

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY
Department of Natural Resources

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March 13, 2013

Doug Constance
116 Windwalker Road
Buena Vista, CO
81211

John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta Piñeda
Director

RE: Avery Construction Pit, Permit No. M-1979-010, Complaint Follow-Up

Dear Mr. Constance:

In my March 6, 2013 letter to ACA, I indicated that the town of Buena Vista requested construction of the berm. Apparently I misunderstood Mr. Coleman during our March 4, 2013 telephone conversation. In a later telephone conversation he pointed out that the landowner requested construction of the berm, and that it was approved by the town. Details regarding this should be included in ACA's written response, which I am expecting to receive by March 15, 2013. I will forward a copy of this to you. Below are the answers to your questions.

1. You can view all of the Avery Construction Pit permit documents at the following link:

<http://mining.state.co.us/Reports/MiningData/Pages/ImagedDocumentData.aspx>

Please see the attached Laserfiche User Guide.

2. The term "affected area" is the permitted area. The berm is being constructed on property located outside of the Avery Construction Pit permitted area.
3. All written correspondence from ACA will be available to view online through the above link. I will also attempt to forward all future correspondence related to this issue to you.

If you require additional information, or have questions or concerns, please contact me at the Division's Grand Junction Field Office.

Sincerely,



Dustin Czapla

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