



March 15, 2021

Katie Todt
Lewicki and Associates, PLLC
3375 West Powers Circle
Littleton, CO 80123

RE: Young Ranch Resource Quarry, File No. M-2021-009, 2nd Notice of Incomplete 112 Construction Materials Reclamation Permit Application Package

Ms. Todt:

On February 8, 2021, the Division of Reclamation, Mining and Safety (Division) received the 112 Construction Materials Reclamation Permit Application Package for the Young Ranch Resource Quarry, which is located in both Gilpin and Clear Creek Counties. The Division notified the applicant in a letter dated February 17, 2021 of filing deficiencies in the application which must be addressed before the application can be considered complete for filing purposes. After reviewing the applicant's completeness response submitted on March 11, 2021, the Division has identified the following filing deficiencies that remain:

- 1) In Exhibit N, the Owners of Record to the affected lands are listed as Young Ranch Resource, LLC and Central City (for the Central City Parkway and the cut and fill areas adjacent to the parkway located within the proposed affected lands). The Exhibit includes two Deeds of Contribution with Limited Warranty for lands owned by Young Ranch LLC in Gilpin and Clear Creek Counties, but did not include documentation of the applicant's legal right to enter lands owned by Central City. In its completeness response, the applicant provided a notarized Affidavit for Right of Entry for lands owned by Central City, dated March 9, 2021. However, this document does not meet the requirements of Rule 6.4.14, as it lists four conditions on the access and further states "the Subject Property's access to the Parkway for the mining and reclamation activity described in the Application is not presently assured". Please provide documentation of the legal right to enter to conduct mining and reclamation for the proposed affected lands owned by Central City. This may include a copy of a lease or a signed statement by the landowner and acknowledged by a Notary Public stating that Young Ranch Resource, LLC has legal right to enter to conduct mining and reclamation. Please be sure this document includes the applicant name spelled out exactly the same way as it is registered with the Colorado Secretary of State (it was spelled incorrectly in the Affidavit submitted).
- 2) The applicant has provided proof that notice of the application was sent to the Gilpin County Board of County Commissioners, the Clear Creek County Board of County Commissioners, and to the Central City Council. In Item #4 of its first incompleteness notice, the Division asked the applicant to also send notice of the permit application to the city of Black Hawk. However, proof of such notice was not included in the applicant's completeness response. Please provide proof



that notice of the permit application was sent to Black Hawk. Proof of notice shall be in the form of a return receipt of a Certified mailing or a date-stamped copy of the notice acknowledging receipt by the appropriate representative. Due to the limitations imposed by the Covid-19 pandemic, the Division is also currently accepting proof in the form of an emailed response from the recipient acknowledging receipt of the notice.

Your application will not be considered filed until the information listed above is received and found sufficient to begin our technical review. An application decision date will be established ninety (90) days from the date of filing.

Per Rule 1.4.1(8), you have 60 days from the date of incompleteness notice (initially sent on February 17, 2021) to submit all necessary documents the Division needs for the application to be considered filed, due by **April 18, 2021**. If, by this date, the application has not been determined to be filed, the application will be denied and the file terminated.

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,

A handwritten signature in blue ink that reads "Amy Eschberger".

Amy Eschberger
Environmental Protection Specialist

Cc: Ben Miller, Lewicki and Associates, PLLC
Robert L. Young Jr., Young Ranch Resource, LLC
Michael Cunningham, DRMS