

# Environment, Inc.

LARRY E. O'BRIAN  
FOUNDER

STEVAN L. O'BRIAN  
PRESIDENT

7985 VANCE DRIVE, SUITE 205A  
ARVADA, COLORADO 80003  
303-423-7297  
FAX 303-423-7599

July 21, 2020

Mr. Patrick Lennberg  
Division of Reclamation, Mining & Safety  
1313 Sherman Street, Suite 215  
Denver, CO 80203

Dear Patrick;

RE: Summit Brick and Tile Company  
Native/Pierre Mine - M-1977-321  
Incomplete notice response

On behalf of my client Summit Brick and Tile Company I am providing the following information to address the items noted in the July 6, 2020, incomplete letter.

## APPLICATION FORM:

1. Responsibilities. Question #10, on page six, is initialed, since the applicant is a corporation the question does not require initials. Please indicate "N/A" for the question.

## Response:

Attached is a new page 6 to replace the original submittal where Question 10 is indicated as N/A.

2. Certification. A review of the Colorado Secretary of State's website (a copy has been enclosed for your reference) indicates that the registered agent for Summit Brick & Tile Co., which is a registered trade name for The Summit Pressed Brick and Tile Company, is Thomas R. Welte. The Division requires the Applicant to provide documentation giving the signer, Matthew Welte, the authority to sign on behalf of the company, Summit Brick & Tile Co. The authorization document may be in the form of by-laws, resolution, affidavit signed by corporate secretary, certified secretary statement of a notarized statement on company letterhead

## Response:

Attached is an Affidavit showing that Matthew Welte is authorized to sign for both The Summit Pressed Brick and Tile Co. and Summit Brick and Tile Co., to replace the affidavit supplied in the original application.

EXHIBIT R – Proof of Filing with County Clerk and Recorder (Rule 6.4.18):

3. Pursuant to Rule 1.6.2(2), please demonstrate that the Applicant's response to these incompleteness issues have been placed with the application materials previously placed with the County Clerk or Records Office, and made available for public review.

**Response:**

The Pueblo County offices are closed at this time so I have contacted the Clerk about how it is best to get these pages into his office with the least amount of trouble and speed. They have not responded so decided to get this going again and have sent them a Certified Return Receipt mail packet to avoid further delay. I will forward you a copy of the returned card as soon as I have it.

If you have additional questions or need more information please let me know.

Sincerely  
Environment, Inc.,



Stevan L. O'Brian  
President

enclosures

cc Summit Brick and Tile Company  
Patrick Lennberg - via e-mail  
file

STATE OF COLORADO       )  
  ) ss.       AFFIDAVIT  
COUNTY OF PUEBLO       )

Matthew R Welte, as President and CEO of The Summit Pressed Brick and Tile Company and Summit Brick & Tile Co., one and the same, being first duly sworn upon oath, deposes and says:

1. That he is empowered to sign for the Corporation.
2. That the surface and mineral rights in and to the property known as the Native/Pierre Mine are owned one hundred percent in fee simple by The Summit Pressed Brick and Tile Company.
3. That Summit Brick & Tile Co. has the right to enter the property to mine clay and other materials. To reclaim the site and move or remove any structures on the mine, owned by Summit Pressed Brick and Tile Company.
4. That Summit Brick & Tile Co. is empowered to obtain any permits with the Colorado Mined Land Reclamation Board and Local Governments necessary to mine the property.

Matthew R. Welte  
Matthew R. Welte, President/CEO

SUBSCRIBED and sworn to before me this 14th day of July, 2020, by Matthew R. Welte as President/CEO of Summit Pressed Brick and Tile Company and Summit Brick & Tile Co..

KATHLEEN A CLEMENTI  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20144043949  
MY COMMISSION EXPIRES NOVEMBER 13, 2022  
(notarial seal)

Kathleen A. Clementi  
Notary Public

My commission expires: November 13, 2022

MPW

2. The Board may suspend or revoke this permit, or assess a civil penalty, upon a finding that the permittee violated the terms or conditions of this permit, the Act, the Mineral Rules and Regulations, or that information contained in the application or your permit misrepresent important material facts;

MPW

3. If your mining and reclamation operations affect areas beyond the boundaries of an approved permit boundary, substantial civil penalties, to you as permittee can result;

MPW

4. Any modification to the approved mining and reclamation plan from those described in your approved application requires you to submit a permit modification and obtain approval from the Board or Office;

MPW

5. It is your responsibility to notify the Office of any changes in your address or phone number;

MPW

6. Upon permit issuance and prior to beginning on-site mining activity, you must post a sign at the entrance of the mine site, which shall be clearly visible from the access road, with the following information (Rule 3.1.12):

a. the name of the operator;

b. a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and,

c. the permit number.

MPW

7. The boundaries of the permit boundary area must be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries prior to site disturbance.

MPW

8. It is a provision of this permit that the operations will be conducted in accordance with the terms and conditions listed in your application, as well as with the provisions of the Act and the Construction Material Rules and Regulations in effect at the time the permit is issued.

MPW

9. Annually, on the anniversary date of permit issuance, you must submit an annual fee as specified by Statute, and an annual report which includes a map describing the acreage affected and the acreage reclaimed to date (if there are changes from the previous year), any monitoring required by the Reclamation Plan to be submitted annually on the anniversary date of the permit approval. Annual fees are for the previous year a permit is held. For example, a permit with the anniversary date of July 1, 1995, the annual fee is for the period of July 1, 1994 through June 30, 1995. Failure to submit your annual fee and report by the permit anniversary date may result in a civil penalty, revocation of your permit, and forfeiture of your financial warranty. It is your responsibility, as the permittee, to continue to pay your annual fee to the Office until the Board releases you from your total reclamation responsibility.

NA

10. For joint venture/partnership operators: the signing representative is authorized to sign this document and a power of attorney (provided by the partner(s)) authorizing the signature of the representative is attached to this application.

# Environment, Inc.

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FOUNDER

STEVAN L. O'BRIAN  
PRESIDENT

7985 VANCE DRIVE, SUITE 205A  
ARVADA, COLORADO 80003  
303-423-7297  
FAX 303-423-7599

July 21, 2020

Gilbert Ortiz  
Pueblo County Clerk and Recorder  
215 10th Street,  
Pueblo, Colorado 81003

Re: Amendment of a Mined  
Land Reclamation Permit

Dear Mr. Ortiz:

We are delivering to you here with 2 pages and a cover letter that need to go with the conversion packet for the Native/Pierre Mine (permit # M-1977-321) submitted to you office on June 15, 2020. Please place these pages in the book we delivered so they are available for public review as required by 34 32.5 112(9)(a), Colorado Revised Statutes 1995, as amended, which states in part:

*.... the applicant shall place a copy of such application for public inspection at the office of the Board and Office of the County Clerk and Recorder of the County in which the affected land is located.*

These pages must be kept for public review until the amendment has been approved by the Division. In approximately 180 days we will contact you and make arrangements to pickup this copy.

The Certified Return Receipt card will serve as proof that your office received the copy of these pages for permit amendment. This will be submitted to the Division of Reclamation, Mining & Safety to prove the amendment book was delivered to your office.

Yours truly,  
ENVIRONMENT, INC



Stevan L. O'Brian

enclosures

Item # 70192970000082392216