



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

May 27, 2025

Misty Ponce
Marilyn E. Diamond, Bruce A Diamond
7613 Ponce Ave.
West Hills, CA 91304

Larry Giroux
BV Mining, LLC
12433 HWY 82
Carbondale, CO 81623

RE: Pit Number One, Permit No. M-2000-099, Incomplete Application for Transfer of Mineral Permit and Succession of Operators, Revision SO-01

Dear Ms. Ponce and Mr. Giroux

On May 16, 2025 the Division of Reclamation, Mining and Safety received the Application Form for Transfer of Mineral Permit and Succession of Operators from Marilyn E. Diamond, Bruce A Diamond to BV Mining, LLC for the Pit Number One, Permit No. M-2000-099. The following items are incomplete for the application to be processed:

1. Performance Warranty: The submitted form didn't include the year in which Larry D. Giroux signed; this invalidates the notary acknowledgement. Please resubmit a Performance Warranty.
2. Some documents were signed as "Larry Giroux" whereas others as "Larry D. Giroux." Please pick one naming convention and remain consistent among all documents.
3. W9s for bond release: In order to release the 2 cash bonds currently held, State Treasury will need one W9 in the names "Marilyn E. Diamond & Bruce A. Diamond" and one in the name of "Arkansas Valley Aggregate, LLC." Please provide documentation of Marilyn E. Vazquez's name change.
4. Please provide documentation of Misty Ponce's authorization to act as Trustee for Marilyn E. Diamond & Bruce A. Diamond.
5. SO Application: page 10 contained a notary error; Larr D. Giroux's title should be listed as "Managing Member of BV Mining, LLC." Please resubmit pages 9 and 10.
6. At the time of the original application, no Permanent Man-made Structures existed within 200 feet of the Permit Boundary. Please review the site, and for any permanent man-made structures within 200 feet of the Permit Boundary, please submit an executed Structure Agreement (Blank Copy enclosed) for the structure(s).



Please mail all original documents, no photocopies are accepted, attention to Sara Stevenson-Benn to:

Standard USPS:

1313 Sherman St., Ste. 215
Denver, CO 80203

Address for FedEx, UPS, certified mail, or hand delivery:

DRMS c/o Sara Stevenson-Benn
1001 E 62nd Ave
Denver, CO 80216

Please return the required documentation to the Division **before July 23, 2025**. 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 me at the Division's Grand Junction Field Office, by phone at 303-919-2997 or by email at lucas.west@state.co.us.

Sincerely,



Lucas West

Environmental Protection Specialist
Division of Reclamation, Mining and Safety

Encl. Performance Warranty (Blank)
Structure Agreement (Blank)
Cc: Sara Stevenson-Benn, Financial Assurance Specialist, DRMS
Travis Marshall, DRMS