



COLORADO
**Division of Reclamation,
Mining and Safety**
Department of Natural Resources
1313 Sherman Street, Room 215
Denver, CO 80203

November 7, 2019

Doug Cook
H-2 Enterprises, LLC
4626 Weld County Road 65
Keenesburg, CO 80643

Re: H-2 Enterprises, LLC; Lord Reservoir; File No. M-2019-056; Incomplete Submittal of a Construction Materials Special Operation 111(1)(b) Reclamation Permit Application

Mr. Cook:

On November 1, 2019, the Division of Reclamation, Mining and Safety (Division/DRMS) received the Construction Materials Special Operation 111(1)(b) Reclamation Permit Application for the Lord Reservoir site, File No. M-2019-056. 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:

6.3.1 Exhibit A - Legal Description and Location Map

1. The Applicant checked the box indicating the location map was attached to the permit application. The Division did not receive the location map with the permit application. Please provide a location map pursuant to Rule 6.3.1(3).

6.3.5 Exhibit E - Map

2. Rule 6.2.1(2)(b) requires maps be signed by a registered land surveyor, professional engineer, or other qualified person. The maps submitted by the Applicant were not signed. Please submit signed copies of the Exhibit E maps.
3. Rule 6.2.1(2)(c) requires maps give the date prepared. The maps submitted by the Applicant did not indicate the date prepared. Please submit dated copies of the Exhibit E maps.
4. Rule 6.2.1(2)(d) requires maps identify and outline the area which corresponds with the application. The Applicant indicated the permitted acreage as 20 acres on the application form. Based on the Division's review of the Exhibit E maps, the permit boundary indicated as a purple square is only 5 acres. Please explain this discrepancy and submit revised copies of the Exhibit E maps as needed.



5. Rule 6.2.1(2)(e) requires maps be prepared at a scale that is appropriate to clearly show all elements that are required to be delineated by the Act and these Rules. The acceptable range of map scales shall not be larger than 1 inch = 50 feet nor smaller than 1 inch = 660 feet. Also, that a map scale, appropriate legend, map title, date and a north arrow shall be included. The maps submitted by the Applicant did not include a map scale, appropriate legend, map title and north arrow on all of the maps. Please submit copies of the Exhibit E maps with all of the requirements of Rule 6.2.1(2)(e).
6. Please include the following information at minimum for the Mining Plan map pursuant to Rule 6.3.5:
 - a. outline and label the permit boundaries, described in Exhibit A - Legal Description; for all 111 Special Operations, the Office considers the area bounded by the permit boundary to be analogous to the affected area.
 - b. label the names of owner(s) of record of the surface of the affected area and of the land within two hundred (200) feet of the affected area, identify the owner of the substance to be mined, and the type of structure and owners of record of any permanent or man-made structures within two hundred (200) feet of the affected area.
 - c. outline and label all major surface features to be used in connection with the proposed operation such as: existing and proposed roads, pit boundary, topsoil stockpiles, overburden stockpiles, product stockpiles, waste rock fills, stream channels, buildings, processing plant, underground openings such as adits or ventilation facilities, ponds, impoundments, dewatering pumps, diversions or waste disposal areas.
 - d. indicate the direction that construction material extraction will proceed.
 - e. note the location of any significant, valuable, and permanent man-made structures within two hundred (200) feet of the affected area. A narrative description must be provided in Exhibit B - Site Description.
7. Please include the following information at minimum for the Reclamation Plan map pursuant to Rule 6.3.5:
 - a. Show the gradient of all reclaimed slopes (horizontal: vertical) sufficient to describe the post mine topography.

6.3.9 Exhibit R - Proof of Filing with County Clerk and Recorder

8. Please provide an affidavit or receipt indicating the date on which the revised application information required to address this adequacy letter was placed with the Weld County Clerk and Recorder for public review, pursuant to Rule 1.6.2(1)(c).

The 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 fifteen (15) days from the date of receipt of all of the requested information.

You have sixty (60) days from the date of this letter to submit all necessary documents the Office needs for the 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 January 6, 2020.

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 have any questions, please contact me at peter.hays@state.co.us or (303) 866-3567 Ext. 8124.

Sincerely,



Peter S. Hays
Environmental Protection Specialist

Ec: Jared Ebert; Division of Reclamation, Mining & Safety