

December 11, 2020

Perry Hastings
Ellicott Sand & Gravel LLC
235 Franceville Coal Mine Road
Colorado Springs, CO 80929

**Re: Schubert Ranch Sand Resource, File No. M-2018-063;
Notice of Past Due Financial Warranty**

Dear Mr. Hastings:

On November 6, 2019, the Division of Reclamation, Mining and Safety approved your 112c mining permit application. The amount of financial warranty set by the Division for this operation is \$138,200.00. As of the date of this letter, our records indicate that you have not posted the required Financial Warranty or Performance Warranty.

Pursuant to Construction Materials Rule 4.1(2), if warranties are not received within one calendar year of approval of an application for any new permit, the Mined Land Reclamation Board (Board) shall hold a hearing, in accordance with the notification and comment provisions of Rule 1.6, to reconsider the previous approval. If the Board affirms the original approval, the Board shall establish a new deadline for submittal of the Financial and Performance Warranties. If the required Warranties are not posted by the date set by the Board, the application shall be denied.

Prior to scheduling this matter before the Board, the Applicant is required to initiate the Public Notice Procedures outlined in Construction Materials Rule 1.6 (copy enclosed) by January 10, 2021. The Applicant shall place a copy of the application, all required exhibits and adequacy review responses with the County Clerk or Recorder. Notice of the Application, on a form approved by the Board (copies enclosed), must be sent to the local Board of County Commissioners and the Board of Supervisors of the Soil Conservation District. In addition, the Applicant shall post notices (sample notice enclosed) at the mine site and publish a public notice (sample notice enclosed) in a newspaper of general circulation in the locality of the proposed mining operation. The public notice shall be published four times, once a week for four consecutive weeks. Immediately after the first publication, a copy of the notice shall be sent to all Owners of Record of the surface and mineral rights of the affected land and the Owners of Record



Mr. Perry Hastings
December 11, 2020
Page 2

of all land surface within 200 feet of the boundary of the affected lands. Once the Applicant has provided the Division with proof that all required public notices have been sent, the Division will schedule this matter before the Board.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tim A. Cazier".

Timothy A. Cazier
Environmental Protection Specialist

Enclosures

cc: Steve O'Brian, Environment, Inc.