



## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

January 26, 2023

Mr. Chance Allen  
Holcim WCR Inc  
1687 Cole Blvd, STE 300  
Golden CO 80401

**RE: Deer Creek Quarry, Permit M1997-014, Incomplete Application for Transfer of Permit and Succession of Operators (SO3)**

Mr. Allen:

On January 23, 2023, the Division of Reclamation, Mining and Safety received the Application Form and \$144 fee for Transfer of Mineral Permit and Succession of Operators from Aggregate Industries – WCR, Inc. to Holcim-WCR, Inc. for the Deer Creek Quarry, Permit M1997-014. The following items are incomplete for the application to be processed:

1. As noted on Page 3 of the application form, The Division requires a valid Demonstration of Legal Right to Enter: All Permittees must provide a description of the basis for legal right of entry to the site and to conduct mining and reclamation. See Hard Rock and Construction Materials Rules 6.3.7 and 6.4.14. To comply with this requirement, the Prospective Successor must demonstrate that he/ she/ it has obtained a legal right of entry from any and all surface and mineral rights owners in the affected lands, independent of the current Permittee. See Hard Rock and Construction Materials Rules 6.3.7, 6.4.14, and 1.6.2(1)(e)(i). This may be a copy of an access lease, deed, abstract of title, current tax receipt, or a signed and notarized statement by the property owners stating that the Prospective Successor has a legal right to enter. See Hard Rock and Construction Materials Rule 6. 3. 7.
2. Page 7 of the application form, the Due Diligence Certification has been left blank. The successor operator must review and initial the items listed on page 7 of the application form. This portion of the application form must be completed and submitted to DRMS.

Please provide the above required materials within 60 days (no later than March 28, 2023). All completed permit documents are required to be submitted for consideration of your Request for Transfer of Mineral Permit and Succession of Operators Application. If after 60 days, outstanding items remain, your application will be denied and the file terminated. The Division reserves the right to further supplement this document with additional items and details as necessary.



Please contact Eric Scott (303) 229-9414 or by email at [eric.scott@state.co.us](mailto:eric.scott@state.co.us) if you have any questions.

Sincerely,



Eric Scott  
Environmental Protection Specialist

cc: Sara Stevenson-Benn, Financial Assurance Specialist, DRMS  
Michael Cunningham, Senior EPS, DRMS  
Ec: Chance Allen [chance.allen@holcim.com](mailto:chance.allen@holcim.com)