

May 8, 2017

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



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

1313 Sherman Street, Room 215  
Denver, CO 80203

***RE: Wagner Rock Pit, Permit No. M-1999-018, 112c Conversion Application- Extension for comments received***

Dear Mr. Wagner:

On January 9, 2017 Mined Land Reclamation Board (Board) Order (MV-2016-061) was signed that required Wagner Construction Inc. (Wagner) to within 180 day submit and have approved a conversion application to incorporate all affected lands. The effective due date for this board order is July 10, 2017. On March 6, 2016 Wagner submitted a 112c conversion application. On March 13, 2017 the application was considered complete and the decision due date was set for June 12, 2017.

The Division has since received objection letters to your conversion permit application. This will prolong the review process in order to comply with the 112c objection process. The board ordered approval date of July 10, 2017 of the conversion application now appears impractical as it would need to be schedule for the June 28<sup>th</sup>~29<sup>th</sup> Board meeting.

In order to extend the decision due date Wagner must first request an extension prior to the due date. This means an extension must be granted at the June 28~29, 2017 MRLB meeting. Please submit an extension request by June 8<sup>th</sup> 2017. Send the request to me and I'll forward it to the Board for placement on the agenda.

The extension request item will be placed on the consent agenda and you will not be required to attend the meeting. Please note that the application needs to be in an approvable form a minimum of 20 days prior to the MRLB meeting where the decision will take place. This means that all adequacy items will need to be completely addressed so that staff may issue their letter of rational prior to the required pre-hearing conference. In your request please specify that the extension to the decision due is needed due to comments being received and the need to address them properly. The extension request should be either a 17-day extension for the July 26~27, 2017 meeting or a 45-day extension for the August 23~24, 2017 meeting. You will need to be present at the decision hearing.



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  
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Cc:  
Russ Means, Senior EPS, Grand Junction DRMS