



September 4, 2024

Ed Seymour
Caerus Cross Timbers LLC
143 Diamond Ave
Parachute, CO 81635

RE: *Colony Oil Shale Project, Permit No. M-1980-047, Request Legal Right of Entry*

Dear Mr. Seymour,

According to records kept by the Division of Reclamation, Mining and Safety (Division), Caerus Cross Timbers LLC is the permittee (Operator) for the above referenced site. On July 31, 2024, the Division was contacted by Ryan Mckee of BW Energy Law representing the company who purchased all of Caerus' Piceance assets including the above mentioned site. The transaction closed on August 19, 2024. As a result of this sale a permit condition violation may have occurred.

Request to Demonstrate Legal Right to Enter

According to C.R.S. 34-32.5-112(2)(d) and Rule 6.3.7 of the Hard Rock Rules, the Operator must; "Provide a description of the basis for legal right of entry to the site and to conduct mining and reclamation for Owners of Record Described in Rule 1.6.2(1)(e)(i). This may be a copy of access lease, deed, abstract of title, or a current tax receipt. A signed statement by the Landowner(s) and acknowledged by a Notary Public stating that the Operator/Applicant has legal right to enter is also acceptable."

The current permittee must provide the Division with the above referenced documentation to prove the Operator still possesses the legal right to enter. Alternately the new owner and potential permittee may file for a Request for Transfer of Mineral Permit and Succession of Operator(SO). Once approved by the Division the current permittee is relieved of their responsibilities of the permit.



To avoid potential future enforcement actions for non-compliance with State Statutes, Rules and Regulations, and/or conditions specified by the Permit No. M-1980-047 **the above listed documentation demonstrating legal right of entry must be received no later than Monday, November 4, 2024.**

As a reminder: Corrective actions requiring Caerus to submit a TR to update the Reclamation Plan and Maps are due by September 5, 2024.

If you require any additional information, or have questions or concerns, please feel free to contact me. Amy Yeldell by phone at (970)-210-1272 or email amy.yeldell@state.co.us

Sincerely,

Amy C Yeldell

Environmental Protection Specialist
Division of Reclamation, Mining and Safety

Ec: Travis Marshall Senior EPS, Grand Junction Supervisor