



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

February 19, 2019

Bernard Montoya
White Wolf Construction and Landscaping, LLC.
24541 Highway 12
Trinidad, CO 81082

RE: 2nd Notice of Incomplete 111(1)(b) application for White Wolf Construction and Landscaping, LLC. DRMS File No. M-2018-029.

Dear Mr. Montoya,

The Colorado Division of Reclamation, Mining, and Safety (Division), received the above referenced application on November 21, 2018. The Division reviewed the application and found it to be incomplete for the purposes of considering the application “filed” on November 28, 2018 as indicated in the Division’s correspondence dated as such. On February 15, 2019 the Division received several documents from you to address the deficiencies cited in the November 28, 2018 incompleteness letter. Based on a review of the revised information, the following items will need to be addressed and submitted in order to make your application complete:

Rule 6.3.7, Exhibit G – Source of Legal Right-to-Enter

- 1.) Please provide the documentation required for your source of legal right-to-enter in accordance with Rule 6.3.7. This may be a copy of the access lease, deed, abstract of title, or current tax receipt. A signed statement by the Landowner(s) and acknowledged by a Notary Public stating that the Operator/Applicant has legal right to enter is also acceptable.

Financial Warranty

- 2.) Please submit a fully executed financial warranty in the amount of \$2,500 per acre of affected land (a fraction of an acre is counted as one acre for calculation). Please note, during the review period, the Office or Board may require a greater amount necessary to ensure that the estimated costs of reclamation are assured. Several different forms of financial warranties are provided by the Act. Please review Rule 4.3 to determine which type of financial warranty you desire to use. You may obtain the appropriate forms from the Division’s Web Page at www.mining.state.co.us.



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As you are aware, this application was required by the Mined Land Reclamation Board ("Board") to address violation no. MV-2018-029. If a permit is not issued for this site in a timely manner, you may be found in violation of the Board's order in accordance with C.R.S. 34-32.5-124. Given this, all the documents needed to deem the application complete must be submitted by **March 21, 2019**. 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