



June 10, 2021

Robert B. Glarner, Jr.
GRCO, LLC
1701 Macklind Ave.
St. Louis, MO 63110

Re: Granby Reality Holding, LLC; Overlook Mine; File No. M-2006-075; Incomplete Transfer of Mineral Permit and Succession of Operators Application; Revision SO-01

Mr. Glarner,

On June 9, 2021, the Division of Reclamation, Mining and Safety (Division/DRMS) received the Transfer of Mineral Permit and Succession of Operators Application for the Overlook Mine, File No. M-2006-075. The following item was determined to be incomplete with the application:

1. Please provide a completed copy of the Division's Documentation of Legal Authority to Execute Financial Warranty Documents form. A copy of the form is attached and is available on the Division's website at https://drive.google.com/file/d/1sQ6O5L8MDSAeS_fhQgqNodEj3LujkH5q/view

All completed permit documents are required to be submitted for consideration of the Request for Transfer of Mineral Permit and Succession of Operators Application. An incomplete application will be denied by the Division. Please provide the required document to the Division by **August 9, 2021** to complete the application.

Please contact Jeff Thompson at jefferyc.thompson@state.co.us or (303) 866-3567 Ext. 8138 with questions regarding the required financial warranty documents. If you have any other questions, please contact me at peter.hays@state.co.us or (303) 866-3567 Ext. 8124.

Sincerely,

Peter S. Hays
Environmental Protection Specialist

Enclosure – Affidavit of Authority form

Ec: Jared Ebert; DRMS
Jeff Thompson; DRMS





COLORADO

Division of Reclamation, Mining and Safety

Department of Natural Resources

Documentation of Legal Authority to Execute Financial Warranty Documents

The Colorado Mined Land Reclamation Board (“Board”) has adopted the attached Affidavit of Authority to Execute Financial Warranty Documents pursuant to the Mined Land Reclamation Act (C.R.S. § 34-32-101 et. seq.) and the Land Reclamation Act for the Extraction of Construction Materials (C.R.S. § 34-32.5-101 et. seq.). The Board and the Division of Reclamation Mining and Safety (“Division”) have determined that, in order to carry out the financial warranty requirements set forth in C.R.S. §§ 34-32-117 and 34-32.5-117 with reasonable diligence, it is prudent to verify the legal authority of the individual signing all necessary documents.

Accordingly, you must provide confirmation of the legal authority of the individual signing all Financial Warranty Documents to the Division. You may do so either by submitting a resolution of the decision-making body of your company that authorizes an individual to sign the Financial Warranty Documents on the company’s behalf, or by completing and notarizing the attached affidavit. The Division reserves the right to require the attached affidavit in all circumstances. Please note that if you are a sole proprietor who is executing documents on your own behalf, documentation of legal authority is unnecessary.



Affidavit of Authority to Execute Financial Warranty Documents

Before me this day, the undersigned _____ [name of authorized person], in his/her capacity as _____ [title of authorized person] ("Affiant"), personally appeared and, being first duly sworn upon oath said:

1. This affidavit is being executed and submitted on behalf of _____ [name of business organization], a(n) _____ [legal form of business organization, *e.g.*, corporation, partnership, limited liability company, etc.], in good standing in the State of Colorado (the "Company").
2. It is in the interest of the Company to execute certain financial warranty documents associated with file number _____ (DRMS file number), which are required by the Colorado Mined Land Reclamation Board and Division of Reclamation Mining and Safety pursuant to Colorado law ("Financial Warranty Documents").
3. Affiant is duly authorized to sign such Financial Warranty Documents on behalf of the Company and to bind the Company to the same.
4. Affiant is not prohibited or limited by the Company's governing documents or by any applicable law from executing the Financial Warranty Documents.
5. Affiant will inform the Division of Reclamation Mining and Safety within thirty (30) days in the event that his/her authorization to execute Financial Warranty Documents on the Company's behalf is terminated.

Further, Affiant sayeth not.

Affiant's Name

Signature

STATE OF _____)
_____) ss.:
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, _____,
by _____ as _____ of _____.

Notary Public _____

My Commission Expires _____