

STATE OF  
COLORADO

Eschberger - DNR, Amy &lt;amy.eschberger@state.co.us&gt;

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**Status of Required Corrective Actions / Buffalo No 1 / M-1978-011**

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**Jason McGraw** <jason.mcgraw@generalshale.com>

Wed, Sep 24, 2025 at 10:51 AM

To: "Eschberger - DNR, Amy" &lt;amy.eschberger@state.co.us&gt;

Cc: David Garrett &lt;david.garrett@generalshale.com&gt;, Houston Walker &lt;Houston.Walker@generalshale.com&gt;, "Means - DNR, Russ" &lt;russ.means@state.co.us&gt;, Jeff Fugate &lt;Jeff.Fugate@coag.gov&gt;

Hello Amy,

We did submit the right of entry document to the landowner. However, the landowner has not returned the document to General Shale. Attached is the return confirmation and cover letter detailing are current progress on this issue.

We would also like to setup a meeting to discuss the amendment. What is your current availability this week or next week?

Best Regards,

**Jason E. McGraw****Mine Supervisor****General Shale** | [www.generalshale.com](http://www.generalshale.com)

1845 W. Dartmouth Ave.

Denver, CO. 80110

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[jason.mcgraw@generalshale.com](mailto:jason.mcgraw@generalshale.com)

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**From:** Eschberger - DNR, Amy <[amy.eschberger@state.co.us](mailto:amy.eschberger@state.co.us)>**Sent:** Monday, September 15, 2025 5:01 PM**To:** Jason McGraw <[jason.mcgraw@generalshale.com](mailto:jason.mcgraw@generalshale.com)>**Cc:** David Garrett <[David.Garrett@generalshale.com](mailto:David.Garrett@generalshale.com)>; Houston Walker <[houston.walker@generalshale.com](mailto:houston.walker@generalshale.com)>; Means - DNR, Russ <[russ.means@state.co.us](mailto:russ.means@state.co.us)>; Jeff Fugate <[Jeff.Fugate@coag.gov](mailto:Jeff.Fugate@coag.gov)>**Subject:** Status of Required Corrective Actions / Buffalo No 1 / M-1978-011

\*\*\* E-mail from an external source \*\*\*

Hi Jason,

Given the multiple discussions we've had over the past several months regarding the Buffalo No 1 problems, I thought it would be good to summarize the timeline thus far, and to clarify the required corrective actions and deadlines (see attached).

Note that we have determined an Amendment application (rather than a Technical Revision) will be needed to address mining and reclamation of Phase IV. Accordingly, we are providing an additional 90 days to get that submitted, by December 26, 2025.

Please keep me updated on the signed affidavit you are seeking from the new landowner of the disturbed portion of Phase IV. That deadline is currently set for September 27, 2025. Given our reduced requirements for that corrective action, I'm hoping it will not be an issue getting that submitted over the next 2 weeks.

Feel free to reach out with any questions.

Best Regards,

Amy Eschberger

Senior Environmental Protection Specialist

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## 2 attachments



**Return Confirmation.pdf**

139K



**Buffalo Mine M-1978-011 DRMS 2025 corrective action right of entry 9-24-2025.pdf**

403K



September 24, 2025

Colorado Division of Reclamation, Mining, and Safety  
Mrs. Amy Eschberger  
Environmental Protection Specialist  
1313 Sherman Street, Room 215  
Denver, CO 80203

Re: M-1978-011 Buffalo Mine, Elbert County, Colorado  
Corrective Action Extension Request and Update

Dear Mrs. Eschberger:

General Shale Brick, Inc. (GSB) is in receipt of the Minerals Inspection Report for the Buffalo Mine dated April 30, 2025. The inspection noted 2 problems:

***INSPECTION TOPIC: Right of Entry***

***PROBLEM #1: Failure to maintain legal right of entry for all Owners of Record to the affected lands pursuant to Rule 6.4.14.***

***CORRECTIVE ACTIONS: The operator must provide documentation of their legal right to enter to conduct mining and reclamation on the affected lands. Specifically, the operator shall provide demonstration of their legal right to enter the Phase IV portion of the permit area to, at a minimum, conduct reclamation of the existing mining disturbance. This may include a copy of a lease or a signed statement by the landowner and acknowledged by a Notary Public stating that the operator has the legal right to enter to conduct mining and reclamation.***

**Response:**

GSB has submitted a right of entry document to the landowner via certified mail. The landowner has not returned the right of entry document to GSB. The return receipt from the USPS website is attached and shows the document was signed for on September 18, 2025. Per your letter dated September 15, 2025 a return receipt is sufficient proof that the document was received by the landowner.

Please feel free to contact me with any questions at 303-783-3058 or by email at [jason.mcgraw@generalshale.com](mailto:jason.mcgraw@generalshale.com).

Sincerely,  
General Shale Brick, Inc.

A handwritten signature in cursive script that reads 'Jason E. McGraw'.

Jason E. McGraw P.E.  
Mine Supervisor

Enc: Return Confirmation

Tracking Number:

Remove X

9589071052701553813434

Copy      Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was picked up at a postal facility at 12:30 pm on September 18, 2025 in KIOWA, CO 80117.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered  
Delivered, Individual Picked Up at Postal Facility

KIOWA, CO 80117  
September 18, 2025, 12:30 pm

See All Tracking History

[What Do USPS Tracking Statuses Mean?](https://faq.usps.com/s/article/Where-is-my-package) (<https://faq.usps.com/s/article/Where-is-my-package>)

Feedback

Text & Email Updates



USPS Tracking Plus®



Product Information



See Less ^

Track Another Package

Enter tracking or barcode numbers

## Need More Help?

Contact USPS Tracking support for further assistance.

**FAQs**

STATE OF  
COLORADO

Eschberger - DNR, Amy &lt;amy.eschberger@state.co.us&gt;

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**Status of Required Corrective Actions / Buffalo No 1 / M-1978-011**

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

Wed, Sep 24, 2025 at 4:02 PM

To: Jason McGraw &lt;jason.mcgraw@generalshale.com&gt;

Cc: David Garrett &lt;david.garrett@generalshale.com&gt;, Houston Walker &lt;Houston.Walker@generalshale.com&gt;, "Means - DNR, Russ" &lt;russ.means@state.co.us&gt;, Jeff Fugate &lt;Jeff.Fugate@coag.gov&gt;

Hi Jason,

I appreciate you providing these documents for the ROE problem. Can you please send us a copy of the letter that was sent to the landowner as well? I'm assuming the letter you sent will include the name of the landowner. If not, please confirm the current landowner's name. Once you send over this additional information, I will get the ROE problem abated.

I would be happy to meet with you to discuss the amendment. I will need to check with Russ and Jeff to see if they want to participate in that, and if so, which dates work best for them. But I could meet any time between 1:30pm-4:30pm on Monday (9/29) or any time between 1:00pm-4:30pm on Wednesday (10/1). I could potentially have some availability Tuesday (9/30) morning, but would prefer one of the other two days I mentioned if at all possible.

Best Regards,

Amy Eschberger  
Senior Environmental Protection Specialist



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

Phone: (303) 945-9014 | Fax: (303) 832-8106

Physical Address: 1313 Sherman Street, Room 215, Denver, CO 80203

**Address for FedEx or UPS:**

1001 E 62nd Ave, Denver, CO 80216

[Amy.Eschberger@state.co.us](mailto:Amy.Eschberger@state.co.us) | <https://drms.colorado.gov>

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