



October 13, 2021

Robert W. Burton Jr  
Betty L. Burton  
19190 County Road 15  
Del Norte, CO 81132

**Re: Burton Pit, Permit No. M-1987-013, Notice of Extension Request, Need for Corrective Action**

Dear Mr. and Mrs. Burton,

Please be advised that recent correspondence with Southway Construction (Operator) of the Burton Pit, Permit No. M-1987-013 have indicated that a 30 day extension request to the October 10, 2021 deadline imposed by the Mined Land Reclamation Board for MV-2021-001 is likely forthcoming. The Division does not oppose the additional extension to allow sufficient time for resolution, however this will be the final extension request supported by the Division. Pending the Board's approval, if at the end of the 30 day extension period an executed legal right of entry between Burton Farms LLP (Landowner) and the Operator OR a signed letter of intent from the Landowner demonstrating their intent to submit a permit application is not received by the Division, the Division will pursue further enforcement action. Further enforcement action may result in revocation of the permit, forfeiture of the Financial Warranty and reclamation of the affected lands by the Division.

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

Sincerely,

**Lucas West**  
Environmental Protection Specialist  
Division of Reclamation, Mining and Safety

Cc: Lucas West, Environmental Protection Specialist  
Travis Marshall, Senior Environmental Protection Specialist  
Russ Means, Active Mines Program Director (Minerals)  
Scott Schultz, AAG representing the Division  
Kent Holsinger, Holsinger Law LLC, Landowner Counsel

