

August 26, 2019

Levi Schofield
Schofield Excavation, Inc.
P.O. Box 612
Gypsum, CO 81637



1313 Sherman Street, Room 215
Denver, CO 80203

RE: Birdseye Pit, File No. M-2019-034, 112c Application Adequacy Review

Mr. Schofield:

The Division of Reclamation, Mining and Safety (Division) is in the process of reviewing the above referenced application in order to ensure that it adequately satisfies the requirements of the Colorado Land Reclamation Act for the Extraction of Construction Materials (Act) and the associated Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules). During review of the material submitted, the Division determined that the following issue(s) of concern shall be adequately addressed before the application can be considered for approval.

1. There are powerlines and a gas pipeline, owned by Xcel Energy, within the permit boundary. Page D-7 of the application refers to structure agreements with the utility company. The agreements were not included in Exhibit S of the application package. Pursuant to Rule 6.4.19, please submit a notarized letter from the utility company, on Xcel Energy letterhead, stating that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility.

Please submit your response(s) to the above listed issue(s) by Friday, September 06, 2019 in order to allow the Division sufficient time for review.

The Division will continue to review your application and will contact you if additional information is needed.

If you require additional information, or have questions or concerns, please contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dustin Czapla'.

Dustin Czapla
Environmental Protection Specialist
Division of Reclamation, Mining and Safety
Phone: (303) 866-3567, ext. 8188



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Cc: Ben Langenfeld
Greg Lewicki and Associates
3375 W Powers Circle
Littleton, CO 80123