



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

April 20, 2016

Mr. Rick Miller
Syzygy Enterprises LLC
1011 11th Avenue
Greeley, Colorado 80631

Re: Syzygy Enterprises LLC; McEndaffer Mine; File No. M-2010-034; Incomplete Submittal of 110 to 112 Construction Materials Reclamation Permit Conversion Application Package (CN-01)

Mr. Miller:

On April 7, 2016, the Division of Reclamation, Mining and Safety (Division/DRMS) received the 110 to 112 Construction Materials Reclamation Permit Conversion Application package for the McEndaffer Mine. 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 Division requires the permit application list the exact company name registered with the Colorado Secretary of State office, "Syzygy Enterprises LLC". Please revise the company name on Page 1, Item #1 of the application form, to indicate "Syzygy Enterprises LLC".
2. The Division requires the permit application list the exact company name registered with the Colorado Secretary of State office, "Syzygy Enterprises LLC". Please revise the company name on the Applicant/Operator or Company Name section and the notary section of the certification page, Page 8 of the application form, to indicate "Syzygy Enterprises LLC". An edited application certification page is attached for reference.

6.4.1 Exhibit A - Legal Description

3. Rule 6.4.1(2) states the main entrance to the mine site shall be located based on a USGS topographic map showing latitude and longitude or Universal Transverse Mercator (UTM). The Operator will need to specify coordinates of latitude and longitude in degrees, minutes and seconds or in decimal degrees to an accuracy of at least five (5) decimal places (e.g., latitude 37.12345 N, longitude 104.45678 W). For UTM, the Operator will need to



specify North American Datum (NAD) 1927, NAD 1983, or WGS 84, and the applicable zone, measured in meters. Please provide the location of the main entrance of the mine site in Exhibit A.

6.4.2 Exhibit B - Index Map

4. Rule 6.4.2 states the Operator shall provide an index map showing the regional location of the affected land and all roads and other access to the area. A standard U.S. Geological Survey topographic quadrangle or equivalent is acceptable. Scale criteria need not be followed for this map. The index map provided by the Operator does not meet the requirements of Rule 6.4.2. Please submit an updated Index Map for the conversion application.

6.4.3 Exhibit C - Pre-mining and Mining Plan Maps of Affected Lands

5. As required by Rule 1.11.2(3)(b), the conversion application shall show the area mined or disturbed and the area reclaimed since the original permit application. Please indicate the location of the approved 9.9 acre permit boundary and any area reclaimed within the original permit application boundary on the Exhibit C map.
6. 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 submit a signed copy of the Exhibit C map.

6.4.6 Exhibit F - Reclamation Plan Map

7. 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 submit a signed copy of the Exhibit F map.
8. As required by Rule 6.4.6(a), the maps of the proposed affected land shall indicate the expected physical appearance of the area of the affected land. The map must show proposed topography of the area with contour lines of sufficient detail to portray the direction and rate of slope of all reclaimed lands. The Exhibit F map submitted by the Applicant did not include the proposed topography with contour lines. Please submit an updated Exhibit F map.

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

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

The conversion 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. We will notify you when you should initiate republication of your notice. The final date for receiving comments is the twentieth (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 the Office needs for the conversion 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 June 20, 2016.

This letter shall not be construed to mean 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.

Sincerely,



Peter S. Hays
Environmental Protection Specialist

Enclosure - An edited application certification page

Cc: Wally Erickson; 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 24th day of MARCH, 2016.

SYZYGY ENTERPRISES, LLC

Applicant/Operator or Company Name

If Corporation Attest (Seal)

Syzygy Enterprises LLC

Signed: [Signature]

Signed: _____

Title: President

Corporate Secretary or Equivalent

Town/City/County Clerk

State of Colorado)

County of Weld) ss.

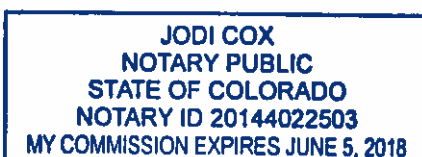
County of Weld)

Syzygy Enterprises LLC

The foregoing instrument was acknowledged before me this 24th day of March, 2016, by Rick Miller as President of Syzygy Enterprises

[Signature]
Notary Public

My Commission expires: 6-5-18



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