

November 19, 2012

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

RECEIVED

NOV 20 2012 GRAND JUNCTION FIELD OFFICE DIVISION OF RECLAMATION MINING & SAFETY

RE: Garnet Mesa Investments, LLC, Warren Pit Application, File No. M-2012-024

Dear Mr. Marshall:

The Proof of Publication and Mailing of Notice to the appropriate parties are enclosed. I have also enclosed the waivers from Century Link, Hutchins, McClure and Warren. We are still working on the waiver or engineering evaluation for the concrete ditches on the Jared Graff property. 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.

Please let me know if there is anything else you need from us to be able to approve this permit.

Thank you for your assistance in this matter.

Sincerely,

nichael Kipp Michael Ripp

Consultant

# DELTA COUNTY INDEPENDENT

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

#### AFFIDAVIT OF PUBLICATION

SS

STATE OF COLORADO

COUNTY OF DELTA

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 advertisment 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 August 29th. A.D., 2012. and that the last publication of said notice was in the issue of said newspaper dated September 19th, A.D., 2012.

In witness whereof I have hereunto set my hand this 19th day of September, A.D., 2012.

1 Sunderlan

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 19th day of September, A.D., 2012.

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, Deita, CO 81416, (970) 874-9986 has filed an amendment to 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 October 15, 2012, and the completion "is proposed ad 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, 1303) 855-3567, 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 October 9, 2012. Please note that under the provi-

Please note that under the provisions of C.R.S. 34-32.5-101, <u>st. seq.</u> 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 aubjects 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 August 29, September 5, 12 and 19, 2012.

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Destination	<b>ZIP Code:</b> 81416	City: DELTA	State: CO
Origin	<b>ZIP Code:</b> 81416-9923	City: DELTA	State: CO
Class/Service: First-Cl	lass Certified Mail		
Service Calculation Info	rmation		
Service Performance Scheduled Delivery Date			
Weight: 0 lb(s) 1 oz(s	5)	Postage	<b>e:</b> \$0.45
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Rate Indicator: Single	Piece - Letters		
<b>Special Services</b> Certified Mail Return Receipt	<b>Associated Labels</b> 7012 0470 0002 0391 8 7012 0470 0002 0391 8		<b>Amount</b> \$2.95 \$2.35
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### UNITED STATES POSTAL SERVICE

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Origin	<b>ZIP Code:</b> 81416-9923	City: DELTA	State: CO
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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., 6<sup>th</sup> 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 ...s 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  $\underline{\beta}^{\underline{\mu}}$  day of May, 2012.



Notary Public

ACKOWLEDGED BY: Century Link

Engineer IL - CentugLink

14,2013

yne

Signature/Title

My Commission Expires:

PATRICIA A. HEARNE-POWEL
NOTARY PUBLIC
STATE OF COLORADO

August 16, 2012

Will & Anna Hutchins 1735 1675 Road Delta, CO 81416

Dear Mr. & Mrs. Hutchins:

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., 6<sup>th</sup> 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 concrete ditch and barbed wire fence 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. anden

Brian Mason, Manager Garnet Mesa Investments, LLC

Brian Mason acknowledged the foregoing instrument before me this 20 day of August, 2012.



Notary Public

My Commission Expires: 9-24-15

ACKOWLEDGED BY: Will Hutchins

Signature

Anna Hutchins Adria ignature

The foregoing instrument was acknowledged before me this / day of Marshy, 2012 by Will & Anna Hutchins Votary Public CO My Commission Expires: 9

4	
1	SHEILA GRETTNER
ő	
1	NOTARY PUBLIC
ł	STATE OF COLORADO
l	NOTARY ID # correction
ſ	NOTARY ID # 19994026966
ł	MY COMMISSION EXPIRES SEPTEMBER 24, 2015
Ł	THE THE THE OLI ILUBLE 24, 2015

August 20, 2012

J.R. & Marlene McClure 18001Homestead Road Delta, CO 81416

Dear Mr. & Mrs. McClure,

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., R95W., 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 the access driveway to your home 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 preaddressed, 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 Her day of August, 2012.



Notary Public

ACKNOWLEDGED BY: J.R. McClure

Marlene T. McClure

gnáture

2012 by J.R. The foregoing instrument was acknowledged be me this  $\frac{22}{\sqrt{2}}$  day of  $\frac{2}{\sqrt{2}}$ McClure and Marlene T. McClure.

SHEILA GRETTNER NOTARY PUBLIC STATE OF COLORADO NOTARY ID # 19994026966 MY COMMISSION EXPIRES SEPTEMBER 24, 2015

Notary Public

August 16, 2012

Tom & Cindy Warren 18005 Homestead Road Delta, CO 81416

Dear Mr. & Mrs. Warren:

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 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 23 day of August, 2012.

SHEILA GRETTNER NOTARY PUBLIC STATE OF COLORADO NOTARY ID # 19994026966 IY COMMISSION EXPIRES SEPTEMBER 24, 2015

Notary Public My Commission Expires:

ACKOWLEDGED BY:

Tom Warren

Cindy Warren

Signature

The foregoing instrument was acknowledged before me this  $\mathcal{W}^{\mathcal{L}}$ day of OUDEL, 2012 by Tom & Cindy Warren



Notary Public My Commission Expires: