



COLORADO

Division of Reclamation,
Mining and Safety

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

November 15, 2016

Steve Williams
Washington County
11920 CR CC
Anton, CO 80801

**RE: Incompleteness Notice; 110c Construction Materials Application;
Laybourn Pit; File No. M-2016-074**

Dear Mr. Williams,

On October 31, 2016, the Division of Reclamation, Mining and Safety (Division) received the 110c Construction Materials Limited Impact Operation Reclamation Permit Application for the Laybourn Pit, File No. M-2016-074. Review of this application determined the following items must be received before the Division can consider the application as being submitted/filed and the technical review can begin. Please respond to this Incompleteness Notice with the requested additional/updated information on permit replacement pages and summarize each response in a cover letter titled "Incompleteness Response; M-2016-074".

APPLICATION FORM

1. The application contains the following discrepancies regarding the name of the Applicant/Operator is listed: Washington County Road and Bridge (District 3) is listed on Page 1, Washington County Road District 3 is listed on Page 2, Steve Williams is listed on Page 7, and Washington County Dist. 3 is listed by the notary on page 7. Pages 1, 2, and 7 of the application will need to show a consistent Applicant/Operator. If the Applicant intends to file this permit as the same as the other Washington County permits, please revise these pages and list Washington County as the Applicant/Operator.
2. The coordinates provided as the Primary Mine Entrance Location, listed on Page 3 of the application, appear to be incorrect. The coordinates are approximately 150 feet east of where the entrance is identified on the Mine Plan Map. Please revise this and either submit a new Page 3 of the application with new coordinates OR a new Mine Plan Map with a new entrance location.

EXHIBIT A - Legal Description and Location Map (Rule 6.3.1):

3. The Application did not provide an Exhibit A Location Map. In accordance with Rule 6.3.1(3), please submit a map that identifies the affected lands, existing and proposed roads or access routes to be used, and adjacent surface owners. Please note, several maps submitted with the application (following the last page of the Exhibits) contain this requested information, but are identified as Exhibit E Maps.



EXHIBIT G – Source of Legal Right-to-Enter (Rule 6.3.7):

4. The Applicant has stated that Stanley Laybourn is the surface/subsurface owner of the affected lands. The application includes a commissioner resolution and a lease agreement between Washington County and Stanley Laybourn. In accordance with Rule 6.3.7, please provide a copy of the deed, abstract of title, or current tax receipt showing Stanley Laybourn is the landowner.

EXHIBIT I - Proof of Filing with County Clerk (Rule 6.3.9):

5. Any changes or additions to the application on file with the Division, must also be reflected in the public review copy. Please submit proof that the public review copy has been updated or a copy of the response to this Incompleteness Notice has been added to it.

Your 110c Application will not be considered submitted/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 and acceptance of all of the requested information. Additionally, if you have already published notice you will need to republish notice, but only after the Division considers the application submitted; the Division will notify you when you should initiate publication of your notice. This notice must be published once within ten (10) days of the date your application is considered submitted. The final date for receiving comments is the 10th day after the publication or the next regular business day.


Pursuant to Rule 1.4.1(8), you have sixty (60) days from the date of this letter to submit all necessary documents that the Division 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 Division, the Division shall deny the application and terminate the application file.

The response to this Incompleteness Notice is due on or before January 17, 2017.

This letter shall not be interpreted to mean that there are no other completeness issues or 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.

Sincerely,



Elliott R. Russell
Environmental Protection Specialist

Cc: Randy Schafer; 40586 CR 21, Haxtun, CO 80731
Wally Erickson; Division of Reclamation, Mining & Safety