

September 22, 2021

Mr. Joe Kraig
S & K No. 1
PO Box 49681
Colorado Springs, CO 80949

Mr. Jacob Decoto
Atticus Land, LLC
PO Box 88010
Colorado Springs, CO 80908

Re: Hale Pit aka Earl's Pit, Permit No. M-1981-121; Incomplete Application for Transfer of Mineral Permit and Succession of Operators, Revision SO-03

Dear Mr. Kraig,

On September 10, 2021 the Division of Reclamation, Mining and Safety received the Application Form for Transfer of Mineral Permit and Succession of Operators from S & K No. 1, LLC to Atticus Land, LLC, for the Hale Pit aka Earl's Pit, Permit M-1981-121. The following items are incomplete for the application to be processed:

Application Form

1. Designation of Review Timeline (p. 6): This portion of the application requires signatures from both the Permittee and Prospective Successor. Only the Prospective Successor signed this page. Please provide a revised p. 6 with signatures from both the Permittee and Prospective Successor.

Legal Right of Enter

2. As indicated on the Application Checklist, a demonstration of legal right to enter is required for the Prospective Successor. The Prospective Successor must demonstrate they have obtained a legal right of entry from any and all surface and mineral rights owners in the affected lands, independent of the current Permittee (reference Construction Materials Rules 6.3.7, 6.4.14, and 1.6.2(l)(e)(i)). This may be a copy of an access lease, deed, abstract of title, current tax receipt, or a signed and notarized



Messrs. Joe Kraig and Jacob Decoto

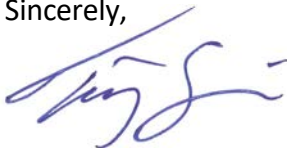
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statement by the property owners stating that the Prospective Successor has a legal right to enter. Please provide the required documentation for the Prospective Successor.

Please return the required documentation to the Division **before October 22, 2021**. All completed permit documents are required to be submitted for consideration of your Request for Transfer of Mineral Permit and Succession of Operators Application. An incomplete application may be denied after 30 days from the date of this letter, if requested documents or information are not received. In the event of any delay in your submittal or if you have any questions, please contact the Division.

Sincerely,



Timothy A. Cazier, P.E.

Environmental Protection Specialist

ec: Sara Stevenson-Benn, Financial Assurance Specialist, DRMS
Michael Cunningham, DRMS
DRMS file
Joe Kraig, S & K No. 1
Jacob Decoto, Atticus Land, LLC