



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

1313 Sherman Street, Room 215
Denver, CO 80203

January 21, 2021

Rudolph Fontanari
3316 E ¾ Road
Clifton, CO 81520

RE: Western Slope Flagstone Quarry No. 2, Permit No. M-1996-076, AR-1 Decision Due Date 30-Day Extension Request, Approval-2

Dear Mr. Fontanari:

On January 21, 2021, the Division of Reclamation Mining and Safety (Division) received a request from your counsel, John Henderson, to extend the decision due date of AR-1. The request is attached. The Division is approving a 30-day extension request. The decision due date for acreage release request AR-1 has now been set for March 2, 2021.

Please submit responses to the adequacy review #3 by Monday, February 22, 2021, in order to allow the Division sufficient time for review. If any adequacy issues still remain by the decision due date, the Division may deny your request.

If you have questions or concerns, please feel free to contact me.

Sincerely,

/s/ Scott Schultz
Scott Schultz

Enclosure:

January 21, 2021 Extension Request

Ec:

Travis Marshall, Senior EPS, Grand Junction DRMS
Amy Yeldell, EPS DRMS
John Henderson, Counsel





STATE OF
COLORADO

Yeldell - DNR, Amy <amy.yeldell@state.co.us>

Fontanari Third Supplemental Adequacy Letter-December 21

1 message

John Henderson <jrhcolaw@comcast.net>

Thu, Jan 21, 2021 at 11:21 AM

To: "amy.yeldell@state.co.us" <amy.yeldell@state.co.us>, Scott Schultz <Scott.Schultz@coag.gov>, "russ.means@state.co.us" <russ.means@state.co.us>, "travis.marshall@state.co.us" <travis.marshall@state.co.us>

Amy:

We are in receipt of your third adequacy letter. As noted earlier, full size maps were delivered to Denver on Tuesday. It is much easier to see detail on the full sized maps.

I have relayed your letter to the client, but he has not yet seen it.

Frankly, there is no way to make further modifications to the six plat maps and possibly develop new unified maps by tomorrow for delivery Monday. I am certain that even a first meeting with the surveyor could not be arranged that quickly, much less multiple map modifications made.

I would request a delay of the decision date; if that cannot be done I would like to place this matter before the Board regarding an extension of the decision date.

24-hour compliance with your list of requests is simply not physically possible, and I doubt that I could even develop intelligent comments by tomorrow.

With regards,

John Henderson

John Richard Henderson
Law Office of John R. Henderson, P.C.
308 E. Simpson Street, Suite 103
Lafayette, CO 80026
Office: 720.512.2953
Cell: 720.971.7063
<https://landwaterlaw.co>
jrhcolaw@comcast.net