



**COLORADO**

**Division of Reclamation,  
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

January 4, 2017

Mr. J.C. York  
J&T Consulting, Inc.  
305 Denver Ave, Suite D  
Fort Lupton, CO 80621

**Re: Northern Colorado Constructors, Inc.; Bennett Pit; File No. M-2016-085;  
Incomplete 112 Construction Materials Reclamation Permit Application Package**

Mr. York:

On December 27, 2016, the Division of Reclamation, Mining and Safety (Division/DRMS) received the 112 Construction Materials Reclamation Permit Application package for the Bennett Pit. 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. Please complete Item #6 on the application form to indicate the name of the owner of subsurface rights of the affected land.
2. Please complete the "Responsibilities as a Permittee" section on Pages 5 and 6 of the application form.

**6.4.17 Exhibit Q - Proof of Mailing of Notices to Board of County Commissioners and Soil Conservation District.**

3. The Division did not receive proof of notice the permit application was sent to the Board of County Commissioner and the local Soil Conservation District, pursuant to Rule 1.6.2(1)(a)(ii). Please submit proof of mailing the notices to the Division.

**6.4.18 Exhibit R - Proof of Filing with County Clerk**

4. The Division did not receive an affidavit or receipt indicating the date on which the application was placed with the local County Clerk and Recorder for public review, pursuant to Rule 1.6.2(1)(c). Please provide an affidavit or receipt indicating the date on which the original and revised application documents in response to this letter were placed with the Weld County Clerk and Recorder.



The 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 (20<sup>th</sup>) 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 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 March 5, 2017.**

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

Ec: Wally Erickson; Division of Reclamation, Mining & Safety  
Chris Zadel; Northern Colorado Constructors, Inc.