



February 29, 2024

Curt Houchin
Charles W. Houchin
P.O. Box 85
Green Mountain Falls, CO 80819

RE: Houchin Gravel Pit, File No. M-1980-249, Incomplete Application for Transfer of Mineral Permit and Succession of Operators, Revision SO-1

Dear Curt Houchin:

On February 22, 2024 the Division of Reclamation, Mining and Safety (Division) received the Application Form for Transfer of Mineral Permit and Succession of Operators from Charles W. Houchin to Houchin Inc. for the Houchin Gravel Pit, Permit M-1980-249. The following items are incomplete and need to be addressed for the application to be processed:

Application Form

1. On page 6 of the SO Application, the Permittee and Prospective Successor must initial at least one option. Since an updated bond has already been provided by the Prospective Successor, it is recommended that the Permittee does not waive their right to a decision within 30 days. Please provide a replacement Page 6 of the Application which has the chosen option initialed.

Legal ROE

2. The land is owned by Carolyn E. Houchin (deceased) who is the mother of the Operator, Curt Houchin. Mr. Houchin confirmed via telephone on January 22, 2024, there is no lease or other formal document confirming the legal right of entry. Therefore, legal right of entry documents will need to be submitted to the Division in order to approve the SO application. In this scenario, the Division will need to receive a copy of the death certificate and either a legal Power of Attorney or Executor document which shows that the Prospective Successor has legal right to enter lands on which the mine resides.

Structure Agreements

3. Satellite imagery shows two structures (a house and a utility line) along the SE side of the permit boundary. Please provide updated structures agreements for these structures which reference the new prospective successor. An example of a structures agreement form has been included with this letter.



Please return the required documentation to the Division **before April 29, 2024**. All completed permit documents are required to be submitted for consideration of your Request for Transfer of Mineral Permit and Succession of Operators Application. An incomplete application may be denied after the 60-day submittal request, if requested documents or information are not received. In the event of any delay in your submittal or if you have any questions, please contact the Division.

If you require additional information, or have questions or concerns, please feel free to contact me at 720-868-7757 or hunter.ridley@state.co.us

Sincerely,
Hunter C. Ridley



Environmental Protection Specialist

CC: Russ Means, DRMS

An example Structure Agreement which meets the requirements of the Statutes is shown below.

Structure Agreement

This letter has been provided to you as the owner of a structure on or within two hundred (200) feet of a proposed mine site. The State of Colorado, Division of Reclamation, Mining and Safety (“Division”) requires that where a mining operation will adversely affect the stability of any significant, valuable and permanent man-made structure located within two hundred (200) feet of the affected land, the Applicant shall either:

- a) Provide a notarized agreement between the Applicant and the Person(s) having an interest in the structure, that the Applicant is to provide compensation for any damage to the structure; or
- b) Where such an agreement cannot be reached, the Applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- c) Where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have “no negative effect” on their utility. (*Construction Materials Rule 6.3.12 and Rule 6.4.19 & Hard Rock/Metal Mining Rule 6.3.12 and Rule 6.4.20*)

The Colorado Mined Land Reclamation Board (“Board”) has determined that this form, if properly executed, represents an agreement that complies with Construction Materials Rule 6.3.12(a), Rule 6.4.19(a), and C.R.S. § 34-32.5-115(4)(e) and with Hard Rock/Metal Mining Rule 6.3.12(a), Rule 6.4.20(a), and C.R.S. § 34-32-115(4)(d). This form is for the sole purpose of ensuring compliance with the Rules and Regulations and shall not make the Board or Division a necessary party to any private civil lawsuit to enforce the terms of the agreement or create any enforcement obligations in the Board or the Division.

The following structures are located on or within 200 feet of the proposed affected area:

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, _____ (print applicant/company name),
by _____ (print representative's name), as _____ (print
representative's title), does hereby certify that _____ (structure owner) shall
be compensated for any damage from the proposed mining operation to the above listed structure(s)
located on or within 200 feet of the proposed affected area described within Exhibit A, of the Reclamation
Permit Application for _____ (operation name),
File Number M-____-____.

***This form has been approved by the Colorado Mined Land Reclamation Board pursuant to its
authority under the Colorado Land Reclamation Act for the Extraction of Construction Materials and
the Colorado Mined Land Reclamation Act for Hard Rock, Metal, and Designated Mining Operations.
Any alteration or modification to this form shall result in voiding this form.***

NOTARY FOR PERMIT APPLICANT

ACKNOWLEDGED BY:

Applicant _____ Representative Name _____

Date _____ Title _____

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing was acknowledged before me this ____ day of _____, 20____, by
_____ as _____ of _____.

Notary Public My Commission Expires: _____

NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner _____ Name _____

Date _____ Title _____

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing was acknowledged before me this ____ day of _____, 20____, by
_____ as _____ of _____.

_____ My Commission Expires: _____
Notary Public