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DIVISION OF RECLAMATION  
MINING AND SAFETY

Ms. Amy Eschberger  
Division of Reclamation, Mining and Safety  
Department of Natural Resources  
1313 Sherman St, Room 215  
Denver, CO 80203

Re:    Midwestern Farms Pit, File no. M-1993-059  
      Updated Performance Warranty, Request for Extension

Dear Ms. Eschberger:

Midwestern Farms and Eastern Colorado Aggregates are currently in arbitration regarding the mining lease for the Midwestern Farms Pit. Arbitrators were appointed in early December 2015. It is anticipated that arbitration proceedings will resolve the dispute regarding which entity will hold the mining permit through closeout and will accept responsibility for reclamation. This is directly related to whether Midwestern Farms will remain as the signer on the Performance Warranty for the permit, or if a Succession of Operators will be required.

We hereby request a ninety (90) day extension to the response period to accomodate arbitration proceedings.

Pleased contact me at your convenience should you have any questions.

Sincerely,  
**Applegate Group, Inc.**



Carrie Herbolsheimer, PE  
Water Resource Engineer

CH/ta  
cc:   Midwestern Farms, LLC  
      AG File No. 14-130

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