



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources
1313 Sherman Street, Room 215
Denver, Colorado 80203

October 31, 2016

Kym A. Schure
12826 County Road 37
Sterling, CO 80751

Re: Citizen Complaint Received; Dollerchell Pit; Permit File No. M-1986-074; CT-02

Dear Mr. Schure,

On September 27, 2016, the Division of Reclamation, Mining and Safety (Division) received a citizen complaint on the Dollerschell Pit, Permit file No. M-1986-074. The Division has enclosed a copy of the complaint for your records.

The complaint asserts that the legal right to enter is invalid. Please demonstrate that the site is in compliance with Rule 6.4.14 on or before **November 30, 2016**. For your information, the pertinent sections regarding legal right to enter of the Mineral Rules & Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials are listed below.

Rule 6.4.14 (Source of Legal Right to Enter)

The source of the Operator's/Applicant's legal right to enter and initiate a mining operation on the affected land. (Same requirements as Rule 6.3.7).

Rule 6.3.7 (Source of Legal Right-to-Enter)

Provide a description of the basis for legal right of entry to the site and to conduct mining and reclamation, for Owners of Record described in Rule 1.6.2(1)(e)(i). This may be a copy of access lease, deed, abstract of title, or current tax receipt. A signed statements by the Landowner and acknowledged by a Notary Public stating that the Operator/Applicant has the legal right to enter and mine is also acceptable.

If you need additional information or have any questions, please contact me at Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at **303-866-3567 x8132**, or by email at elliott.russell@state.co.us.

Sincerely,

Elliott R. Russell
Environmental Protection Specialist

Enclosure: Citizen Complaint received September 27, 2016; "Mining Activities Under Permit M1986074"

Cc: Wally Erickson; DRMS
Jeff Fugate; AGO for DRMS
Michael Holditch, Esq.; Hulbert & Associates, LLC; 1828 N. Clarkson Street, Denver, CO 80218

