



**COLORADO**  
Division of Reclamation,  
Mining and Safety  
Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

September 11, 2018

Mr. Bruce Humphries  
Regulatory Permits Management, Inc.  
22151 E. Euclid Pl.  
Aurora, CO 80016

**Re: SEMA Construction, Inc., Betz Borrow Pit, File No. M-2018-048, Receipt of Special 111 Construction Materials Reclamation Permit Application Package - Incomplete**

Mr. Humphries:

On September 6, 2018, the Division of Reclamation, Mining and Safety (Division/DRMS) received the 111 Special Operations Reclamation Permit Application package for the Betz Borrow Pit, File No. M-2018-048. 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. The Applicant submitted a letter authorizing Bruce Humphries of Regulatory Permits Management, Inc. to represent SEMA Construction, Inc. for the proposed Betz Borrow Pit permitting activities. Mr. Humphries is not listed as the Permitting Contact on Page 3, Correspondence Information section of the application form. Please update the application form to indicate Mr. Humphries as the permitting contact for the permit application.

**6.3.5 Exhibit E - Map**

2. The owner of the overhead powerline adjacent to the proposed north permit boundary is labeled as Milliken Johnstown Electric on the Mining and Reclamation Plan Maps. The Applicant submitted a structure agreement with Xcel Energy for overhead electric lines and associated power poles. Please explain this discrepancy and revise the permit application accordingly.

**6.3.9 Exhibit I - Proof of Filing with County Clerk**

3. The proof of filing with the Weld County Clerk, Page 50 of the permit application, is labeled "6.3.9 PROOF OF FILING with Arapahoe County Clerk and Recorder's Office:". Please verify the permit application was placed with the Weld County Clerk for public viewing.
4. Please provide an affidavit or receipt indicating the date on which the revised application documents were placed with the Weld County Clerk and Recorder in response to this letter.



**6.3.11 Exhibit K - Terms of Governmental Contract**

5. The Applicant submitted the first and the signature page of the CDOT contact as proof of a governmental contract. Please provide a copy of the entire contract for Division review.

**6.3.12 Exhibit L - Permanent Man-Made Structures**

6. The Applicant submitted a structure agreement with Xcel Energy. Xcel Energy is not listed as a structure owner in Exhibit L, Page 54 of the application. Please revise Exhibit L to indicate Xcel Energy as a structure owner of a permanent man-made structure within 200 feet of the affected land.
7. Please update Exhibit L to indicate Weld County as a structure owner of a permanent man-made structure within 200 feet of the affected land for WCR 45 and WCR 46.

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 15 days from the date of receipt of all of the requested information.

You have sixty (60) days from the above date to submit all necessary documents 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 November 10, 2018.**

This letter shall not be construed to mean there are no other technical deficiencies in the 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](mailto:peter.hays@state.co.us) or (303) 866-3567 ext. 8124.

Sincerely,



Peter S. Hays  
Environmental Protection Specialist

Ec: Michael Cunningham, DRMS  
Cameron Mang, SEMA