is needed to respond, you must submit an extension request to our office prior to the decision date. Please note, your application may be determined as inadequate and the application denied if all adequacy items identified by the Division are not addressed to the satisfaction of the Division by the decision date.

This letter shall not be construed to mean that there are no other technical deficiencies in your application. The Division will review any additional materials submitted to determine whether the application is adequate to meet all requirements of the Act and Rules.

If you require additional information, or have questions, please feel free to contact me by phone at (720) 812-2002, or by email at joel.renfro@state.co.us.

Sincerely,



Joel Renfro
Environmental Protection Specialist

Cc: Amy Eschberger, DRMS

