



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

April 21, 2021

Dan LaCoe
New Vision Investments, LLC
20905 Weld County Road 2
Brighton, CO 80603

Re: New Vision Investments, LLC; Achieve More Agricultural Complex Site; File No. M-2021-024; Incomplete Submittal of Special Operation 111(1)(b) Reclamation Permit Application

Mr. LaCoe:

On April 14, 2021, the Division of Reclamation, Mining and Safety (Division/DRMS) received the Special Operation 111(1)(b) Reclamation Permit Application for the Achieve More Agricultural Complex Site, File No. M-2021-024. Preliminary review of the information received determined the following items must be received before the Division can consider the form as being submitted and technical review can begin:

Application Form

1. On Page 1, Item #3 of the application form, the Applicant indicates the permitted acreage as 29 acres. The Mining Plan Map submitted with the application indicates Mining Area "A" as 10.24 acres and Mining Area "B" as 17.89 acres for a total mining area of 28.13 acres. Please explain this discrepancy and update the application form to indicate the actual permitted acres for the proposed site.
2. On Page 1, Item #5 of the application form, the Applicant indicates the primary commodity to be mined is "Soil". Based on a field inspection by the Division on February 9, 2021, the material being excavated at the site is "sandy clay" material. Please revise the application form to indicate the primary commodity to be mined is "sandy clay", "sandy clay borrow material" or "borrow material".
3. The Division requires the application form list the exact company name registered with the Colorado Secretary of State office, "New Vision Investments, LLC". On Page 1, Item #7 of the application form, the Applicant lists the name of the owner to the subsurface rights of



affected land as “New Vision Investments LLC”. Please revise the company name on Item #7 of the application from to indicate “New Vision Investments, LLC”.

4. On Page 1, Item #8 of the application form, the Applicant failed to provide the quarter section and quarter/quarter section location information for the proposed center of the area where the majority of the mining operation will occur. Based on the Division’s review of the location of the proposed mining operation, the Division recommends the Applicant indicate the mining operation is located in the NE quarter/quarter of the SW quarter of Section 33. Please review the location information and revise the application form accordingly.
5. On Page 2, Item #9 of the application form, the Applicant indicates the Primary Mine Entrance Location as Latitude 40.006309 N, Longitude -104.6685679 W. Based on the Division’s review of the entrance location, the Division recommends the Applicant indicate the mine entrance location as 40.00069, -104.66860. Please review the location information and revise the application form accordingly.
6. The Division requires the application form list the exact company name registered with the Colorado Secretary of State office, “New Vision Investments, LLC”. On Page 3, Item #13 of the application form, the Applicant lists the company name as “New Vision Investments LLC”. Please revise the company name on Item #13 of the application from to indicate “New Vision Investments, LLC”.

6.3.1 Exhibit A - Legal Description

Rule 6.3.1(1) states the legal description must identify the affected land, specify affected areas and be adequate to field locate the property. Description shall be by (A) township, range, and section, to at least the nearest quarter quarter section, and (B), location of the main entrance to the mine site reported as latitude and longitude, or the Universal Transverse Mercator (UTM) Grid as determined from a USGS topographic map. A metes and bounds survey description is acceptable in lieu of township, range, and section. Where available, the street address or lot number(s) shall be given. This information may be available from the County Assessor's office or U.S. Geological Survey (USGS) maps.

7. As stated in Item #4 above, the Applicant failed to provide the quarter section and quarter/quarter section location information for the proposed center of the area where the majority of the mining operation will occur. Based on the Division’s review of the location of the proposed mining operation, the Division recommends the Applicant indicate the mining operation is located in the NE quarter/quarter of the SW quarter of Section 33. Please review the location information and revise Exhibit A accordingly.
8. As stated in Item #5 above, the Applicant indicates the Primary Mine Entrance Location as Latitude 40.006309 N, Longitude -104.6685679 W. Based on the Division’s review of the

entrance location, the Division recommends the Applicant indicate the mine entrance location as 40.00069, -104.66860. Please review the location information and revise Exhibit A accordingly.

9. The Division did not receive the location map showing the location of the mine site on a USGS Quad (1:24,000 Scale) or equivalent map with the permit application. Please provide a location map pursuant to Rule 6.3.1(3).

6.3.5 Exhibit E - Map

10. 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.
11. 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.

6.3.7 Exhibit G - Source of Legal Right to Enter

12. The Division requires the application form list the exact company name registered with the Colorado Secretary of State office, "New Vision Investments, LLC". In Exhibit G, the Applicant lists the company name as "New Vision Investments LLC". Please revise the company name in Exhibit G to indicate "New Vision Investments, LLC".

6.3.9 Exhibit I - Proof of Filing with County Clerk

13. Please provide an affidavit or receipt indicating the date on which the revised application documents were placed with the Weld County Clerk and Recorder in response to this letter.

The application will not be considered filed until the information listed above is received and found sufficient to begin our review. A decision date will be established 15 days from the date of receipt of all of the requested information.

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

The response due date is June 20, 2021.

This letter shall not be construed to mean there are no other technical deficiencies in the 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, DRMS
Patrick Lennberg, DRMS