



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

September 28, 2022

John Wakeham
Bennett Creek Ranch LLC
4545 Yulle Road
Bennett, CO 80102

RE: Thornburg Pit, Permit M-1983-060, Incomplete Application for Transfer of Mineral Permit and Succession of Operators, Revision SO-04

Dear Mr. Wakeman:

On September 22, 2022 the Division of Reclamation, Mining and Safety received the Application Form for Transfer of Mineral Permit and Succession of Operators from The Thornburg Family Limited Partnership to Bennett Creek Ranch LLC, for the Thornburg Pit, Permit M-1983-060. The following items are incomplete for the application to be processed:

1. Application

- a. The submitted page 9 wasn't dated where indicated. This invalidates all parties' signatures. Please submit new original pages 9 and 10.

2. Structure Agreements

- a. The Prospective Successor must obtain new Structure Agreements from each owner of any significant, valuable, and permanent man-made structures and utilities within 200 feet of the affected land ("Structure Agreements"). See Construction Materials Rules 6.3.12 and 6.4.19.

The 1989 conversion application for the Thornburg Pit included the following structure agreements for structures or utilities within 200 feet of the affected land:

- power poles owned by Intermountain Rural;
- aerial and buried telephone facilities owned by US West;
- an oil and gas facilities and lease with Vessels Oil and Gas Company.

Please submit copies of new structure agreements for the items listed above and any other structures within 200 feet of the permit boundary, or explain why these agreements are no longer necessary. The original structure agreements are enclosed for reference.

3. Submit an original Affidavit of Authority signed by a Bennett Creek authorized party and notarized.

Physical Address: 1313 Sherman Street, Room 215, Denver, CO 80203 P 303.866.3567 F 303.832.8106

Mailing Address: DRMS Room 215, 1001 E 62nd Ave, Denver, CO 80216 <https://drms.colorado.gov>

Jared S. Polis, Governor | Dan Gibbs, Executive Director | Virginia Brannon, Director



Please return the required documentation to the Division **before November 27, 2022**. 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 the 60 day submittal request, 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,

Nikie Gagnon

Environmental Protection Specialist

Enclosures

Cc: Sara Stevenson-Benn, Financial Assurance Specialist, DRMS
Stan Thornburg, Thornburg Family Limited Partnership