

RECEIVED

August 14, 2012

AUG 15 2012

Travis Marshall
Division of Reclamation, Mining and Safety
Grand Junction Field Office
101 South Third Street, Room 301
Grand Junction, CO 81501

GRAND JUNCTION FIELD OFFICE
DIVISION OF
RECLAMATION MINING & SAFETY

RE: Garnet Mesa Investments, LLC, Warren Pit Application, File No. M-2012-024, Preliminary Adequacy Review and Request for an extension of the decision date.

Dear Mr. Marshall:

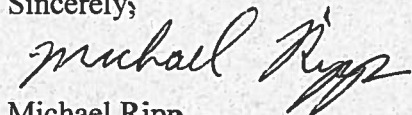
I will address the Adequacy Issues in the order that you presented them.

1. Maps with clear and labeled contour lines will be submitted with the Amendment we will be filing.
2. We will be submitting an amendment to include construction of a new haul road ¼ mile north of the previously proposed haul road. This will be along the north boundary of the property. It is a better location with more room for the 90 degree turn without a chance of interfering with a concrete ditch.
3. The operator commits to no discharge of water from this mining operation until we receive the discharge permit that has been applied for.
4. Proof of publication is enclosed.
5. Damage agreements for Delta-Montrose Electric Association, Tri-County Water Conservancy District, Century Link Communications and Delta County are enclosed. The only damage agreement not yet obtained is with Jared Graff. Garnet Mesa Investments, LLC commits to staying at least 200 feet away from any concrete ditches of Mr. Graff until that agreement is obtained or an engineering evaluation satisfactory to DRMS is submitted.

We request an extension of the decision date for this application to allow for submittal of an amendment to this application to add acreage for construction of the relocated haul road.

Thank you for your assistance in this matter.

Sincerely,



Michael Ripp
Consultant

DELTA COUNTY
INDEPENDENT

401 Meeker St.
P.O. Box 809
Delta, CO 81416

AFFIDAVIT OF PUBLICATION

STATE OF COLORADO }
COUNTY OF DELTA } ss.

I, Randal Sunderland, do solemnly swear that I am publisher of the *Delta County Independent*; that the same is a weekly newspaper printed, in whole or in part, and published in the County of Delta, State of Colorado, continuously and uninterruptedly in said County of Delta for a period of more than fifty-two consecutive weeks prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, and all amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that the annexed legal notice or advertisement was published in the regular and entire issue four consecutive insertions; that the first publication of said notice was in the issue of said newspaper dated May 23rd, A.D., 2012, and that the last publication of said notice was in the issue of said newspaper dated June 13th, A.D., 2012.

In witness whereof I have hereunto set my hand this 13th day of June, A.D., 2012.

Randal Sunderland

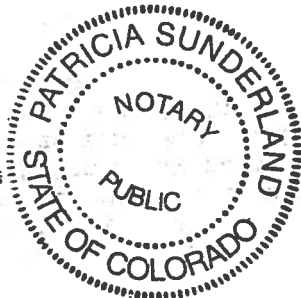
General manager of said *Delta County Independent*

Subscribed and sworn before me, a Notary Public in and for the County of Delta, State of Colorado, this 13th day of June, A.D., 2012.

Patricia Sunderland

Notary Public

My commission expires 12/24/2013
900 Cypress Wood Lane
Delta, CO 81416



PUBLIC NOTICE

Garnet Mesa Investments, LLC, P.O. Box 784, Delta, CO 81416, (970) 874-9986 has filed an application for a Reclamation Permit with the Colorado Mined Land Reclamation Board under provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials. The proposed mine is known as the Warren Pit and is located at or near NE1/4NW1/4, Section 9, Township 15 South, Range 95 West, 6th Prime Meridian, Delta County, Colorado.

The proposed date of commencement is August 1, 2012, and the proposed date of completion is October 30, 2032. The proposed future use of the land is Private Recreation.

Additional information and the tentative decision date may be obtained from the Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, Colorado, 80203, (303) 866-3567, or at the Delta County Clerk and Recorder's office; 501 Palmer Street, Delta, Colorado, 81416, or the above named applicant. A complete copy of the application is available at the above named County Clerk and Recorder's office and at the Division's office.

Comments Concerning the application and exhibits must be in writing and must be received by the Division of Minerals and Geology by 4:00 p.m. on July 3, 2012.

Please note that under the 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 are typically addressed by your local government, rather than the Division Reclamation, Mining and Safety or the Mined Land Reclamation Board.

Published in the Delta County Independent May 23, 30, June 6 and 13, 2012.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Century Link
Right of Way Manager
2524 Blickmann Ave
Grand Junction, CO 81505

2. Article Number

(Transfer from service label)

7012 0470 0002 0392 0579

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Tri-County Water
P.O. Box 347
Montrose, CO 81402

2. Article Number

(Transfer from service label)

7012 0470 0002 0392 0555

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

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1. Article Addressed to:

Delta Montrose Electric Association
Supervisor
11925 6300 Rd
Montrose, CO 81401

2. Article Number

(Transfer from service label)

7012 0470 0002 0392 0593

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Delta County Road & Bridge Dept.
501 Palmer Street
Delta, CO 81416

2. Article Number
(Transfer from service label)

7012 0470 0002 0392 0562

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Sandy Cross*
☐ Agent
☒ Addressee

B. Received by (Printed Name)

SANDY CROSS

C. Date of Delivery

5-24-12

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Hugh Carver
7680 Burgess Rd.
Colorado Springs, CO 80908

2. Article Number
(Transfer from service label)

7012 0470 0002 0392 0630

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Hugh Carver*
☐ Agent
☒ Addressee

B. Received by (Printed Name)

Hugh Carver

C. Date of Delivery

6/6/12

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Tom & Cindy Warren
18025 Homestead Rd.
Delta, CO 81416

2. Article Number
(Transfer from service label)

7012 0470 0002 0392 0654

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Thomas J. Warren*
☐ Agent
☒ Addressee

B. Received by (Printed Name)

Thomas J. Warren

C. Date of Delivery

6/6/12

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

BRIAN MASON
 Garnet Mesa Investments LLC
 P.O. Box 1784
 Delta, CO 81416

2. Article Number

(Transfer from service label)

7012 0470 0002 0392 0586

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature


☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

5-31-12

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☒ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Keith W. Bond Revocable Trust
 18375 H Rd
 Delta, CO 81416

2. Article Number

(Transfer from service label)

7012 0470 0002 0392 0616

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature


☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

5-24-12

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Teal Graft
628 1800 Rd
Delta, CO 81416

2. Article Number

(Transfer from service label)

7012 0470 0002 0392 0678

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Leddie Graft*☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

5-24-12

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jared Graft
628 1800 Rd.
Delta, CO 81416

2. Article Number

(Transfer from service label)

7012 0470 0002 0392 0623

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Leddie Graft*☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

5-24-12

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

May 4, 2012

Delta-Montrose Electric Association
Supervisor
11925 6300 Road
Montrose, CO 81401


Dear Sir or Madam:

As a part of the application for a Colorado Mined Land Reclamation Permit to extract gravel materials from the Warren Pit (NE1/4 of the NW1/4 of Section 9, T.15S., R.95W., 6th P.M., Delta County, Colorado), the Mined Land Reclamation Board requires the applicant to obtain an agreement to reimburse owners of permanent man-made structures within 200 feet of the operation for any damage done to their property or structures as a result of the permitted mining operation.

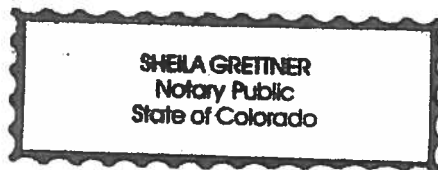
Since your power line and poles are within 200 feet of the affected area, Garnet Mesa Investments, LLC agrees to reimburse you for any damage done to your property or structures as a result of the permitted mining operation.

Your acknowledging signature in the space provided should satisfy the M.L.R.B. law requirement. A pre-addressed, stamped envelope is enclosed for your use. Thank you for your cooperation.

Sincerely,


Brian Mason, Manager
Garnet Mesa Investments, LLC

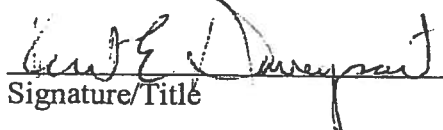
Brian Mason acknowledged the foregoing instrument before me this 9th day of May, 2012.



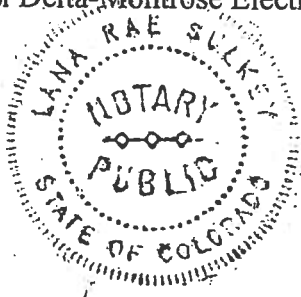

Notary Public
My Commission Expires: 9-24-15

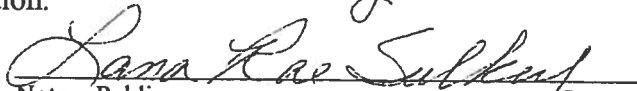
ACKNOWLEDGED BY:

Delta-Montrose Electric Association

 / Engineering Manager
Signature/Title

The foregoing instrument was acknowledged before me this 31st day of May, 2012 by Kent E. Davenport for Delta-Montrose Electric Association.




Notary Public
My Commission Expires: 11-16-2013

May 4, 2012

Tri-County Water
P.O. Box 347
Montrose, CO 81402


Dear Sirs:

As a part of the application for a Colorado Mined Land Reclamation Permit to extract gravel materials from the Warren Pit (NE1/4 of the NW1/4 of Section 9, T.15S., R.95W., 6th P.M., Delta County, Colorado), the Mined Land Reclamation Board requires the applicant to obtain an agreement to reimburse owners of permanent man-made structures within 200 feet of the operation for any damage done to their property or structures as a result of the permitted mining operation.

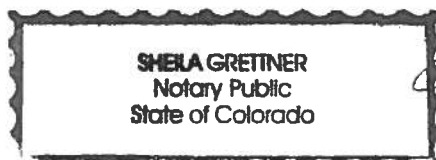
Since your water line along Homestead Road is within 200 feet of the affected area, Garnet Mesa Investments, LLC agrees to reimburse you for any damage done to your property or structures as a result of the permitted mining operation.


Your acknowledging signature in the space provided should satisfy the M.L.R.B. law requirement. A pre-addressed, stamped envelope is enclosed for your use. Thank you for your cooperation.

Sincerely,


Brian Mason, Manager
Garnet Mesa Investments, LLC
PO Box 784 Delta, Co 81416-0784

Brian Mason acknowledged the foregoing instrument before me this 9th day of May, 2012.



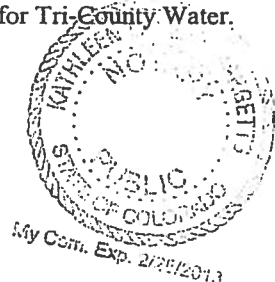

Notary Public
My Commission Expires: 9-24-15

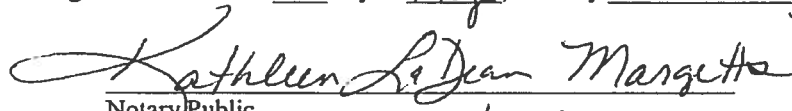
ACKNOWLEDGED BY:

Tri-County Water

Ted Rottinghaus, Asst Manager of operations
Signature/Title

The foregoing instrument was acknowledged before me this 16th day of May, 2012 by Ted Rottinghaus for Tri-County Water.




Notary Public
My Commission Expires: 2/28/13

May 4, 2012

Century Link
Right of Way Manager
2524 Blichmann Ave.
Grand Junction, CO 81505

Dear Sir or Madam:

As a part of the application for a Colorado Mined Land Reclamation Permit to extract gravel materials from the Warren Pit (NE1/4 of the NW1/4 of Section 9, T.15S., R.95W., 6th P.M., Delta County, Colorado), the Mined Land Reclamation Board requires the applicant to obtain an agreement to reimburse owners of permanent man-made structures within 200 feet of the operation for any damage done to their property or structures as a result of the permitted mining operation.

Since your telephone line along Homestead Road is within 200 feet of the affected area, Garnet Mesa Investments, LLC agrees to reimburse you for any damage done to your property or structures as a result of the permitted mining operation.

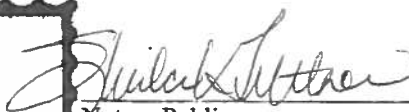
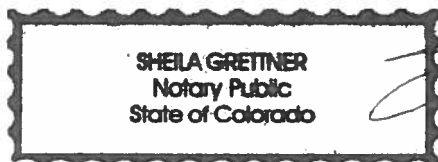
Your acknowledging signature in the space provided should satisfy the M.L.R.B. law requirement. A pre-addressed, stamped envelope is enclosed for your use. Thank you for your cooperation.

Sincerely,



Brian Mason, Manager
Garnet Mesa Investments, LLC

Brian Mason acknowledged the foregoing instrument before me this 18th day of May, 2012.

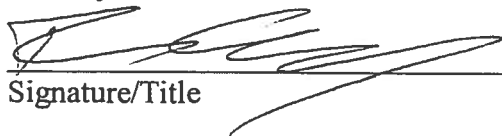


Notary Public

My Commission Expires: 9-24-15

ACKNOWLEDGED BY:

Century Link



Signature/Title

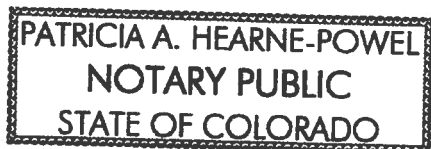
Engineer II - CenturyLink

The foregoing instrument was acknowledged before me this 26 day of July, 2012 by _____
for Century Link



Notary Public

My Commission Expires: July 14, 2013



May 4, 2012

Delta County Road and Bridge Department
501 Palmer Street
Delta, CO 81416

RECEIVED MAY 11 REC'D


Dear Supervisor:

As a part of the application for a Colorado Mined Land Reclamation Permit to extract gravel materials from the Warren Pit (NE1/4 of the NW1/4 of Section 9, T.15S., R.95W., 6th P.M., Delta County, Colorado), the Mined Land Reclamation Board requires the applicant to obtain an agreement to reimburse owners of permanent man-made structures within 200 feet of the operation for any damage done to their property or structures as a result of the permitted mining operation.

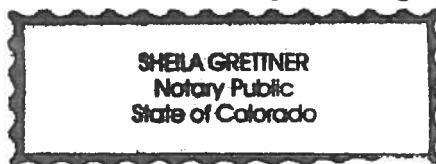
Since Homestead Road is within 200 feet of the affected area, Garnet Mesa Investments, LLC agrees to reimburse you for any damage done to your property or structures as a result of the permitted mining operation.


Your acknowledging signature in the space provided should satisfy the M.L.R.B. law requirement. A pre-addressed, stamped envelope is enclosed for your use. Thank you for your cooperation.

Sincerely,


Brian Mason, Manager
Garnet Mesa Investments, LLC

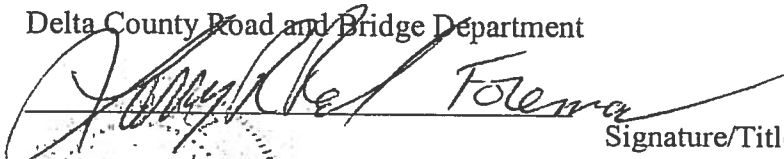
Brian Mason acknowledged the foregoing instrument before me this 9th day of May, 2012.

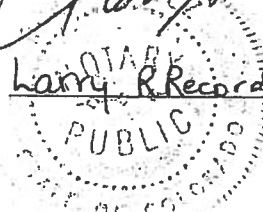


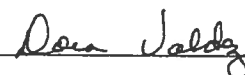

Notary Public
My Commission Expires: 9-24-15

ACKNOWLEDGED BY:

Delta County Road and Bridge Department


Signature/Title

 acknowledged the foregoing instrument before me this 14 day of May, 2012.


Notary Public
My Commission Expires: 6/16/2012