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**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

July 16, 2016

Mr. Kent Holsinger
Holsinger Law, LLC
1800 Glenarm Place, Suite 500
Denver, CO 80202

**Re: Van Valkenburg Cattle Co., LLC; Van Valkenburg Quarry; File No. M-2016-033; Receipt of
110 Construction Materials Reclamation Permit Application Package - Incomplete**

Mr. Holsinger:

On July 14, 2016, the Division of Reclamation, Mining and Safety (Division/DRMS) received the 110 Construction Materials Reclamation Permit Application package for Van Valkenburg Quarry, File No. M-2016-033. 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. Item #10, Page 3, please complete the location information section of the application form for the proposed Van Valkenburg Quarry.

Exhibit G - Source of Legal Right to Enter

2. The permit application states the applicant holds legal title to the land on which the permitted site is situated. Rule 6.3.7 states the basis for legal right of entry to the site and to conduct mining and reclamation may be a copy of access lease, deed, abstract of title, or a current tax receipt. A signed statement by the Landowner and acknowledged by a Notary Public stating the Operator/Applicant has legal right to enter and mine is also acceptable. Please submit a copy of the legal title indicating Mr. William Van Valkenburg as the land owner or another acceptable form of legal right to enter pursuant to Rule 6.3.7.

Exhibit I - Proof of Filing with County Clerk

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



The 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 30 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 sixty (60) days from the above date 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 September 14, 2016.

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 peter.hays@state.co.us or (303) 866-3567 Ext. 8124.

Sincerely,



Peter S. Hays
Environmental Protection Specialist

Cc: Wally Erickson; Division of Reclamation, Mining & Safety