

October 10, 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 10/11/2023.

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 11/11/23. We submitting a partial Acreage Reduction 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 III and 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 11/11/23 so we can remove the tamarisk. The contractor has had a death in their immediate family and communication has been limited since we are giving them time to grieve.

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

Sincerely,



Julie Mikulas
Regional Land Manager