

September 11, 2023

Ms. Amber Michels
Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, CO 80203

RE: Cortner Pit, Follow-up to inspection dated April 5, 2023

Dear Ms. Michels:

Please accept this letter as our written response to the items due 09/11/2023.

1) CORRECTIVE ACTIONS: Operator shall submit an Acreage Reduction by the corrective action date.

RESPONSE: Please accept this letter as our request for an additional one-month extension to 10/11/23. We are submitting a partial Acreage Reduction today to correct the permit boundary issue that appears to have been a result of compounding errors. We had always understood that the 49.0 acre limit was for what was actively being disturbed and not what we were topsoiling and seeding. Once the tamarisk is removed, we will submit an additional Acreage Reduction to release the reclamation of Phase V which will bring us down to about 40 acres.

2) CORRECTIVE ACTION: Operator shall implement the existing weed control plan and provide photo evidence to the Division.

RESPONSE: Please accept this letter as our request for an additional one-month extension to 10/11/23 so we can remove the tamarisk. The weather and contractor availability have caused some delays in getting a contractor out there.

3) CORRECTIVE ACTION: Operator shall conduct a survey and replace the boundary markers in the correct locations and provide photo evidence to the Division.

RESPONSE: Completed. Please see the attached photos.

Please let me know if anything additional is needed at this time (970) 407-3631.

Sincerely,

Julie Mikulas, Regional Land Manager

All corners are marked by either
a) re-marking corners that were
already staked



b) adding stakes where needed
or



c) marking with painted rocks in
the areas that we know the
cattle will eliminate staking.

