



November 24, 2020

Gary L. Steen
Fountain Mutual Irrigation Company
P.O. Box 75292
Colorado Springs, CO 80970

RE: Big Johnson Reservoir, File No. M-2020-028, Notice of Incomplete 111(1)(b) Construction Materials Reclamation Permit Application

Mr. Steen:

On November 20, 2020, the Division of Reclamation, Mining and Safety (Division) received your completeness response for the above referenced permit application. A review of the information received determined the following items must be submitted before the Division can consider your application as being complete for filing purposes:

- 1) The Division could not find a revised page 5 of the application form with your response. On page 5, under Certification, the Applicant/Operator name must be spelled out exactly the same way as it is registered with the Colorado Secretary of State (Fountain Mutual Irrigation Company). This correction must be made in two places on page 5.
- 2) The Division could not find a revised Exhibit A submitted with your response. In Exhibit A – Legal Description and Location Map:
 - a) Under section 1(g), please check the most appropriate box for Quarter/Quarter Section (of center of area where the majority of mining will occur).
 - b) Under section 1(i), please provide the nearest town/city and the approximate direction and miles to this town/city from the proposed operation.
- 3) On the Performance Warranty submitted with your response, the Permittee/Operator name is written throughout as “Fountain Mutual Irrigation Co.”. However, the Permittee/Operator name must be written exactly the same way as it is registered with the Colorado Secretary of State, which is “Fountain Mutual Irrigation Company”. Please submit a fully executed Performance Warranty with this correction made to the Permittee/Operator name (one correction required on page 1 and two corrections required on page 2).
- 4) On the Financial Warranty – Check for Deposit in State Treasury form submitted with your response, the Operator Name is written throughout as “Fountain Mutual Irrigation Co.”. However, the Operator name must be written exactly the same way as it is registered with the Colorado Secretary of State, which is “Fountain Mutual Irrigation Company”. Please submit a fully executed Financial Warranty



form for the amount of \$75,000.00 with this correction made to the Operator Name (two corrections required on page 1 and two corrections required on page 4).

- 5) On the Affidavit of Authority to Execute Financial Warranty Documents form submitted with your response, the Name of Business Organization is written throughout as “Fountain Mutual Irrigation Co.”. However, this name must be written exactly the same way as it is registered with the Colorado Secretary of State, which is “Fountain Mutual Irrigation Company”. Please submit a new Affidavit of Authority form with this correction made to the Name of Business Organization (two corrections required on this form).

Please submit the required completeness items by **December 4, 2020**. Your application will not be considered complete for filing purposes until the information listed above is received and found sufficient to begin our technical review. A decision date will be established fifteen (15) calendar days from the date of filing.

This letter shall not be construed to mean there are no other technical deficiencies in your application. The Division will review your application for technical adequacy after the filing deficiencies are satisfied.

If you have any questions, you may contact me by telephone at (303) 866-3567, ext. 8129, or by email at amy.eschberger@state.co.us.

Sincerely,



Amy Eschberger
Environmental Protection Specialist

Cc: Tim Cazier, DRMS
Sara Stevenson-Benn, DRMS
Michael Cunningham, DRMS