



April 14, 2020

Tony Roberts  
Scott Contracting, Inc.  
9200 E Mineral Ave  
Suite 400  
Centennial, CO 80112

**RE: Rifle Pit #1, File No. M-2020-008 , Construction Materials Regular 112 Application Second Adequacy Review**

Dear Mr. Roberts:

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 a decision can be rendered.

**1. Attachment B, Warranty Deed**

- a. Pursuant to Rule 6.4.14 the applicant has provided the Warranty Deed for the project location to demonstrate the legal right to enter. However in Exhibit B, Permitted Exceptions of the Warranty Deed, items 5 and 6 indicate a split ownership of the Oil, Gas and other Mineral Rights of the project area. Also specifically item 6 indicates that all Oil, Gas, Hydrocarbons and other minerals, together with so much of the surface as may be necessary for the convenient mining or extraction of the listed items was not included in the sale of the property. This is inferred to mean that upon completion of reclamation there must be enough dry land to facilitate oil, gas and other mineral development by the owner of those associated rights. Please address this item and clarify if the oil, gas and other minerals is of split ownership. If the Division's assessment of the above discussed issues, please update any and all exhibits as necessary to comply with the Permitted Exceptions of the Warranty Deed.

Please submit your response(s) to the above listed issue(s) by Friday, May 22, 2020 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 at the Division's Grand Junction Field Office, by phone at 303-866-3567 Ext. 8187 or by email at [lucas.west@state.co.us](mailto:lucas.west@state.co.us).



Sincerely,



**Lucas West**

Environmental Protection Specialist  
Division of Reclamation, Mining and Safety

Cc: Travis Marshall, Senior Environmental Protection Specialist

Ec: Tony Roberts, Scott Contracting, Inc.  
Doug Grant, Grant Bros. Construction, LLC  
Michael Sawyer, Karp, Neu, Hanlon, PC