



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

October 11, 2017

Joseph M. O'Dea
Mann Lake Holdings, LLC.
2027 W. Colfax Avenue
Denver, Colorado 80204

**RE: M & G Pit, M-1986-079, Succession of Operators/Permit Transfer Application (SO03)
Notice of Incomplete Application No. 2.**

Dear Mr. O'Dea,

The Colorado Division of Reclamation, Mining, and Safety (Division) received a Transfer of Minerals Permit and Succession of Operators application (SO03) on August 14, 2017. On August 15, 2017 the Division sent you a letter indicating the application was incomplete and listed four items that would need to be submitted prior to the application being considered by our office. On October 6, 2017 the Division received your response to our August 14, 2017 letter. The four items listed in the Division's first incompleteness letter are listed below and if additional information/documentation is needed, this will be discussed.

Items No. 1 and 2 requested by the Division have been received and are adequate.

Item No. 3 – Documentation Of Legal Right to Enter

- a) On October 6, 2017 the Division received a copy of a Quit Claim Deed for 45.59 acres. The permit area for the site is 69.58 acres, please submit documentation of your right to enter the remainder of the permit area in accordance with Rule 6.4.14.

Item No. 4 – Structure Agreement(s)

- b) The Division required you to submit structure agreements for all permanent manmade structures within two hundred (200) feet of the affected land in accordance with Rule 6.4.19. On October 6, 2017 the Division received copies of structure agreements and certified mail receipts addressed to twenty four different entities (structure owners). The Division has reviewed the documents submitted and the following items will need to be addressed prior to the Division considering the SO03 application complete and filed:
 - a. The structure agreements will need to be signed by the structure owners and the completed copies will need to be submitted to the Division. Where such an agreement cannot be reached, Mann Lake Holding, LLC. can provide an appropriate engineering evaluation that demonstrates that such structure(s) shall not be damaged by activities occurring at the mining operation in accordance with Rule 6.4.19. Or,



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- b. Where such structure is a utility, Mann Lake Holding, LLC. may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities will have "no negative effect" on their utility.

Please return the required documentation to the Division before December 17, 2017 to complete the application for filing. All completed permit documents are required to be submitted for consideration of your request for Transfer of Mineral Permit and Succession of Operators Application. An Incomplete application will be denied after December 17, 2017, if the requested documents or information are not received. If you need additional time to submit the information/documentation please request and extension of the deadline.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Jared Ebert", with a stylized flourish at the end.

Jared Ebert

Environmental Protection Specialist III

cc: Clay Carlson, Mann Resources, LLC. clay@carlsonland.net
Joseph M. O' Dea, jodea@ceiconstructors.com