



October 25, 2021

Chris Eisenhard  
4406 Alaska, LLC  
5210 Getaway Drive  
Berthoud, CO 80513

**RE: Ensminger Pit #2 (Permit No. M-2010-036)  
Succession of Operator No. 3 (SO3)  
Incomplete Application**

Dear Mr. Eisenhard:

On October 20, 2021, the Division of Reclamation, Mining and Safety received your Succession of Operator 3 Application package for the Ensminger Pit #2, File No. M-2010-036. Preliminary review of the information received determined that the following items must be received before the Division can consider your application as being complete:

Application form

1. Two applications were submitted for the Succession of Operation, but neither application contained all the required information. All the information, required signatures and notary stamps need to be on the same application.
2. A legal right-of-entry was not submitted with the application package. Proof that the land was recently sold to the prospective operator or an updated right-of-entry agreement with the current landowner needs to be submitted.

Your SO3 application will not be considered submitted/filed until the information listed above is received and found sufficient to begin the review. You have thirty (30) days from the date of this letter to submit all necessary documents that the DRMS needs for an application to be considered filed. If, at the end of the thirty day period, the application has not been determined to be filed with the DRMS, the DRMS may deny the application and terminate the application file.

The response to this Incompleteness Notice is due on or before **November 24, 2021**.

Once the application has been deemed complete, a decision date will be established 30 days from the date of receipt and acceptance of all the requested information (Rule 1.12.1(2)).



This letter shall not be interpreted to mean that there are no other completeness issues or technical deficiencies in your application. The DRMS will review your application to determine whether it is adequate to meet the requirements of the Act after submittal of all required items.

If you have any questions, please contact me at (720) 774-0040 or [brock.bowles@state.co.us](mailto:brock.bowles@state.co.us).

Sincerely,



Brock Bowles  
Environmental Protection Specialist

CC: Michael Cunningham, DRMS