

STATE OF
COLORADO

Eschberger - DNR, Amy <amy.eschberger@state.co.us>

Brown Quarry, M-2024-023

Eschberger - DNR, Amy <amy.eschberger@state.co.us>
To: Robert Congdon <defiancestone11@gmail.com>
Cc: "Simmons - DNR, Leigh" <leigh.simmons@state.co.us>

Wed, Aug 13, 2025 at 10:44 AM

Good Morning Mr. Congdon,

Leigh forwarded me your email (below) sent to him and the BLM on 8/11 regarding your Brown Quarry 110c application (M-2024-023) which was approved on that date (approval letter attached). I just wanted to respond and clarify a few things.

First, your 110c application was approved on 8/11 with the required financial warranty for the proposed operation set at \$58,464.00. Leigh's bond estimate incorporated costs required by the BLM, which are explained in the June 4, 2019 BLM letter that Leigh sent to you on 8/11 (also attached). Prior to conducting any activities at the site (and before the permit can be issued), we must receive and accept a fully executed performance warranty (form was enclosed with the approval letter) and financial warranty for the full required amount, which is \$58,464.00.

Secondly, it sounds like you are proposing a phased bond for the Brown Quarry operation (to post some now and more next year as your operation advances). Please be advised, we do not approve phased bonds for 110 operations, such as the Brown Quarry. When we do approve phased mining/bond approaches (for 112 operations), that plan is proposed and approved through the application review process, prior to approval. And there were no such proposals made in your application. As stated above, you must submit (and receive acceptance from our bonding specialist, Sara Stevenson-Benn) the fully executed performance warranty and financial warranty in the amount of \$58,464.00 before we can issue the permit (and prior to any mining activities occurring at the site).

Finally, you mention at the end of your email: "We are looking for an off-site location to set up our diamond wire saw. If we find the right location it wouldn't be in the bond.". I just want to make sure you understand that any mining activities, including any material processing, that occur outside of the approved permit area will be considered "affected lands". This means these activities need to be included in an approved permit area or they will be considered a possible violation. Once you have posted the required warranties, received permit issuance, and commenced with operations, please be very careful to keep all mining-related disturbances (e.g., extraction, stockpile areas, equipment storage areas, parking, roads, facilities, structures) within the approved 4.44 acre permit area, to avoid any enforcement actions.

I hope this provides the clarification that you were seeking.

Please work with our bonding specialist, Sara Stevenson-Benn (sara.stevenson-benn@state.co.us) to submit the required performance and financial warranties so we can get this permit issued.

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----- Forwarded message -----

From: **Robert Congdon** <[defiancestone11@gmail.com](mailto:defiancestone11@gmail.com)>

Date: Mon, Aug 11, 2025 at 11:06 AM

Subject: Reclamation Bond

To: Leigh Simmons - DNR <[leigh.simmons@state.co.us](mailto:leigh.simmons@state.co.us)>, Cocina, Brittany A <[bcocina@blm.gov](mailto:bcocina@blm.gov)>

Leigh, Because we will be starting so late in the season we are going to push back some of the equipment and development until next April. We will be doing some development and removing limestone ASAP. We need to take into consideration the bonding that won't be taking place this fall and winter. Once you and Brittany have your numbers together I would like to go over them with you both so we can figure that out. Next spring I understand there will be an additional bond required. Example: We are looking for an off-site location to set up our diamond wire saw. If we find the right location it wouldn't be in the bond. Robert

Defiance Stone Co, LLC  
367 Avalanche Creek rd  
Redstone Colorado 81623


505-328-6860

**Amy Eschberger**  
**Senior Environmental Protection Specialist**



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

**2 attachments**

 **M2024-023\_Brown-Quarry\_Approval\_2025-08-11.pdf**  
2780K

 **M2024-023\_Brown-Quarry\_Cost-Estimate\_2025-08-11.pdf**  
1763K