



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

September 29, 2021

Calvin Feik
Bent County
725 Bent Ave
Las Animas, Co 81054

RE: Bent Co State Pit, M-2021-005, 112c Construction Material Permit Application, Adequacy Review No. 3

Dear Mr. Feik,

The Colorado Division of Reclamation, Mining, and Safety ("DRMS" or "Division"), received the response to the second adequacy review on September 24, 2021. One adequacy review item remains to be addressed.

Publication and notice

- A. In accordance with Rule 1.6.2(1)(e) the applicant shall mail or personally serve a copy of the notice required by Rule 1.6.2(1)(d) immediately after the first publication to all owners of record of the surface and mineral rights of the affected land AND the owners of record of all land surface within 200 feet of the boundary of the affected land. Included with your adequacy response letter was proof of mailing to the Colorado State Land Board; however, no documentation was submitted that the owner of record for land within 200 feet of the boundary of the affected land was provided the required notice. Based on the Exhibit C and F maps, Mike Spady is the property owner within 200 feet of the affected land. Please provide documentation these notices were sent to the appropriate parties.

This concludes the Division's third adequacy review of the application. The Division is required to issue a decision on the application by **November 1, 2021**. The adequacy items listed above must be addressed to the Division's satisfaction prior to the decision date, please submit your adequacy response no later than three days prior to the decision date. If you need additional time to address these issues you must request an extension of the decision date. Please be aware that the Division will deny the application if outstanding adequacy issues remain when the decision date arrives or inadequate time is provided for the Division to review the response to the adequacy items.

If you have any questions, please contact me at Jared.Ebert@state.co.us or at (303)-866-3567 ext. 8120.

Sincerely,

Jared Ebert
Senior Environmental Protection Specialist

