



November 30, 2023

Thomas M. Eve
Butala Construction Company 9000 CR 152
P.O. Box 907
Salida, CO 81201-9519

RE: Butala Gravel Pit - File No. M-1977-170, Amendment Application (AM-2), Notice of Incomplete Application

Dear Thomas M. Eve:

On November 30, 2023, the Division of Reclamation, Mining and Safety received your 112c Construction Materials Reclamation Permit Amendment application for the Butala Gravel Pit, which is located in Chaffee County. Preliminary review of the information received determined that the following additional information must be received before the Division can consider your application complete and technical review can begin. Thus, your application is incomplete for the purposes of filing as of November 30, 2023.

1. **All Maps-** None of the maps included within the Amendment Application satisfy the minimum requirements of Rule 6.2.1(2). Please revise any existing maps, and include any missing maps ensuring they include all elements required by the provisions of the Rules for that map, and include the minimum requirements of Rule 6.2.1(2)
2. **Exhibit F-** Reclamation Plan Map: Within the Application Materials, no Reclamation Plan Map was submitted as required by Construction Materials Rule 6.4.6. Please submit a Reclamation Plan Map that satisfies all requirements of Rule 6.4.6 and contains the minimum map requirements of Rule 6.2.1(2).
3. **Exhibit R -** Proof of Filing with County Clerk and Recorder: A receipt for an online portal was included with Exhibit R, however that receipt does not indicate that it represents the Chaffee County Clerk and Recorder. Please submit a proof of filing in the form of an affidavit or receipt indicating the date on which the application was placed with the local County Clerk and Recorder for public review as required by Rule 6.4.18. Also, please note that all of the updated information required in this notice must also be placed on file with the County Clerk and Recorder, with an updated receipt provided.



You have sixty (60) days from November 30, 2023 to submit all necessary documents that the Division needs for the application to be considered filed. The above listed items must be received no later than **Monday January 29, 2023**. If, at the end of the sixty day period, the application has not been determined to be complete and filed, the Division may deny the application and terminate the application file. Also, please note that if you have already commenced the public notice as required by Rule 1.6.2(d), (e) and (f) you will be required to re-notice and/or re-publish once the application is considered complete and filed.

This letter shall not be construed to mean that there are no other technical deficiencies in your application. The Division will review your application to determine whether it is adequate to meet the requirements of the Act after submittal of all required items. If you have any questions, please contact me by telephone at 303-866-3567 x 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

EC: Thomas Eve, Butala Construction
Chuck Kellerman, Butala Construction
Peter Jaacks, BFW Law
Scott Clark, BFW Law