



September 16, 2025

Kevin Peart  
Holcim – WCR, Inc.  
1687 Cole Blvd. Suite 300  
Golden, CO 80401

**RE: Daniels Sand Pit 2, Permit No. M-1973-007-SG; Transfer of Mineral Permit and Succession of Operators Application, SO4, Notice of Incomplete Application**

Dear Mr. Peart,

On September 11, 2025 the Division of Reclamation, Mining and Safety (Division) received your application for a Transfer of Mineral Permit and Succession of Operators (SO-4) for the Daniels Sand Pit 2, Permit No. M-1973-007-SG. During review of the material submitted, the Division determined that the following issue(s) of concern need to be adequately addressed before the Succession of Operators application can be considered for approval. Please provide the following:

**Legal Right to Entry & Structure Agreements**

1. Several parcel numbers provided on the structure agreements could not be located in the El Paso County accessor database. These are listed below. Please provide corrected parcel numbers for these structure agreements. Parcel No. 6501000138, 650230003, 650230004, 6503101003, 6503103007, and 650230002.
2. Three Special Warranty Deeds were provided with the SO application. These deeds list Aggregate Industrices – WCR, Inc. as grantee. Please provide a signed affidavit from the grantor which clarifies that the warranty deed applies to Amrize West Central Inc. as the new grantee.

**Financial and Performance Warranty**

1. An original Affidavit of Authority signed by Travis Smith as GM for Amrize West Central Inc. is required. The appropriate form is attached below.

Please submit your response(s) to the above listed issue(s) by **October 27, 2025** in order to allow the Division sufficient time for review. The 60 day due date for incompleteness responses is November 15, 2025. If you cannot address the above issues by such date, please request an extension to the decision due date in order to ensure adequate time for the Division to review the materials.



The Division will continue to review your Successor of Operator Application and will contact you if additional information is needed.

If you require additional information, or have questions or concerns, please feel free to contact me at 720-868-7757 or [hunter.ridley@state.co.us](mailto:hunter.ridley@state.co.us)

Sincerely,  
Hunter C. Ridley

A handwritten signature in blue ink that reads "Hunter Ridley". The signature is written in a cursive style with a large initial "H" and a stylized "R".

Environmental Protection Specialist II  
CC: Zach Trujillo, DRMS



# COLORADO

## Division of Reclamation, Mining and Safety

Department of Natural Resources

### **Documentation of Legal Authority to Execute Financial Warranty Documents**

*The Colorado Mined Land Reclamation Board (“Board”) has adopted the attached Affidavit of Authority to Execute Financial Warranty Documents pursuant to the Mined Land Reclamation Act (C.R.S. § 34-32-101 et. seq.) and the Land Reclamation Act for the Extraction of Construction Materials (C.R.S. § 34-32.5-101 et. seq.). The Board and the Division of Reclamation Mining and Safety (“Division”) have determined that, in order to carry out the financial warranty requirements set forth in C.R.S. §§ 34-32-117 and 34-32.5-117 with reasonable diligence, it is prudent to verify the legal authority of the individual signing all necessary documents.*

*Accordingly, you must provide confirmation of the legal authority of the individual signing all Financial Warranty Documents to the Division. You may do so either by submitting a resolution of the decision-making body of your company that authorizes an individual to sign the Financial Warranty Documents on the company’s behalf, or by completing and notarizing the attached affidavit. The Division reserves the right to require the attached affidavit in all circumstances. Please note that if you are a sole proprietor who is executing documents on your own behalf, documentation of legal authority is unnecessary.*



### Affidavit of Authority to Execute Financial Warranty Documents

Before me this day, the undersigned \_\_\_\_\_ [name of authorized person], in his/her capacity as \_\_\_\_\_ [title of authorized person] ("Affiant"), personally appeared and, being first duly sworn upon oath said:

1. This affidavit is being executed and submitted on behalf of \_\_\_\_\_ [name of business organization], a(n) \_\_\_\_\_ [legal form of business organization, *e.g.*, corporation, partnership, limited liability company, etc.], in good standing in the State of Colorado (the "Company").
2. It is in the interest of the Company to execute certain financial warranty documents associated with file number \_\_\_\_\_ (DRMS file number), which are required by the Colorado Mined Land Reclamation Board and Division of Reclamation Mining and Safety pursuant to Colorado law ("Financial Warranty Documents").
3. Affiant is duly authorized to sign such Financial Warranty Documents on behalf of the Company and to bind the Company to the same.
4. Affiant is not prohibited or limited by the Company's governing documents or by any applicable law from executing the Financial Warranty Documents.
5. Affiant will inform the Division of Reclamation Mining and Safety within thirty (30) days in the event that his/her authorization to execute Financial Warranty Documents on the Company's behalf is terminated.

Further, Affiant sayeth not.

\_\_\_\_\_  
Affiant's Name

\_\_\_\_\_  
Signature

STATE OF \_\_\_\_\_ )  
\_\_\_\_\_) ss.:  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_,  
by \_\_\_\_\_ as \_\_\_\_\_ of \_\_\_\_\_.

Notary Public \_\_\_\_\_

My Commission Expires \_\_\_\_\_