



July 10, 2025

Tony Majka
Oldcastle SW Group, Inc.
839 Mackenzie Ave.
Canon City, CO 81212

John Ary
Fremont Paving & Redi-Mix, Inc.
839 Mackenzie Ave.
Canon City, CO 81212

RE: Florence South Pit, Permit No. M-1988-093. Application for Succession of Operator (SO-1); Incompleteness Notice

Dear Mr. Majka and Mr. Ary,

On July 3, 2025, the Division of Reclamation, Mining, and Safety (Division/DRMS) received the Request for Transfer of Mineral Permit and Succession of Operators application packet (SO-1) for Florence South Pit, Permit No. M-1988-093, located in Fremont County. A review of the information received determined the following items must be received/corrected before the Division can consider the application complete and filed.

Application Form:

1. On page 5, under Administrative Information, Prospective Successor Information, the address provided for Oldcastle SW Group, Inc. dba United Companies is 839 Mackenzie Avenue, Canon City, CO 81212. According to the Colorado Secretary of State, a different address is registered for Oldcastle SW Group, Inc. Please make the appropriate corrections.

Right of Entry:

2. The lease agreement between Oldcastle SW Group, Inc. and Preferred Materials, Inc., provided in the application package, is not completely executed, with only the first page of the agreement provided and the signature page excluded. Please provide the complete lease agreement between the parties to include the signature page(s).

Structure Agreements:

3. Several of the Structure Agreements included in the application package were not signed by the owners. Please submit fully executed Structure Agreements for the following owners and structures:
 - a. BNSF Railway; Railway
 - b. Fremont County; County Road 79
 - c. NJR Family Trust; Outstanding and Miscellaneous Structures



4. The Geotechnical Stability Exhibit submitted with the application packet states "... buildings or other structures within 200' of the Florence South Pit affected area will not be affected by mining excavation." Rule 6.4.19(b) does allow for the use of an engineering evaluation stating that such structure shall not be damaged by mining activities in the case that an agreement as outlined in Rule 6.4.19(a) cannot be reached by the applicant with an owner(s). If the geotechnical evaluation is intended to be used as such an engineer evaluation for those structures where agreements could not be reached, then it should explicitly address the structures, and the recorded owner of said structures, for which Oldcastle SW Group, Inc. dba United Companies was not able to obtain a structure agreement. The geotechnical evaluation must also demonstrate that the structures will not be affected by mining and reclamation activities.

Financial Warranty:

5. Please see below for a list of required bonding documents and note that only original documents (no photocopies) are accepted:
 - a. Affidavit of Authority: Please submit an Affidavit signed by Brandon Pack as President of Old Castle SW Group Inc. dba United Companies and notarized.
 - b. Succession of Operators ("SO") Application: On page 9, the Prospective Successor's name and title had White Out; this is not acceptable on notarized documents. Please submit a new page 9 and 10 executed by Tony Majka and notarized. I can accept counterpart signatures so Fremont Paving & Redi-Mix, Inc. does not need to resign.
 - c. Please mail all original documents to my attention at the address listed here:

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

This concludes the completeness review for the SO-1 application packet. After the Division receives documents addressing the above issues, a technical review of the SO-1 application shall begin.

You have sixty (60) days from the date of this letter, **September 8, 2025**, to submit all necessary information for the application to be considered filed. If the completeness items identified above have not been addressed by the end of the 60-day deadline, the SO-1 application may be denied.

If you have any questions, please contact me by telephone at (720) 666-1065, or by email at Jocelyn.carter@state.co.us.

Sincerely,

July 10, 2025
Florence South Pit
Permit No. M-1988-093
Page 3 of 3



Jocelyn L. Carter
Environmental Protection Specialist
Division of Reclamation, Mining, and Safety

Ec: Amy Eschberger, DRMS