



8 January 2004

John Caunt
Hos Brothers Construction, Inc.
PO Box 1788
Woodinville, WA 98072-1788

Certified Mail #7002 0860 0001 0649 1253

Warren Hawkridge
Rinker Materials
PO Box 2037
Everett, WA 98203

Certified Mail #7002 0860 0001 0649 1260

**RE: RESPONSE FOR EXTENSION OF NOTICE OF CORRECTION FOR
SURFACE MINE RECLAMATION PERMIT #70-012438 ("PROCTOR
CREEK PIT")**

Dear Gentlemen:

This letter is pertaining to the Department of Natural Resources (DNR) Surface Mine Reclamation Permit mentioned above and located in a portion of Section 15, Township 27 North, Range 9 East, W.M., Snohomish County, Washington.

Thank you for the letter dated 8 December 2003 requesting an extension of the items on the Notice of Correction (NOC) dated 13 October 2003 (deadline originally set for 12 December 2003). Your letter stated that the staking and sketch map would be submitted by the date requested. DNR has not received this requested item as of the date of this letter.

Attempts in reaching Warren by phone have been unsuccessful to discuss the issue of additional time needed for submitting a revised reclamation plan. A revised reclamation plan has been requested due to the potential of insufficient material in setbacks to create required slopes for the subsequent use of forestry (NOC). Based on the information provided in the letter you sent, DNR will extend your date for completion of items on the NOC for an additional 60 days beyond the date of this letter. At this time the new date for submitting requested items is **on or before 8 March 2004**.

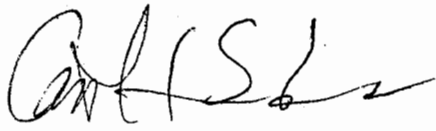
It is DNR's understanding that this permit will be transferred from Hos Brothers Construction, Inc. to Rinker Materials. This can be done with the Surface Mine

Reclamation Transfer form (SM-2B) and a performance security. Due to the outstanding NOC, a revised reclamation plan will also need to be submitted.

As discussed in phone conversation with Warren in October 2003 regarding the need for backfilling (and need for a backfill plan) or adequate material in the reclamation setback, the letter sent to DNR does not provide enough information regarding the need for additional time. If you have additional information to provide DNR, such as working with adjacent landowners to establish adequate setbacks of material for reclamation of your highwalls, please submit a letter with specifics within two weeks time.

If you have any questions regarding this letter or need further technical assistance, please contact me in our Olympia Office at (360) 902-2133.

Sincerely,




Carol Serdar
Surface Mine Reclamation Specialist

Enclosures: Letter sent to DNR dated 8 December 2003

- c: Susan Scanlan, Snohomish County Planning and Development Services
- Sean Callahan, DOE
- File #12438
- rf

I certify that this letter has been served upon the permit holder by:
 Personally handing it to the miner or permit holder; or
 Sending it to the permit holder by certified mail.



Carol Serdar
8 Jan 04
Date