

November 22, 2016

Jay Wagner
Wagner Construction, Inc.
1850 E 1st St
Craig, CO 81625



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

**RE: Reason to Believe a Violation Exists and Notice of Board Hearing, Wagner Rock Pit,
Permit No. M-1999-018**

Dear Mr. Wagner:

On November 8, 2016 you were sent a letter and given notice that a board hearing has been scheduled for December 15, 2016. This hearing is based on the Division's belief that you have violated C.R.S. 34-32.5-117(4)(c)(II) a financial warrantor shall have sixty days after the date of notice of any adjustments to fulfill the new requirements. During a conference call on November 21, 2016 you indicated you wished to resolve the issue. In order to do so the required surety increase of \$21,336 must be submitted and accepted by the Division no later than **Friday, December 9, 2016** for a total bond amount of \$35,341.

The Division will withdraw this board item when the increase has been accepted. However, if the required surety is not accepted by December 9, 2016 the board hearing may go on as scheduled.

Please make arrangements with Barbara Coria at the Division of Reclamation, Mining and Safety Denver Office, phone no. 303.866.3567, ext. 8148 for submittal of the financial warranty. Any questions regarding completion, execution and/or submittal of financial warranty forms should also be directed to Barbara Coria.

If you require additional information, or have questions or concerns, please feel free to contact me. Amy Yeldell at the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203. Direct contact can be made by phone at 970-254-8511 or via email at amy.yeldell@state.co.us

Sincerely,

Amy Yeldell

Environmental Protection Specialist
Department of Natural Resources
Division of Reclamation, Mining and Safety
Phone: (970) 254-8511

Ec: Russ Means, Senior EPS, Grand Junction DRMS

