



Dustin Czapla
Division of Reclamation, Mining and Safety
Grand Junction Field Office
101 S. 3rd Street, Suite 301
Grand Junction, Colorado 81501

RECEIVED

February 28, 2013

MAR 01 2013

GRAND JUNCTION FIELD OFFICE
DIVISION OF
RECLAMATION MINING & SAFETY

Via First Class Mail

RE: Bear Ranch Gravel Mine, File No. M-2013-002, Receipt of Incomplete Construction Material Limited Impact (110c) Reclamation Permit Application Adequacy Review

Dear Mr. Czapla:

As you are aware, Resource Engineering, Inc. (RESOURCE) is assisting Bear Ranch, LLC (Applicant) on the 110 Construction Material Reclamation Permit Application (Application) for the Bear Ranch Gravel Mine (File No. M-2013-002). We are in receipt of your February 20, 2013 memorandum which requests additional information to address or correct some concerns. The purpose of this memorandum is to rectify these concerns. In addition, the Applicant is also submitting receipt of the public notice that was published in the Gunnison Country Times today. Please see **Attachment A** for a copy of the public notice. The additional information is presented in detail below.

Issue No. 1: Pursuant to Rule 6.3.3(b), specify how the topsoil will be stockpiled and stabilized with a vegetative cover or other means until used in reclamation. Please note that if topsoil is not replaced on a backfilled area within one year after the topsoil removal, vegetative cover or other means shall be employed to ensure the topsoil stockpile is protected from erosion.

Response to Issue No. 1: The topsoil will be placed on the uphill side of mining area parallel to County Road 12 in a shaped way so that it can be seeded and irrigated for long term storage. The Applicant plans to mine from the west (downhill end of the) to the east (uphill side) and replace topsoil at reasonable intervals as mining occurs.

Issue No. 2: Pursuant to Rule 6.3.3(i), your application has committed to covering up any exposed groundwater. Division policy requires that if groundwater is encountered during excavation, the area must be backfilled to cover the exposed groundwater to a depth of two feet above the static groundwater level. Please commit to do this.

Response to Issue No. 2: The Applicant is aware of the commitment to cover any exposed groundwater encountered during excavation with a minimum of two (2) feet of cover above the static groundwater level and commits to do this.

Issue No. 3: In Exhibit D of your application package, Item (1)(a) states that one foot of topsoil will be placed over the disturbed area. Item (1)(c)(i) states that two inches from nearby pastures will be used. Please clarify the depth of topsoil anticipated to be salvaged and used for reclamation at the site. Also, please clarify whether topsoil will need to be imported from outside the permit area.

February 28, 2013

Response to Issue No. 3: The Applicant plans to remove and stockpile topsoil within the permit area only. The depth of topsoil within the permit area varies. However, all disturbed areas are proposed to have one foot of topsoil cover for reclamation. The Applicant does not anticipate the need to import topsoil as it appears salvaged topsoil will be sufficient for cover.

Issue No. 4: *In Exhibit D of your application package, Item (1)(c)(iii) suggests that there will be a pond located at the site. Details regarding a pond are not included elsewhere in the application. Please clarify whether a pond will be included as part of the reclamation for this site.*

Response to Issue No. 4: Reference to a pond was an error in the application as we were using a past application as a guideline and missed the removal of this note. Currently, there are no plans for a pond and we understand that if there is later consideration for a pond, the Applicant will have to request a modification to the issued permit.

We trust that this is the information you require. Please do not hesitate to contact us if you have any questions or need additional information.

Sincerely,

RESOURCE ENGINEERING, INC.



Eric F. Mangeot, P.E.
Water Resources Engineer

1162-8.1/EFM

cc: Paul Panther, Bear Ranch, LLC (email only)

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Attachment A

Gunnison Country Times – 02/28/13 Public Notice

Public Notice

Bear Ranch, LLC (30682 County Road 12, Somerset Colorado, 970-929-5336), has filed an application for a Construction Materials Limited Impact (110c) 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 Bear Ranch Gravel Mine, and is located at or near Section 1, Township 13S, Range 89W, Prime Meridian 6th. The proposed date of commencement is March 18, 2013, and the proposed date of completion is October 31, 2017. The proposed future use of the land is General Agriculture.

Additional information and 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 Gunnison County Clerk and Recorder's office; (221 N. Wisconsin Suite #C Gunnison, CO 81230), 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 Reclamation, Mining, and Safety, by 4:00 p.m. on (Final Date for Comments) March 10, 2013.

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, and similar ones, are typically addressed by your local governments, rather than the Division of Reclamation, Mining, and Safety or the Mined Land Reclamation Board.

P.O. Box 205
Cimarron, CO 81220
Tel: 970-209-1154

Dennis R. Devor, Rag #8024
130 N. Park Avenue
P.O. Box 3310 Montrose, CO 81402
Tel: (970) 249-7000
Fax: (970) 249-8440

Gunnison County Times
Gunnison, Colorado
Publication dates of February 21, 28, March 7, 2013

1012

NOTICE TO CREDITORS**NOTICE TO CREDITORS**

Estate of Paul Clinton Gallaheer

No. 2012PR28

All persons having claims against the above-named estate are required to present them to the undersigned or to the District Court of Gunnison County, Colorado (or Probate Court of the City and County of Denver, Colorado) on or before May 8, 2013 or said claims may be forever barred.

Virginia Maurer
2210 N.W. 6th Place
Gainesville, Florida 32603

Gunnison County Times
Gunnison, Colorado
Publication dates of February 21, 28, March 7, 2013

1011

OPPORTUNITY TO COMMENT**NOTICE OF EXCHANGE PROPOSAL AND NOTICE OF OPPORTUNITY TO COMMENT**

Fossil Ridge Land Exchange
Grand Mesa, Uncompahgre and Gunnison National Forests
Gunnison Ranger District
Gunnison and Saguache Counties, Colorado

Notice is hereby given that the Forest Service, United States Department of Agriculture, is considering an exchange of land with Home-Stake Mining Company of California under the authority of the Act of March 20, 1922, as amended (16 U.S.C. 485-488) Act of October 21, 1976, as amended (43 U.S.C. 1716, 1717) and Act of August 20, 1988 (43 U.S.C. 1716 (note 751 (note)). The lands are being considered for exchange as described as:

Federal Land
T. 48 N., R. 6 E., New Mexico Principal Meridian

Section 15, W1/2SW1/4NE1/4 (portion)
S1/2NW1/4 (portion), SW1/4, W1/2W1/2SE1/4 (portion)

Section 16, S1/2NE1/4 (portion), SW1/4NW1/4 (portion), E1/2SW1/4 (portion), SE1/4

Section 21, NE1/4, E1/2NW1/4 (portion), NE1/4SW1/4 (portion), N1/2SE1/4 (portion)

Section 22, W1/2W1/2NE1/4 (portion), NW1/4, N1/2SW1/4 (portion), W1/2NW1/4SE1/4 (portion)

EXCLUDING those lands conveyed in Patent Number 06-79-0001 (a.k.a. Rich Mine) as described by Mineral Survey No. 20897

Containing 700.73 acres more or less, in the Gunnison National Forest, all within Saguache County, Colorado

Non-Federal Land

T. 50 N., R. 2 W., New Mexico Principal Meridian

All of Tract 37 and portion of Tract 38 in Sections 2, 3, 4, 10 and 11

EXCEPTING therefrom an approximately 15.00 acre parcel within Tract 37 along the southern property boundary

Containing 945.15 acres more or less, all within Gunnison County, Colorado

The Federal land has been segregated from appropriation under the public land laws and mineral laws for a period not to exceed 5 years. Floodplains or wetlands exist within the Federal and non-Federal parcels.

Every attempt will be made to reach equal value for both parties, the exchange may be brought into balance by adjusting the boundary acreage of the non-Federal parcel to be conveyed. If the values are unequal either party may equalize the values by making a cash payment, not to exceed 25 percent of the value of the land transferred out of Federal ownership.

The Forest Service is inviting comments for both the National Environmental Policy Act (NEPA) process (Scoping) and current land status on this proposed Fossil Ridge Land Exchange. Comments must be in writing and must be received if submitted electronically or hand delivered or postmarked no later than 45 days after the initial date of publication of this notice in the Grand Junction Daily Sentinel to be eligible to appeal decisions issued under CFR Part 215. Commenters should include their name, address and organizations represented, if any. Specific to the lands being considered for exchange, please advise us of any liens, encumbrances or other claims. Comments related to the NEPA process may include any resource values of concern. Comments received will be addressed in the Decision Notice. Copies of the Decision will be mailed to those who file comments.

Publication dates: February 28, March 7, March 14 and March 21, 2013

Please submit comments to:
Mail: Forest Supervisor
U.S.D.A. Forest Service
2250 Highway 50
Delta, CO 81418

Email: comments-rocky-mountain-gmug@fs.fed.us

Fax: 970-874-8698

Additional information and maps can be downloaded from the internet at the following address: <http://www.fs.fed.us/nehpa/>
fs.usda-pop.php?project=41302

If you have any questions, or would like more information about this project, please contact John Almy, Team Leader, at (970) 874-6644 or jalmay@fs.fed.us

Gunnison County Times
Gunnison, Colorado
Publication dates of February 28, March 7, 14, 21, 2013

1027

PUBLIC NOTICE**Public Notice**

Bear Ranch, LLC (30682 County Road 12, Somerset, Colorado, 970-929-5336) has filed an application for a Construction Materials Limited Impact (110c) 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 Bear Ranch Gravel Mine, and is located at or near Section 1, Township 13S, Range 89W, Prime Meridian 6th. The proposed date of commencement is March 18, 2013, and the proposed date of completion is October 31, 2017. The proposed future use of the land is General Agriculture.

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Comments concerning the application and exhibits must be in writing and must be received by the Division of Reclamation.

Mining, and Safety by 4:00 p.m. on (Final Date for Comments) March 10, 2013

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Gunnison County Times
Gunnison, Colorado
Publication date of February 28, 2013

1019

REQUEST FOR BIDS

City of Gunnison's Water Department
The City of Gunnison is soliciting bids for cleaning of city irrigation ditches:

The Contractor will be responsible for digging out and cleaning ditches throughout the city's irrigation system. Contractor must supply labor, 2 people and equipment to include dump truck and mini excavator. Approximately 80-100 hours of work to begin April 1, 2013 or as weather permits and to be completed by May 1, 2013. Please contact Joe Doherty at 641-8330 for more information and bid documents. Please submit sealed quotes, clearly marked 2013 Irrigation Ditch Cleaning Bid on the outside of the envelope to the City of Gunnison, Public Works Department, 1100 W. Virginia Avenue, Gunnison, CO 81230. Bids are due and will be publicly read aloud on March 14, 2013 at 2:00 p.m. Late bids will not be accepted.

Gunnison County Times
Gunnison, Colorado
Publication dates of February 28, March 7, 2013

1020

REQUEST FOR PROPOSALS**Request for Proposal**

The City of Gunnison is requesting sealed proposals for slope installation of approximately 8224 feet of 8" sewer main. The preferred method of installation is by either cured in place pipe or fold and form pipe. Please direct all questions to Joe Doherty, Water Superintendent, 641-8330 or email joe@cityofgunnison-co.gov. Work to be completed by December 1, 2013. All bids must be clearly marked Sewer Line Bid on the outside. Bids are due by 2:00 p.m. March 21, 2013 at the City Shops, 1100 W. Virginia Ave. at which time they will be opened and read aloud.

Gunnison County Times
Gunnison, Colorado
Publication dates of February 28, March 7, 2013

1022

REQUEST FOR PROPOSALS**Request for Proposal**

The City of Gunnison is requesting sealed proposals for Sewer manhole Rehabilitation of approximately 20 manholes of 8 feet deep. The preferred method of installation is by polymer coating. Please direct all questions to Joe Doherty, Water Superintendent, 641-8330 or email joe@cityofgunnison-co.gov. Work to be completed by December 1, 2013. All bids must be clearly marked Manhole Rehabilitation on the outside. Proposals are due by 2:00 p.m. March 21, 2013 at the City Shops, 1100 W. Virginia Ave. at which time they will be opened and read aloud.

Gunnison County Times
Gunnison, Colorado
Publication dates of February 28, March 7, 2013

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NOTICE OF PUBLIC HEARING
Changes in City of Gunnison Utility Service Fees

Pursuant to Sections 40-3-5-104 (1) and (2) C.R.S., the City Council of the City of Gunnison hereby gives notice of a Public Hearing to be held on proposed changes to the City of Gunnison Utility Service Fees for Deposit Requirements and Service Reconnection Fees. The Public Hearing will be held on Tuesday, April 9, 2013, at 7:00 P.M., in the Council Chambers of City Hall, 201 W. Virginia Avenue, Gunnison, CO 81230. Each municipal utility customer shall have the right to appear, personally or through counsel, at this hearing for the purpose of providing testimony regarding the proposed new schedule. Copies of the proposed fee changes are available for inspection at the City Clerk's Office, 201 W. Virginia Avenue, Gunnison, CO during regular business hours. The proposed Utility Service Fee Changes are:

	Existing Rate Fees	Proposed Rate Fees
Utility Deposit Interest Rate	8.25%	No Interest/Paid
Utility Service Reconnection Fee	\$20.00	\$30.00
Utility Bill Collection Fee	\$15.00	\$20.00

These charges set forth herein, if approved and adopted on second reading of the required ordinance, shall be effective as of May 1, 2013, and thereafter.

/s/ Gail A. Davidson
City Clerk
Gunnison County Times
Gunnison, Colorado
Publication dates of February 28, 2013

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A GLANCE INTO HISTORY:

Down at the Depot



For years it stood alone beyond the eastern edge of the town of Crested Butte, a silent sentinel that survived the scrapping of the railroad in 1955. The town's wood frame depot was built in 1881, just in time to greet the first train to arrive after the Denver & Rio Grande Railway completed its 29-mile branch between Gunnison and Crested Butte on Nov. 21.

The depot, seen above circa 1886, served as the town's "gateway" for decades. It welcomed passenger trains, warehoused merchandise until consignees could pick it up, and processed bills of lading for entire trainloads of bituminous coal from the mine. Passenger service ended the late 1930s, when automobiles and improved roads eroded the business.

Freight trains continued to bring in empty cars and take out loads of coal until the mine closed in 1952. After that, locomotive #268 — seen below near the depot — made infrequent trips to handle what little business was left. Federal permission to abandon all track in the Gunnison County was granted in December 1953. The Crested Butte branch was scrapped in May and June of 1955.



The depot continued to be a treasured keepsake of the town. Proposals on what to do with it were floated over the years. In the early 1980s, it served as a backdrop for outdoor concerts. By that time, the former railroad yard had been subdivided and residences were beginning to encircle the depot. The town council banned concerts there in 1985, due to noise and parking issues.

In 1986, various townspeople came forward with "visions." Moving the depot out of the residential neighborhood to the town park or the intersection of Elk Avenue and Highway 135 was discussed. In a better location, it could become a performing arts center, or meeting space for the community, or house the chamber of commerce or Paragon Art Gallery. They saw it in a place of honor, where it would make a "highly visible statement about Crested Butte's commitment to the arts and historic preservation."

But in the end, it stayed where it had been since 1881, for a time serving as the library, and now as offices for the High Country Citizens Alliance. At age 132, it continues to be a useful and valuable part of the town. — Larry Jensen

BROUGHT TO YOU THIS WEEK BY:

Miller Furniture Store
Home Decorating Center

315 N. MAIN ST., GUNNISON • 641-0760