



January 26, 2026

Joel Bolduc
BURNCO Colorado, LLC
1120 W 122nd Ave, Suite 301
Westminster, CO 80234

RE: Bernhardt Overburden Mine, File No. M-2026-014, 110 Construction Limited Impact Permit Application, Adequacy Review #1

Mr. Bolduc:

The Division of Reclamation, Mining and Safety (Division) has completed its preliminary adequacy review of your 110 Construction Limited Impact Permit Application submitted for the Bernhardt Overburden Mine located in Weld County. All comment and review periods for the application began on January 22, 2026, when the application was called complete for filing purposes. The decision date for the application is currently set for February 21, 2026.

The Division's review consisted of comparing the application content with the requirements of the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials. The Division has identified adequacy items in the application requiring clarification or additional information. These items are identified below under their respective exhibit heading and are numbered sequentially.

Exhibit D – Reclamation Plan (Rule 6.3.4):

- 1) Per Rule 6.3.4 (2), all 110 Limited Impact applications must provide an estimate of the actual costs to reclaim the site based on what it would cost the State of Colorado using an independent contractor to complete reclamation. Please provide a reclamation cost estimate for the site.

Exhibit L – Permanent Man-Made Structures (Rule 6.3.12):

- 2) Please provide copies of any structure agreements that have been obtained by the applicant (fully executed by the applicant and structure owner). If the listed Bernhardt Farms LLC structures, including the barbed wire fence and slurry wall have approved structure agreements with the existing 112c Bernhardt Gravel Mine (Permit No. M-2002-120), these can be added to the new application permit file.

This concludes the Division's adequacy review #1 of your application. The application decision date is currently set for **February 21, 2026**. If additional time is needed to respond, you must submit an extension request to our office prior to the decision date. Please note, your application may be determined as inadequate and the application denied if all adequacy items identified by the Division are not addressed to the satisfaction of the Division by the decision date.



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If you have any questions, you may contact me by telephone at 720-793-3031, or by email at ursula.armstrong@state.co.us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ursula Armstrong".

Ursula Armstrong
Environmental Protection Specialist

Cc: Jared Ebert, DRMS