



**COLORADO**

**Division of Reclamation,  
Mining and Safety**

Department of Natural Resources

June 8, 2023

Jodi Schreiber  
PFM Consulting LLC  
1774 N. Cougar Drive  
Pueblo West, CO 81007

**RE: Rother Pit No. 1, Permit M-1999-083, Incomplete Application for Transfer of Mineral Permit and Succession of Operators, Revision SO-01**

Dear Ms. Schreiber.

On June 1, 2023 the Division of Reclamation, Mining and Safety received the Application Form for Transfer of Mineral Permit and Succession of Operators from Cheyenne County to Colorado Gravel LLC, for the Rother Pit No. 1, Permit M-1999-083. The following items are incomplete for the application to be processed:

1. Please provide a description of the basis for legal right of entry to the site and to conduct mining and reclamation. See Construction Materials Rule 6.3.7 and 1.6.2(1)(e)(i). 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. 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.
2. 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. To comply with this requirement, please submit copies of new structure agreements for the fence and private road and any other structures within 200 feet of the permit boundary.
3. Submit an original Affidavit of Authority signed by William Osborn, a Colorado Gravel LLC authorized party, and notarized.

Please return the required documentation to the Division **before August 8, 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. 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*

Nikie Gagnon  
Environmental Protection Specialist

Enclosures: Affidavit of Authority, Structure Agreement Example

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

