



February 14, 2023

Jason Burkey
Oldcastle SW Group, Inc. dba United Companies
2273 River Road
Grand Junction, CO 81505

Re: ESCO Sand & Gravel LLC, Kattenburg Pit, File No. M-2004-017, Incomplete Transfer of Mineral Permit and Succession of Operators Application; Revision SO3

Mr. Burkey,

On February 7, 2023, the Division of Reclamation, Mining and Safety (Division/DRMS) received the Transfer of Mineral Permit and Succession of Operators Application for the Kattenburg Pit, File No. M-2004-017. The following items were determined to be incomplete with the application:

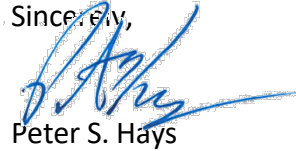
1. Please submit an original copy of the Division's Affidavit of Authority form executed by Kyle Alpha. The form is available on the Division's website at:
https://drive.google.com/file/d/1sQ6O5L8MDSAeS_fhqGqNodEj3LujkH5q/view
2. On Page 1 of the Lewicki & Associates stability analysis report the Applicant states, agreements for all structures within 200 feet of mining have been pursued by the applicant, but not all have been obtained. The Division will require the Applicant to demonstrate they attempted to obtain notarized structure agreements with all owners of the structures on and within 200 feet of the affected area of the proposed mine site, pursuant to Rule 6.4.19, prior to the Division's consideration of the stability analysis. Additionally,
3. Please submit all available signed structure agreements between Oldcastle SW Group, Inc. dba United Companies and the structure owners.

All completed permit documents are required to be submitted for consideration of the Request for Transfer of Mineral Permit and Succession of Operators Application. An incomplete application will be denied by the Division. Please provide the required documents to the Division by **March 16, 2023** to complete the application.



Please contact Sara Stevenson-Benn at sara.stevenson-benn@state.co.us or (303) 866-3567 Ext. 8148 with questions regarding the required financial warranty document. If you have any other questions, please contact me at peter.hays@state.co.us or (303) 866-3567 Ext. 8124.

Sincerely,



Peter S. Hays

Environmental Protection Specialist

Ec: Jared Ebert; DRMS
Sara Stevenson-Benn; DRMS