

July 11, 2025

Sent via email to: nikie.gagnon@state.co.us

Nikie Gagnon
Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, CO 80203

Re: Request for Additional Time – Mitchell Pit, Permit Nos. M-1987-023 and M-1990-131

Dear Ms. Gagnon:

I am writing on behalf of Rick Mitchell, owner of the Mitchell Pit (Permit No. M-1987-023) and Mitchell Pit #2 (Permit No. M-1990-131), to provide an update regarding the future of the permitted sites and to respectfully request additional time to address the compliance items noted in the most recent DRMS inspection.

Mr. Mitchell is currently in active discussions with the Town of Bennett regarding a potential transfer of both permits to the Town. The Town has expressed interest in taking over operation of the sites to utilize the fill material for ongoing and future public infrastructure projects. As part of those discussions, the Town is also considering conversion of the two existing 110c permits into a consolidated 112c permit that would encompass additional acreage on the Mitchell property.

We understand that compliance issues remain outstanding at the site, and we have made the Town aware that these issues will need to be addressed as part of any permit transfer. We are preparing a formal proposal to the Town and anticipate delivering it during the week of July 14, 2025. While the timeline for a final decision by the Town is not yet certain, we believe the likelihood of a transfer is strong and that the Town is approaching the opportunity seriously and in good faith.

In light of this potential transfer, and the Town's understanding that permit compliance will be their responsibility if a transfer is completed, we respectfully request that DRMS allow additional time to resolve the outstanding issues. We are committed to keeping DRMS informed of progress and will provide a status update no later than October 1, 2025.

Kent Holsinger, *Manager*
Jack Silver, *Of Counsel*

David L. Kueter, *Of Counsel*
Terry Jo Epstein, *Of Counsel*

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Mitchell Pits
July 11, 2025
Page 2

Please let us know if you have any questions or require additional information in the meantime.

Sincerely,

HOLSINGER LAW, LLC

A handwritten signature in black ink, appearing to read "K. Holsinger", with a stylized flourish at the end.

Kent Holsinger