



**COLORADO**  
Division of Reclamation,  
Mining and Safety  
Department of Natural Resources

August 29, 2023

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

**Re: Butala Gravel Pit, Permit No. M-1977-170, Interim Financial Warranty Requirement Correction**

Mr. Kellerman,

On Tuesday August 22, 2023 the Mined Land Reclamation Board issued its Findings of Fact, Conclusions of Law, and Order (Board Order) confirming the stipulated agreement executed by the Division and Butala Construction Company. In Reviewing the Board Order, an error in item 32 of the Stipulated Agreement was noticed. Item 32 states that "within 60 days of the effective date of the Board Order, Butala will submit an interim Financial Warranty increase of \$312,882 to ensure a total Financial Warranty of not less than \$458, 245.00" The error is in the increase amount required. The total Financial Warranty of not less than \$458, 245.00 is correct and effective. Based on the currently held amount of \$143,158.00 the increase amount is **\$315,087.00**. This increase amount is still required within 60 days of the effective date of the Board Order. Please provide the Division with the increased amount or proof of a new Financial Warranty in the amount of \$458,245.00 no later than Monday October 23, 2023.

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](mailto:lucas.west@state.co.us).

Sincerely,

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

Cc: Travis Marshall, DRMS  
Russ Means, DRMS

Ec: Peter Jaacks, Operator Counsel  
Scott Clark, Operator Counsel  
Scott Schultz, DRMS Counsel

