



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

October 19, 2015

Albert Frei, Jr.
Albert Frei and Sons Inc.
P.O. Box 700
Henderson, CO 80640

**Re: Priola Pit, DRMS File No. M-2007-087
5-year Phased Reclamation Extension Request**

Dear Mr. Frei:

On October 9, 2015, the Division of Reclamation, Mining and Safety (Division) received a request to extend the 5-year phased limited reclamation required by Rule 3.1.3. The request stated that 3 more years are needed to complete final grading, shaping, and seeding. The request stated that the additional time is needed due to a dispute regarding final reclamation between the Operator and the Landowner. Following the resolution of the dispute the reclamation will be completed within the extended time period.

The Division's records indicate that mining was completed on or before April 20, 2011. Therefore, the Operator has until April 20, 2016, to complete the backfilling phase of reclamation, pursuant to Rule 3.1.3. The Division's records also indicate that the backfilling stage of reclamation is nearly complete. Given the fact that reclamation backfilling has nearly been completed well before the deadline, the extension request appears premature. If, as the deadline approaches, the Operator believes the extension is necessary, please resubmit the extension request as a Technical Revision for the Division's review. The Division appreciates the reclamation status update and information pertaining to the dispute.

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

ec: Wally Erickson, DRMS
Tony Waldron, DRMS
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