

DRMS Minerals New Permit Form



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

Pre-Certification/Affirmation

I have obtained a copy of, have read, and fully understand the Permit Application Process Guidance Document provided by the Division of Reclamation, Mining and Safety (DRMS) on the DRMS website

☒ Yes ☐ No

DRMS would like to remind permit applicants that the Mined Land Reclamation Board (MLRB) strongly encourages all prospective permittees to engage with the community and surrounding landowners both prior to and during the permit application process.

Permit Type

Permit Type * 110c

Description Construction Limited Impact - This 110c application is for a construction materials extraction operation affecting LESS than 10 acres.

Application Fee \$ 1258.00

Please note that electronic permitting is not currently available in ISL (In-Situ leaching), 112QC or 112QH (Quarry) permit types at this time. Please contact the DRMS Specialist for your county for additional information if you need to apply for an ISL, 112QC or 112QH permit type.

Notice and Filing Requirements

Public Filing - All Permits

By checking the items below, you acknowledge :

- 1 *** ☒ You MUST send a notice, on a form approved by the Board, to the local board of county commissioners. A copy of this "Notice of Filing Application" form is included in the Filing Requirements Guidance document.
- 2 *** ☒ If the mining operation is within the boundaries of a conservation district, send a notice to the board of supervisors of the conservation district, PRIOR to filing the application. A copy of this "Notice of Filing Application" form is included in the Filing Requirements Guidance document.
- 3 *** ☒ You MUST include proof of notice #1 and #2 above with the application at the time the application is submitted to the Office for filing (Rule 1.6.2(1)(g)).
- 4 *** ☒ PRIOR to filing the application, place for public review a copy of the application, less confidential items, with the clerk or recorder of the county or counties in which the affected land is located.
- 5 *** ☒ You MUST include an affidavit or receipt demonstrating that the application was filed with the county clerk or recorder. Within ten (10) days after your application is deemed complete, you must provide documentation to DRMS that you have placed a copy of the application and exhibits on file with the County Clerk and Recorder. After you have submitted your application and exhibits, you may download and print a copy of the Application Form to provide to the Clerk and Recorder
- 6 *** ☒ Any changes or additions made to an application submittal MUST be filed with the county clerk or recorder. You MUST also provide the Office with an affidavit or receipt demonstrating that the change was filed with the county clerk or recorder no later than the close of business on the day the change was filed with the Office (Rule 1.6.2(2)).

The copy of the application and any changes or additions placed at the office of the county clerk or recorder shall NOT be recorded, but shall be retained there for at least sixty (60) days after a decision on the application by the Office and be available for inspection during this period. At the end of this period, the application may be reclaimed by the applicant or destroyed (Rule 1.6.2(2)).

7. Publication - Permit Specific

- 7a *** ☒ Within ten (10) days after your application is considered filed, you must publish once in a newspaper of general circulation, in the locality of the proposed mining operation, the notice described in Rule 1.6.2(1)(d). A copy of a form which includes all required information for the notice is included in the Filing Requirements Guidance document.
- 7c *** ☒ Prior to the Office making a decision (consideration of the application), you MUST submit a copy of the proof of publication from the newspaper. Rules 1.4.1(4) and 1.6.2(1)(g).

8. Notification by Personal Service - Permit Specific

8a *

- ☒ In addition, after the publication you must mail or personally serve a copy of the notice described in Rule 1.6.2(1)(d) to all owners of record of surface and mineral rights to the affected land and all owners of lands that are within 200 feet of the boundary of the affected land (Rule 1.6.2(1)(e)). You will need to provide the Office proof of notice PRIOR to the decision date. Proof of notice may be by submitting return receipts of a certified mailing or by proof of personal service (Rules 1.4.1(4), 1.6.2(1)(a)(ii), 1.6.2(1)(d), 1.6.2(1)(e) and 1.6.2(1)(g)).

8b *

- ☒ Prior to the Office making a decision (consideration of the application), you MUST submit a copy of the proof of personal service of all required notices. Rules 1.4.1(4), 1.6.2(1)(a)(ii) and 1.6.2(1)(g).

General Operation Information

ePermit Number

1. Applicant / Operator Name * BURNCO COLORADO LLC

1.1 Type of organization (corporation, partnership, etc.) * LLC

2. Operation name (pit, mine or site name) * BERNHARDT OVERBURDEN MINE

3. Proposed New Permit Acreage * 9.98
Input MUST be a decimal value with 2 decimal places

4. Type of mining operation (select one) * Surface

5. Primary Commodity * overburden

Amount * 75,000.00

lbs or tons / year * tons

5.1 Incidental Commodities to be mined (if applicable)

Commodity	Amount	lbs/tons (/year)
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Commodity	Amount	lbs/tons (/year)
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Commodity	Amount	lbs/tons (/year)
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Commodity	Amount	lbs/tons (/year)
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Add more commodities ☐ Yes

5.2 Anticipated end use of primary commodities(s) to be mined: N/A

5.3 Anticipated end N/A
use of incidental
commodities(s) to
be mined:

Total New Proposed Permit Acreage

Total Proposed 9.98
Permit Acreage *

6. Surface Owners Of (or included in) Proposed Permit Area

Upload detailed list as Exhibit E or O if there are more than three owners

Select owner ☒ Company ☐ Individual

Company Name * BERNHARDT FARMS

Individual's /
Company Contact
First Name *

Middle Initial

Individual's /
Company Contact
Last Name *

Street/PO Box * 23809 COUNTY ROAD 25

Address Line 2

City * MILLIKEN

State * CO

Zip * (?) 80543

Email * d.bernag@hotmail.com

Telephone 1 * (?) 9703962654
Please enter in the format 1234567890 (no dash or spaces allowed)

Extension

Upload detailed list if there are more than three surface owners, you will need to upload the additional
as Exhibit E or O surface ownership information with Exhibit E or Exhibit O depending on the Permit Type

Total Acres 9.98
Privately Owned
Surface

6.1 United States ☐ Yes ☒ No
Forest Service
Lands (USFS) *

6.2 United States Bureau of Land Management Lands (US-BLM) * ☐ Yes ☒ No

6.3 United States Department of Energy Lands (US-DOE) * ☐ Yes ☒ No

6.4 Colorado State Owned Lands ☐ Yes ☒ No

6.5 County Owned Lands ☐ Yes ☒ No

6.6 Municipality Owned Lands ☐ Yes ☒ No

Total Surface Acreage - All Surface Owners *

The "Total Surface Acreage - All Surface Owners" field shown above is permit acreage check and will populate when the combined total of Private Acres, Federal Acres, State Acres, County Acres, and Municipality Acres entered is equal to the Proposed Permit Area previously entered. This is a required field, and you will not be able to submit this application until the Proposed Permit Area and Total Surface Acreage - All Surface Owners field values match correctly.

All Subsurface ownership rights correspond to Surface Ownership ☒ Yes ☐ No
All Mineral/Subsurface ownership rights correspond to Surface Ownership information as provided

If "yes" is selected above, all data entered for Surface Ownership in section 6 will be transferred to section 7 Mineral Ownership.

7.5 County Owned Lands ☐ Yes ☒ No

7.6 Municipality Owned Lands ☐ Yes ☒ No

8. Total Acres Mineral Acreage *

The "Total Mineral Acreage - All Surface Owners" field shown above is permit acreage check and will populate when the combined total of Private Acres, Federal Acres, State Acres, County Acres, and Municipality Acres entered is equal to the Proposed Permit Area previously entered. This is a required field, and you will not be able to submit this application until the Proposed Permit Area and Total Mineral Acreage - All Mineral Owners field values match correctly.

Location Information

9. Location Information: The center of the area where the majority of mining will occur lies in:

County * Weld(WEL)

Additional County if operation is located in more than one county

Section * 1

Quarter * SE

Quarter/Quarter * NW

Township Number * *
4 ☒ North ☐ South

Range Number * *
67 ☐ East ☒ West

General location description * 11899 CR 48, MILLIKEN, CO 80543

Nearest Town * MILLIKEN
Nearest Incorporated Town

Distance from Town to Site * 1
Straight-line from Town Limit to nearest permit boundary , in miles

Direction from Town to Site * Northeast

Elevation * 4720
Feet above sea level

9a. Primary Mine Entrance Location * ☐ Latitude/Longitude (Deg-Min-Sec) ☒ Latitude/Longitude (Decimal Degrees)
☐ Universal Transverse Mercator (UTM)

Latitude Longitude NW

Example: (N) 39.736916789° (W) -104.984496789°

Latitude (N) * **Longitude (W) ***
40.336900000 -104.829950000
Please enter a negative value

Please enter the decimal places upto 9 digits.

11. Method of Mining

11.1 Current (Pre-mining) land use
(select primary, secondary, tertiary) *

Current (Pre-mining) land use values cannot be same

11.2 Future (Post-mining) land use
(select primary, secondary, tertiary) *

11.3 Primary Method of Mining * Conventional Excavation

11.4 Other: Briefly explain mining method FRONT LOADER, HOPPER, SCREEN
(e.g. Placer, truck/shovel)

Acid Forming / Toxic Materials: list any acid forming or toxic materials, exposed or disturbed as a result of the mining operation, and whether the operation will result in or presently has acid mine drainage:

11.5 Designated Chemicals * ☐ Yes ☒ No

Acid Forming or Toxic Materials * ☐ Yes ☒ No

Acid Mine Drainage * ☐ Yes ☒ No

11.6 On Site Processing Screening

Correspondence Information

12. Correspondence Information

APPLICANT/OPERATOR

Individual's First Name * JOEL BOLDUC

Middle Initial

Individual's Last Name * BOLDUC

Company Name BURNCO COLORADO

Street/PO Box * 1120 W 122ND AVE, STE 301

Address Line 2

City * WESTMINSTER

State * CO

Zip * (?) 80234

Email * joel.bolduc@burnco.com

Telephone 1 * (?) 3039136583
Please enter in the format 1234567890 (no dash or spaces allowed)

Extension

PERMITTING CONTACT

☒ Same as Applicant / operator

Individual's First Name * JOEL BOLDUC

Middle Initial

Individual's Last Name * BOLDUC

Company Name BURNCO COLORADO

Street/PO Box * 1120 W 122ND AVE, STE 301

Address Line 2

City * WESTMINSTER

State * CO

Zip * (?) 80234

Email * joel.bolduc@burnco.com

Telephone 1 * (?) 3039136583
Please enter in the format 1234567890 (no dash or spaces allowed)

Extension

INSPECTION CONTACT

☒ SAME AS APPLICANT ☐ SAME AS PERMITTING ☐ ENTER MANUALLY

Individual's First Name * JOEL BOLDUC

Middle Initial

Individual's Last Name * BOLDUC

Company Name BURNCO COLORADO

Street/PO Box * 1120 W 122ND AVE, STE 301

Address Line 2

City * WESTMINSTER

State * CO

Zip * (?) 80234

Email * joel.bolduc@burnco.com

Telephone 1 * (?) 3039136583
Please enter in the format 1234567890 (no dash or spaces allowed)

Extension

Upload Maps and Exhibits

Uploaded documents may take several minutes to display. Please wait until all attachments have completed before proceeding.

Please upload PDF files only

Affirmations

Upon application approval and permit issuance, this application becomes a legally binding document. Therefore, there are a number of important requirements which you, as a permittee, should fully understand. These requirements are listed below. Please read and initial each requirement, in the space provided, to acknowledge that you understand your obligations. If you do not understand these obligations then please contact this Office for a full explanation.

- *** ☒ Your obligation to reclaim the site is not limited to the amount of the financial warranty. You assume legal liability for all reasonable expenses which the Board or the Office may incur to reclaim the affected lands associated with your mining operation in the event your permit is revoked and financial warranty is forfeited;
- *** ☒ The Board may suspend or revoke this permit, or assess a civil penalty, upon a finding that the permittee violated the terms or conditions of this permit, the Act, the Mineral Rules and Regulations, or that information contained in the application or your permit misrepresent important material facts;
- *** ☒ If your mining and reclamation operations affect areas beyond the boundaries of an approved permit boundary, substantial civil penalties, to you as permittee can result;
- *** ☒ Any modification to the approved mining and reclamation plan from those described in your approved application requires you to submit a permit modification and obtain approval from the Board or Office;
- *** ☒ It is your responsibility to notify the Office of any changes in your email address, physical mail address, or phone number;
- *** ☒ Upon permit issuance and prior to beginning on-site mining activity, you must post a sign at the entrance of the mine site, which shall be clearly visible from the access road, with a minimum size equalling 187 square inches (such as 11 inches in height and 17 inches in width, with appropriate font sizing) with the following information (Rule 3.1.12): a. the name of the operator; b. a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and, c. the permit number.
- *** ☒ The boundaries of the permit boundary area must be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries prior to site disturbance.
- *** ☒ It is a provision of this permit that the operations will be conducted in accordance with the terms and conditions listed in your application, as well as with the provisions of the Act and the Mineral Rules and Regulations in effect at the time the permit is issued.
- *** ☒ Annually, on the anniversary date of permit issuance, you must submit an annual fee, and an annual report which includes a map describing the acreage affected and the acreage reclaimed to date (if there are changes from the previous year), any monitoring required by the Reclamation or Environmental Protection Plans to be submitted annually on the anniversary date of the permit approval. Annual fees are for the previous year a permit is held. For example, a permit with the anniversary date of July 1, 1995, the annual fee is for the period of July 1, 1994 through June 30, 1995. Failure to submit your annual fee and report by the permit anniversary date may result in a civil penalty, revocation of your permit, and forfeiture of your financial warranty. It is your responsibility, as an operator, to continue to pay your annual fee to the Office until the Board releases you from your total reclamation responsibility.

*

- ☒ For joint venture/partnership operators: the signing representative is authorized to sign this document and a power of attorney (provided by the partner(s)) authorizing the signature of the representative is attached to this application.

Generate Permit Number

Click on Generate Permit number to initiate the payment process and please follow the payment instructions.
Do Not close this form until payment and submittal process is complete or your submittal may fail.

Generate Permit Number

Permit Number * M2026014

Payment

- Clicking "**Pay Now**" will take you to the colorado.gov payment website for payment of your application fee.
- Please note that the payment website will not function correctly in the obsolete Internet Explorer browser.
- After you have completed your payment, please copy the confirmation number from colorado.gov and paste it in the box below.
- Please note that in addition to your application fee amount, a service fee will be assessed at checkout.

DO NOT CLOSE THE PAYMENT WEBSITE WINDOW UNTIL YOU HAVE COPIED YOUR PAYMENT CONFIRMATION NUMBER TO THIS PERMIT APPLICATION FORM.

IMPORTANT - YOU MUST CLICK "SUBMIT" ON THIS APPLICATION FORM AFTER ENTERING YOUR PAYMENT INFORMATION.

Pay Now

Payment Confirmation Number * 263520706

After your payment confirmation number is entered, you MUST click "SUBMIT"

Signature

