



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

October 18, 2019

Robert Nead  
Uinta Mining, LLC  
6602 Ilex Circle  
Naples, FL 34109

***RE: Skull Creek, File No. M-2019-0554, Receipt of Incomplete Construction Material Regular (112)  
Operation Reclamation Permit Package***

Dear Mr. Nead:

On October 8, 2019, the Division of Reclamation, Mining and Safety received the Construction Material Regular (112) Operation Reclamation Permit Application package for Shull Creek, File No. M-2019-054. A preliminary review of the information received determined that the following items must be received before the Division can consider the application submitted and technical review can begin:

**Rule 6.2.1** General Requirements

6.2.1(2)(e) Most maps in the application are missing a North arrow. Please resubmit all maps to include a North arrow.

The application form states that the proposed permitted acreage is 485 acres. In most exhibit narratives, the acreage is stated to be 476.4 acres. Please clarify in either the application form or exhibit narratives the correct acreage of the permit area.

Uinta Mining, LLC is not listed with the Colorado Secretary of State. Please submit proof that Uinta Mining, LLC is listed and in good standing with the Colorado Secretary of State.

**Rule 6.4.3** Pre-mining and Mining Plan maps of the Affected Lands

6.4.3(g) Show the owners name, type of structures and location of all significant, valuable, and permanent man-made structures contained on the area of the affected land and within 200 feet



of the affected land. Please submit a map with permanent manmade structures and/or state that there are no permanent manmade structures in Exhibit S pertaining to Rule 6.4.19.

#### **Rule 6.4.4 Exhibit D- Mining Plan**

The following is not in the mining plan, please submit:

- (e) An approximate timetable to describe the mining operation. The timetable is for the purpose of establishing the relationship between mining and reclamation during the different phases of a mining operation. An Operator/Applicant shall not be required to meet specific dates for initiation, or completion of mining in a phase as may be identified in the timetable. This does not exempt an Operator/Applicant from complying with the performance standards of Section 3.1. If the operation is intended to be an intermittent operation as defined in Section 34-32.5-103(11)(b), C.R.S., the Applicant should include in this exhibit a statement that conforms to the provisions of Section 34-32.5-103(11)(b), C.R.S. Such timetable should include:
  - (i) an estimate of the periods of time which will be required for the various stages or phases of the operation;
  - (ii) a description of the size and location of each area to be worked during each phase; and
  - (iii) outlining the sequence in which each stage or phase of the operation will be carried out.
- (g) Identify the primary and secondary commodities to be mined/extracted and describe the intended use; and
- (h) Name and describe the intended use of all expected incidental products to be mined/extracted by the proposed operation.

#### **Rule 6.4.7 Exhibit G Water Information**

6.4.7(2)(b) The Applicant stated there is an aquifer well below the Operation. Please state how many feet underneath this aquifer is situated below the workings and describe the stratigraphic sections. A cross section map is required for this exhibit. Please submit.

#### **Rule 6.4.8 Exhibit H Wildlife Information**

(2) The Operator/Applicant shall include in this Exhibit, a description of the game and non-game resources on and in the vicinity of the application area, including:

- (d) a description of the general effect during and after the proposed operation on the existing wildlife of the area, including but not limited to temporary and permanent loss of food and habitat, interference with migratory routes, and the general effect on the wildlife from increased human activity, including noise. Division staff could not locate this information, please submit.

**Rule 6.4.19 Exhibit S- Permanent Man-Made Structures**

Structure Agreements were not found by Division Staff. Please submit if there are any structures within 200 feet of the affected land.

Your 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 20th day after the fourth publication or the next regular business day.

You have sixty (60) days from the above date to submit all necessary documents that 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.

This letter shall not be construed to mean that 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.

If you need additional information please contact me at the Division of Reclamation, Mining and Safety, 101 S. 3<sup>rd</sup> Street, Suite 301, Grand Junction, CO 81501, by telephone 303.866.3567 ext 8180 or by email at [stephanie.mitchell@state.co.us](mailto:stephanie.mitchell@state.co.us).

Sincerely,



Stephanie Mitchell  
Environmental Protection Specialist

CC: Travis Marshall, DRMS  
Larry Johnson, Uinta Mining LLC