



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

April 24, 2025

Jacob Decoto
Atticus Land LLC
P.O. Box 88010
Colorado Springs, CO 80908

Chad and Sonya Miller
12265 Big Cypress Drive
Peyton, CO 80831

RE: Hale Pit aka Earl's Pit; Permit No. M-1981-121; Notice of Incomplete Request for Transfer of Mineral Permit and Succession of Operators Application Packet (Revision No. SO-4)

Jacob Decoto and Chad & Sonya Miller:

On April 17, 2025, the Division of Reclamation, Mining and Safety (Division) received your Request for Transfer of Mineral Permit and Succession of Operators Application Packet (SO-4) for the Hale Pit aka Earl's Pit, Permit No. M-1981-121. A review of the information received determined the following items must be received before the Division can consider the application as being complete:

Application Fee

1. A partial fee of \$115 was received with this application. As stated on the application "If an Application concerns a Hard Rock or Designated Mining Operation, then a filing fee of \$115.00 must be submitted to the Division. See C.R.S. § 34-32-127(2)(a)(I)(L). **If an Application concerns a Construction Materials operation, then a filing fee of \$144.00 must be submitted to the Division.** See C.R.S. § 34-32.5-125(1)(a)(X). Make all checks payable to the "Colorado Division of Reclamation, Mining and Safety". The Hale Pit aka Earl's Pit is a 110(c) Construction Materials Permit. Please submit the additional necessary fee of \$29 to the Division.

Application Form:

2. Designation of Review Timeline (p. 6): This portion of the application requires signatures from both the Permittee and Prospective Successor. Only the Prospective Successor signed this page. Please provide a revised p. 6 with signatures from both the Permittee and Prospective Successor.



Structure Agreement:

3. As indicated on the Application Checklist, a demonstration of legal right to enter is required for the Prospective Successor. The Prospective Successor must demonstrate they have obtained a legal right of entry from any and all surface and mineral rights owners in the affected lands, independent of the current Permittee (reference Construction Materials Rules 6.3.7, 6.4.14, and 1.6.2(l)(e)(i)). This may be a copy of an access lease, deed, abstract of title, current tax receipt, or a signed and notarized statement by the property owners stating that the Prospective Successor has a legal right to enter. Please provide the required documentation for the Prospective Successor.

Financial Warranty and Performance Warranty:

4. The Division is currently reviewing the acceptability of the foreign notary seals provided for the prospective successor on page 9 of the application form, on the Financial Warranty documents, and on the Performance Warranty. The Division will follow up as soon as more information can be provided.

The completeness deadline for this application is **June 23, 2025** (60 days), by which, all necessary information must be submitted in order for the application to be considered filed. If the Division does not receive the required completeness items by this deadline, we will have to terminate your Request for Transfer of Mineral Permit and Succession of Operators Application Packet (SO-4), issue a Surety Increase to the current permittee (Atticus Land LLC), and require the current permittee to address all outstanding problems at the site.

If you have any questions, you may contact me by telephone at 720-868-7757, or by email at hunter.ridley@state.co.us

Sincerely,

A handwritten signature in blue ink that reads "Hunter Ridley". The signature is written in a cursive, flowing style.

Hunter Ridley
Environmental Protection Specialist

CC: Zach Trujillo, DRMS
Sara Stevenson-Benn, DRMS