



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

September 16, 2021

Gary Linden, P.E.
Civil Resources, LLC.
8308 Colorado Blvd., Suite 200
Firestone, CO 80504

**Re: Incompleteness Notice, 112c Construction Materials Amendment Application (AM-2)
Tucson South Resource, Permit No. M-2004-044**

Mr. Linden:

On September 9, 2021, the Division of Reclamation, Mining and Safety (Division) received the 112 Construction Materials Amendment Application for the Tucson South Resource, File No. M-2004-044. Preliminary review of this application determined the following items must be received before the Division can consider the application as being submitted/filed and the technical review can begin. Please respond to this Incompleteness Notice with the requested additional/updated information on permit application replacement pages and summarize each response in a cover letter titled "Incompleteness Response; M-2004-044".

APPLICATION FORM:

1. Permitted acreage (new or existing site). Questions 3, 3.1 and 3.2 were left blank please fill in the missing information.
2. Responsibilities. Question #10, on page six, is initialed, the question does not require initials. Please indicate "N/A" for the question.
3. Certification. A review of the Colorado Secretary of State website indicates the applicant is a corporation. Please provide the corporate seal on page eight of the application form, if the corporation does not have a seal please indicate "No Seal".

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

4. 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 Clerks or Records Offices, and made available for public review.

ADDENDUM 1 – Notice Requirement (Rule 1.6.2(1)(b)):

5. Please provide an affidavit indicating the date on which notices were posted at the mine site, as required by the Office, of sufficient size of a minimum size of sixteen (16) inches high by twelve (12) inches wide, with font sufficient to be readable at a reasonable distance, and number to clearly identify the site as the



location of a proposed mining operation giving name, address, and phone number of the Applicant, and stating that (name of Applicant) has applied for a mining permit with the Colorado Mined Land Reclamation Board. Please include photo documentation of sign placement.

Your Amendment 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 90 days from the date of receipt and acceptance of all of the requested information. Additionally, if you have already published notice you will need to republish notice, but only after the Division considers the application complete and filed; the Division will notify you when you should initiate publication of your notice. This notice must be published once a week for four (4) consecutive weeks, starting ten (10) days of the date your application is considered filed. The final date for receiving comments is the twentieth (20th) day after the fourth publication or the next regular business day.

Pursuant to Rule 1.4.1(8), you have sixty (60) days from the date of this letter to submit all necessary documents that the Division 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 Division, the Division may deny the application and terminate the application file. Should additional time be required to submit all the necessary documents an extension request can be submitted in writing for the Division's consideration.

The response to this Incompleteness Notice is due on or before November 15, 2021.

This letter shall not be interpreted to mean that there are no other completeness issues or 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 need additional information or have any questions, please contact me at Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at **303-866-3567 x8114**, or by email at patrick.lennberg@state.co.us.

Sincerely,



Patrick Lennberg
Environmental Protection Specialist

cc: Jared Ebert, DRMS

ec: Gary Linden, P.E., Civil Resources, LLC., gary@civilresources.com