



January 31, 2022

Kyle Regan
Civil Resources, LLC
8308 Colorado Blvd. Suite 200
Firestone, CO 80504

Re: Jalisco International, Inc., Section 20 Mine, File No. M-2022-004, Incomplete Submittal of Construction Materials Special 111 Operation Reclamation Permit Application Package

Mr. Regan:

On January 26, 2022, the Division of Reclamation, Mining and Safety (Division/DRMS/Office) received the Construction Materials Special 111 Operation Reclamation Permit Application package for the Section 20 Mine, File No. M-2022-004. Preliminary review of the information received determined the following items must be received before the Division can consider the application as being submitted and technical review can begin:

Application Form

1. The Division requires the application form list the exact company name registered with the Colorado Secretary of State office, "Jalisco International, Inc.". On Page 1, Item #1 of the application form, the Applicant lists the company name as "Jalisco International, Inc". Please revise the company name on Item #1 of the application form to indicate "Jalisco International, Inc."
2. On Page 1, Item 3 of the application form, the Applicant fail to indicate the proposed permitted acres. Please revise Item 3 to indicate the total acreage for the 111 application.
3. The Division requires the application form list the exact company name registered with the Colorado Secretary of State office, "Jalisco International, Inc.". On Page 3, Item #11 of the application form, the Applicant lists the company name for the Applicant/Operator and Inspection Contact as "Jalisco International, Inc". Please revise the Applicant/Operator and Inspection Contact sections on Item #11 of the application form to indicate "Jalisco International, Inc."
4. The Division requires the application form list the exact company name registered with the Colorado Secretary of State office, "Jalisco International, Inc.". On Page 8 of the application form, the Applicant lists company name in the Applicant/Operator or Company Name section of the application form as "Jalisco International, Inc". Please revise the company name in the Applicant/Operator or Company Name section of the application form to indicate "Jalisco International, Inc."



5. The Division requires the application form list the exact company name registered with the Colorado Secretary of State office, "as "Jalisco International, Inc.". On Page 8 of the application form, the Applicant lists the company name in the notary section of the application form as "Jalisco International, Inc". Please revise the company name in the notary section of the application form to indicate "Jalisco International, Inc."

6.3.1 Exhibit A - Legal Description

6. 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.

The Applicant failed to provide the quarter/quarter section location information for the proposed center of the area where the majority of the mining operation will occur. Please revised Exhibit A to indicate the quarter/quarter section location information for the mine site.

6.3.3 Exhibit C - Mining Plan

7. The Applicant states in the event that the topsoil is not utilized within 1 year vegetative cover will be planted. Please commit to seeding stockpiles which have been in place for 180 days and provide a seed mixture as pounds of pure live seed (PLS) per acre.
8. The Applicant states the only water used will be for dust suppression at the site. Please provide the legal source of the water and provide documentation the source is permitted for mining/industrial use.
9. The Applicant states no groundwater will be exposed during the operation under this permit. Please commit to remaining at least two (2) feet above the anticipated highest groundwater elevation and to backfilling groundwater to at least two (2) feet above the groundwater elevation if encountered by the mining operation.

6.3.4 Exhibit D - Reclamation Plan

10. Please state the thickness of plant growth medium (topsoil) to be replaced if the site is reclaimed as an infiltration pond pursuant to Rule 6.3.4(1)(i).
11. The Applicant makes several references to the disturbed areas above the high water level and outside of the pond will be reclaimed. The Applicant is not proposing to expose groundwater or construct a pond for the purposed mine site. Please explain this discrepancies and revised Exhibit D accordingly.

12. The Applicant submitted a financial warranty in the amount of \$75,000.00 with the application. The Division reviewed and will accept the financial warranty amount for the proposed mining activities. Any adequacy issues with the financial warranty will be sent by the Division under separate cover.

6.3.5 Exhibit E - Map

13. Please label the names of owners of record of the surface of the affected area and the land within two hundred (200) feet of the affected area, identify the owner of the substance to be mined and the type of structure and owners of record of any permanent or man-made structures within 200 feet of the affected land pursuant to Rule 6.3.5(2)(b).

6.3.9 Exhibit I - Proof of Filing with County Clerk

14. Please provide an affidavit or receipt indicating the date on which the revised application information required to address this letter was placed with the Weld County Clerk and Recorder for public review, pursuant to Rule 1.6.2(1)(c).

6.3.12 Exhibit L - Permanent Man-made Structures

Where the mining operation will adversely affect the stability of any significant, valuable and permanent man-made structure located within two hundred (200) feet of the affected land, the Applicant shall either:

- a. provide a notarized agreement between the Applicant and the person(s) having an interest in the structure, that the Applicant is to provide compensation for any damage to the structure; or
- b. where such an agreement cannot be reached, the Applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- c. where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility.

The Applicant submitted a stability analysis with the application. The Division will require the Applicant to demonstrate they attempted to obtain notarized structure agreements with all owners of the structures within 200 feet of the affected area of the proposed mine site pursuant to Rule 6.4.19 prior to the Division's consideration of a stability analysis.

15. Please provide the Division with copies of all signed and notarized structure agreements with the owners of permanent man-made structures within 200 feet the proposed affected area boundary.

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 April 1, 2022.

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