

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

Phone: (303) 866-3567

FAX: (303) 832-8106



December 17, 2013

Roy Burtraw
Southway Construction Co., Inc.
117 White Pine Dr.
Alamosa, CO 81101

John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta E. Piñeda
Director

Re: Swede Corners Pit, Permit M-1988-087, Request for Bond release, Revision SL-02, Incomplete

Dear Mr. Burtraw,

On December 16, 2013, this office received a letter requesting the release of the bond for the Swede Corners Pit, Permit M-1988-087. Attached to this recent letter was a copy of another letter from you, which the Division had received on August 12, 2013. Your earlier letter also requested release of the bond for this permit. However, for different reasons, the Division considers both of these release request letters to be "incomplete," and cannot act upon your release request at this time.

The specific reasons they are considered incomplete are explained below:

1. The August 2013 release request letter does not appear to have been sent via Certified Mail, although Construction Materials Rule 4.17.1(3) states that such requests must be mailed via Certified Mail. (Note: the December 2013 release request letter was sent via UPS, and since sending a document by this method allows it to be tracked and signed for, this letter meets the requirements of Rule 4.17.1(3).)
2. The August 2013 release request letter does not contain the name, address and phone number of the landowner, although Construction Materials Rule 4.17.1(2) states that such requests must include that information.
3. The December 2013 release request letter does not contain the name, address and phone number of the landowner, although Construction Materials Rule 4.17.1(2) states that such requests must include that information.

In order for the Division to act upon your bond release request, please provide the landowner information as required in Rule 4.17.1(2). This additional information does not need to be mailed by Certified Mail, but should be sent separate from other documents.

Upon the Division's receipt of that information, the Division will commence to act upon your request, including conducting an inspection of the site to confirm the adequate completion of the required reclamation and sending out the required agency notices, as described in Rule 4.17.2.

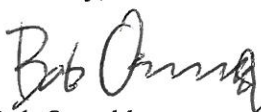
Page 1

Roy Burtraw/M-1988-087/Release Request SL-02
December 17, 2013
Page 2

According to the Division's current document submittal procedures, the additional information should be sent to our Denver office (see address in letterhead, above). If the information is not received by the Division within 60 days of this letter, the incomplete release request will be denied.

If you have questions, please contact me, by telephone 970-247-5193, or email: bob.oswald@state.co.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Oswald", with a stylized, cursive script.

Bob Oswald
Environmental Protection Specialist

Ec: Russ Means, DRMS Grand Junction
Barbara Coria, DRMS Denver
Andrew Archuleta, BLM, Saguache

(c:\13-12 docs\Swede Corners SL-02 incompl/rco)