

Revision



QATESTOCR



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

November 13, 2014

Doug Keller
Pine Bluffs Gravel & Excavating, Inc.
600 Parsons
P.O. Box 609
Pine Bluffs, Wyoming 82082

Re: Pine Bluffs Gravel & Excavating, Inc., Harms Pit, File No. M-2013-018, Incomplete 110 to 112 Construction Materials Reclamation Permit Conversion Application Package (CN-01)

Mr. Keller:

On November 10, 2014, the Division of Reclamation, Mining and Safety (Division/DRMS) received the 110 to 112 Construction Materials Reclamation Permit Conversion Application package (CN-01) for the Harms Pit, File No. M-2013-018. Preliminary review of the information received determined the following items must be received before the Division can consider the application as being submitted and technical review can begin:

Application Form:

1. The Applicant indicates on Section 3 – Permitted acreage 20.02 acres will be added to the permitted 9.98 acre site for a total acreage of 32.2. The Division believes the Applicant intended to indicate 22.22 acres will be added as part of the conversion application. Please review the proposed additional acreage amount and revise the application form as needed.
2. Please complete Pages 5 and 6 – Responsibilities as a Permittee section of the conversion application form.
3. The Division requires the Applicant to provide documentation giving the signer, Tyler E. Kimzey, 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. The current 110c application package was signed and included authorization for Doug Keller.
4. The Applicant name in the notary section on Page 8 - Certification of the conversion application form must match exactly with the name listed in Section #1 of the application form. Please revise the notary section of the certification page to indicate "Pine Bluffs Gravel



& Excavating, Inc.". A copy of an edited certification page is attached for reference.

Rule 6.2.1(2) General Requirements of Maps and Exhibits

5. As required by Rule 6.2.1(2)(b) all maps, except the index map, must be prepared and signed by a registered land surveyor, professional engineer, or other qualified person. Please sign the Exhibit C-1, C-2, D-1, E-1, F-1 and I-1 maps.

Rule 6.4.18 - Exhibit R - Proof of Filing with County Clerk and Recorder

6. Please provide an affidavit or receipt indicating the date on which the revised conversion application in response to this letter was placed with the Weld County Clerk and Recorder.

Your application will not be considered filed 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. Republication must occur once within ten (10) days of the submittal date. We will notify you when you should initiate republication of your notice. The final date for receiving comments is ten (10) days after the date of publication or the next regular business day.

You have until December 2, 2014 per the Board Order effective September 3, 2014 to submit all necessary documents that the Office needs for an application to be considered filed. If, by December 2, 2014, the application has not been determined to be filed with the Office, the Office shall deny the application and terminate the conversion application file.

The response due date is December 2, 2014.

This letter shall not be construed 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 have any questions, please contact me at (303) 866-3567 ext. 8124.

Sincerely,



Peter S. Hays
Environmental Protection Specialist

Enclosure: DRMS edited application certification page

Cc: Tom Kaldenbach; Division of Reclamation, Mining & Safety

Certification:

As an authorized representative of the applicant, I hereby certify that the operation described has met the minimum requirements of the following terms and conditions:

1. To the best of my knowledge, all significant, valuable and permanent man-made structure(s) in existence at the time this application is filed, and located within 200 feet of the proposed affected area have been identified in this application (Section 34-32.5-115(4)(e), C.R.S.).
2. No mining operation will be located on lands where such operations are prohibited by law (Section 34-32.5-115(4)(f), C.R.S.);
3. As the applicant/operator, I do not have any extraction/exploration operations in the State of Colorado currently in violation of the provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials (Section 34-32.5-120, C.R.S.) as determined through a Board finding.
4. I understand that statements in the application are being made under penalty of perjury and that false statements made herein are punishable as a Class 1 misdemeanor pursuant to Section 18-8-503, C.R.S.

This form has been approved by the Mined Land Reclamation Board pursuant to section 34-32.5-112, C.R.S., of the Colorado Land Reclamation Act for the Extraction of Construction Materials. Any alteration or modification of this form shall result in voiding any permit issued on the altered or modified form and subject the operator to cease and desist orders and civil penalties for operating without a permit pursuant to section 34-32.5-123, C.R.S.

Signed and dated this 7 day of November, 2014.

Pine Bluffs Gravel & Excavating, Inc.

Applicant/Operator or Company Name

Signed: [Signature]

Title: President

If Corporation Attest (Seal)

Signed: [Signature]

Corporate Secretary or Equivalent

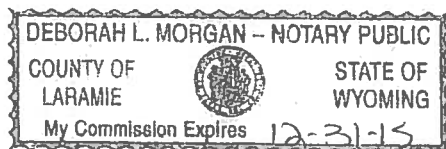
Town/City/County Clerk

State of Wyoming)

County of Laramie) ss.

PINE BLUFFS GRAVEL & EXCAVATING, INC.

The foregoing instrument was acknowledged before me this 7 day of November, 2014, by Tyler Kinzey as President of Pine Bluffs Gravel



[Signature]
Notary Public

My Commission expires: 12-31-15

SIGNATURES MUST BE IN BLUE INK

You must post sufficient Notices at the location of the proposed mine site to clearly identify the site as the location of a