STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

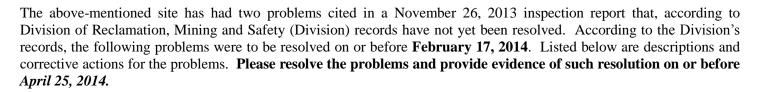
1313 Sherman St., Room 215 Denver, Colorado 80203 Phone: (303) 866-3567 FAX: (303) 832-8106

February 24, 2014

Mr. Albert Nesselhuf Jr. 31160 County Road 14 Manzanola, CO 81058

RE: Caldwell-Nesselhuf Pit No. 1, DRMS File No. M-1997-071 Follow-up on Unresolved Problems (CORRECTED)

Dear Mr. Nesselhuf:



Please note that if the corrective actions are not properly addressed, and evidence provided to the Division by the date provided above, the listed problems could be escalated to the level of possible violations and may then be referred to the Mined Land Reclamation Board for further action.

Problems:

- 1. The Annual Report submitted June 14, 2013 is inadequate because the report is illegible and lacks the required map.
- 2. Rills and gullies were observed within the affected land. This is a problem for failure to protect the affected land from erosion pursuant to C.R.S. § 34-32.5-116(4)(j).

Corrective actions:

- 1. Please submit the written report and the maps as required by the Colorado Mined Land Reclamation Act for the Extraction of Construction Materials C.R.S. § 34-32.5-116(3)(a). Please fill out the annual report form and included the required map.
- 2. The Operator shall provide photo documentation to the Division verifying erosion damage has been repaired, and that the site has been reconstructed and stabilized to prevent erosion damage.

If you need additional information please contact me at the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203, by telephone at 303-866-3567, extension 8131, or by email at tyler.odonnell@state.co.us.

Sincerely,

Tyler O'Donnell

Environmental Protection Specialist

CC: Tom Kaldenbach, DRMS



John W. Hickenlooper Governor

Mike King Executive Director

Loretta E. Pineda Director