



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

March 31, 2021

Daniel F. McCarl  
Maynes, Bradford, Shipps & Steftel LLP  
835 E. Second Ave.  
Suite 123  
Durango, CO 80301

**Re: Toner Ranch Pit, File No. M-2021-011, Untimely Comment Received**

Dear Mr. McCarl,

On February 10, 2021 the Division of Reclamation, Mining and Safety received your comment regarding the Toner Ranch Pit, File No. M-2021-011. Your comment has been received however was submitted outside of the applicable public comment period therefore, your comment has been deemed untimely and you are not qualified for party status at this time.

At this time the application is not considered complete for the purposes of filing. Once the application is considered complete for the purposes of filing, the applicant must publish public notice in a newspaper of general circulation in the locality of the proposed mining operations pursuant to Construction Materials Rule 1.6.2(1)(d). Written comments, protests or petitions for a hearing must be received by the office not more than ten (10) days after the last date of publication. If you still wish to submit comment or objection please do so in writing, within the 10 day public comment period.

If you have any questions, concerns or require additional information please do not hesitate to contact me at the Division's Grand Junction Field Office, by phone at 3030-866-3567 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

