



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

August 8, 2017

Greg Westhoff
Morgan Sand & Gravel Inc.
21215 Hwy No 52
Fort Morgan, CO 80701

**Re: Notice of Withdraw of Reason to Believe a Violation Exists and Notice of Withdraw of
Board Hearing; Westhoff Pit, M-1977-094**

Dear Mr. Westhoff,

On July 18, 2017 the Colorado Division of Reclamation, Mining and Safety (Division) sent you a letter notifying you of a possible violation at the above referenced site. The Division cited a possible violation of:

- C.R.S. § 34-32.5-117(4)(c)(II) and Rule 4.2.1(2) for failure to post additional financial warranty within 60 days of the date of notice of adjustment.

On August 4th, 2017 the Division received the additional financial warranty required. The financial warranty documents submitted were signed by Virginia Brannon, the Division Director on August 7th, 2017. Given this, the Division no longer believes the Westhoff Pit is in violation. The Division formally withdraws its Reason to Believe a Violation Exists and wishes to notify you that this item has been removed from the Boards Agenda and there will no longer be a hearing held for this issue at the August 23 and 24, 2017 Board Meeting.

If you have any questions, please contact me at (303) 866-3567, ext. 8120.

Sincerely,

Jared Ebert
Environmental Protection Specialist III

CERTIFIED MAIL NO. 7016 2140 0000 2346 0561
Return Receipt Requested

cc: Tony Waldron, DRMS
Wally Erickson, DRMS
Jeff Fugate, AGO

