



July 5, 2023

Charles Kellerman Jr.
Butala Construction Company
9000 Co Rd 152
Salida, CO 81201

Re: Butala Gravel Pit, Permit No. M-1977-170, Operational Requests Response

Mr. Kellerman,

On June 27, 2023, the Division of Reclamation, Mining and Safety (Division) received three separate operational requests from Butala Construction Company ("operator") pursuant to the Cease-and-Desist Order prescribed in the recently executed (6/16/23) Stipulated Agreement. The Operational requests involved the following items;

1. *Allow cleanout of cotton woods and other shrubs and trees along the ditches and ponds on the southwest side of the mine.*
2. *Undertake general maintenance and repair of equipment, machinery and vehicles at the mine.*
3. *Request to sell and remove from the mine certain materials that have been stockpiled, specifically;*
 - a. *Boulders (greater than 20-inch diameter)*
 - b. *Cobble Rock 8 - 20 inches in diameter*
 - c. *Cobble Rock 4 -8 inches in diameter*
 - d. *Cobble Rock 2 -4 inches in diameter*
 - e. *Cobble Rock 1-3 inches in diameter*

The Division has reviewed each of the operator's request, as well as the supplemental materials submitted, and hereby **approves** each of the three requests. Please note however, that in regards to the request to sell and remove certain materials that have been stockpiled on site, the Division's approval does not allow for the crushing, screening, washing or otherwise processing the materials in those stockpiles (as those operations were not requested by the operator). If you have any questions, comments or concerns please feel free to contact me at the Division's Grand Junction Field Office, by phone at 303-866-3567 Ext. 8187 or by email at lucas.west@state.co.us.

Sincerely,

Lucas West
Environmental Protection Specialist
Division of Reclamation, Mining and Safety

Cc: Travis Marshall, DRMS
Russ Means, DRMS



Mr. Charles Kellerman
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Ec: Peter Jaacks, Operator Counsel
Scott Clark, Operator Counsel
Scott Schultz, DRMS Counsel