



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

April 28, 2017

Jonathan George
Bishop-Brogden Associates, Inc.
333 W Hampden Ave.
Englewood, CO 80110

**RE: Rothe Sand and Gravel Pit, Permit No. M-1995-017
Amendment No. 01 application, AM01, Notice of Incomplete Application**

Dear Mr. George:

The Colorado Division of Reclamation, Mining, and Safety (Division) received the above referenced application on April 17, 2017. We have conducted a preliminary review of the material submitted to determine if the application is complete and contains all the required information. On April 28, 2017, the Division has determined that the application is incomplete. In accordance with Rule 1.4.1(8), an applicant has sixty (60) days from the date of this letter (June 27, 2017) to submit all the necessary documents that the Division needs for an application to be considered filed.

Please submit the follow information:

1. The Exhibit G – Source of Legal Right-to-Enter included an un-signed copy of a resolution of the City to lease 4.35 acres of land for use for agricultural purposes to Rothe H2O LLC. Also, a partial copy of the lease was included. These documents do not prove the City of Sterling's legal right to enter the 9.95 acre permit area. In accordance with Rule 6.3.7, the applicant must submit either a copy of the access lease, deed, abstract of title, a current tax receipt or a signed statement by the Landowner and acknowledged by a Notary Public stating that the Operator/Applicant has legal right to enter and mine. Please supply one of these approved forms of documentation.

If you have any questions feel free to contact me at (303) 866-3567, extension 8120.

Sincerely,

Jared Ebert
Environmental Protection Specialist III

CC: Donald Saling, City of Sterling

