



December 6, 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)
Decision Date Extension Final Notice**

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. A review of the SO3 application determined that the following items are still outstanding and must be received before the Division can consider your application as being complete:

1. Application pages 9 & 10 need to be executed and notarized on behalf of Rick Ensminger. The previous documents were not dated which invalidates the notary (original paper copy, PDF not accepted).
2. Affidavit of Authority from Chris Eisenhard. Need original & it needs to be notarized (original paper copy, PDF not accepted).
3. Financial warranty form and payment from Chris Eisenhard (original paper copy, PDF not accepted).
4. On the performance warranty, the name of the mining operation is referred to as the 4406 Alaska, LLC Pit #1. Please submit a formal letter indicating that the name of the operation is being changed to the 4406 Alaska, LLC Pit #1 (PDF acceptable).

Your SO3 application will not be submitted/filed until the information listed above is received and found sufficient to begin the review. You have an additional fourteen (14) 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 fourteen day period, the application has not been determined to be filed with the DRMS, the DRMS will deny the application and terminate the application file.

The response to this Incompleteness Notice is due on or before **December 20, 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 should have any questions about the Financial Warranty Forms on the DRMS website, please contact our Financial Warranty Specialist, Sara Stevenson-Benn at 303-866-3567 x 8148 or sara.stevenson-benn@state.co.us.

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

Sincerely,



Brock Bowles
Environmental Protection Specialist

CC: Michael Cunningham, DRMS
Sara Stevenson-Benn, DRMS