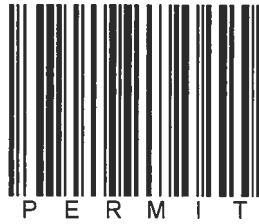


# Permit Documents





## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources  
1313 Sherman Street, Room 215  
Denver, Colorado 80203

November 6, 2014

Schlosser, Inc.  
c/o Tom Schlosser  
755 U. S. Highway 385  
Burlington, CO 80807

**Re: Schlosser Pit 1, Permit No. M-2014-061, Receipt of 112 Construction Materials Reclamation Permit Application, Incompleteness Letter**

Dear Mr. Schlosser,

On October 23, 2014, the Division of Reclamation, Mining and Safety (Division) received the Construction Materials Reclamation Permit Application package for the proposed Schlosser Pit 1, Permit No. M-2014-061. Review of this application determined the following items must be received before the Division can consider the application as being submitted and the technical review can begin.

### Application

1. The Division requires the Operator/Applicant's name to remain consistent and match the exact name registered with the Secretary of State's office throughout the application. After a records search of the business database on the Secretary of State's webpage, Schlosser Incorporated was located as a registered business. Please resubmit the first page and the certification page of the application with "Schlosser Incorporated" listed instead of "Schlosser, Inc." or revise the registered business name with the Secretary of State and submit documentation to the Division.
2. The Division requires the Applicant to provide documentation giving the signer of the application, Tom Schlosser, the authority to sign on behalf of the company. The authorization document may be in the form of by-laws, resolution, affidavit signed by corporate secretary, certified secretary statement or a notarized statement on company letterhead.

Please note that on the certification page, Tom Schlosser was listed as the Vice President of Schlosser, Inc. but the notary listed him as the Secretary. Please insure the correct titles are listed on the resubmitted certification form or on the response to #2, list Tom Schlosser as Vice President and Secretary.

### 6.4.14 Exhibit N – Source of Legal Right to Enter

3. The Applicant must provide the source of your legal right to enter and initiate a mining operation on the affected land. Within the Application, it states that no source of legal right to enter property is required since Schlosser Inc. is the owner of the proposed mining site; this is not acceptable to the Division as required by Rule 6.4.14.; please provide a description of the basis for legal right of entry to the site and to conduct mining and reclamation, for Owners of Record described in Rule 1.62(1)(e)(i). This may be a copy of access lease, deed, abstract of title, or a current tax receipt.

Please note that any changes or additions to the application on file in our office must also be reflected in the public review copy, which was placed with the Kit Carson County Clerk and Recorder by the Applicant. The



Applicant shall submit proof that any changes or additions to the application have been added to the copy placed at the Clerk and Recorder's Office.

Your application will not be considered submitted until the information listed above is received and found sufficient to begin our review. A decision date will be established 90 days from the date of receipt of all of the requested information. Additionally, if you have already published notice you will need to republish notice, after the Division considers the application submitted. This notice must be published once a week for four (4) consecutive weeks, starting within ten (10) days of the date your application is considered "submitted" (complete). We will notify you when you should initiate republication of your notice. The final date for receiving comments is the 20th day after the fourth publication or the next regular business day.

You have sixty (60) days from the date of this letter to submit all necessary documents that the Office needs for an application to be considered filed. If, at the end of the sixty day period, the application has not been determined to be filed with the Office, the Office shall deny the application and terminate the application file.

**The response due date is January 5, 2015.**

This letter shall not be interpreted to mean that there are no other technical deficiencies in your application. The Division will review your application to determine whether it is adequate to meet the requirements of the Act after submittal of all required items.

If you need additional information or have any questions, please contact me at Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at **303-866-3567 x8132**, or by email at [elliott.russell@state.co.us](mailto:elliott.russell@state.co.us).

Sincerely,



Elliott R. Russell  
Environmental Protection Specialist

Cc: Tom Kaldenbach; DRMS