



November 30, 2022

J.C. York
J&T Consulting, Inc.
305 Denver Avenue, Suite D
Fort Lupton, CO 80621

Re: J-2 Consulting Company, Hunt Irrigation Pond, File No. M-2022-050, Incomplete Submittal of Special Operation 111(1)(b) Reclamation Permit Application

Mr. York:

On November 21, 2022, the Division of Reclamation, Mining and Safety (Division/DRMS/Office) received the Special Operation 111(1)(b) Reclamation Permit Application for the Hunt Irrigation Pond, File No. M-2022-050. 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. On Page 1, Item #1.1, the Applicant indicated the type of organization as a Corporation. Please provide the corporation seal on Page 5 of the application form, if the corporation does not have a seal please indicate "no seal".
2. The application must include a fully executed financial warranty in the amount of \$2,500 per acre of affected land (a fraction of an acre is counted as one acre for calculation). Please submit the financial warranty in the amount of \$70,000.00. Please note, during the review period, the Office or Board may require a greater amount necessary to ensure that the estimated costs of reclamation are assured.

6.3.1 Exhibit A - Legal Description and Location Map

3. The main entrance to the mine site shall be located based on a USGS Topographic map showing latitude and longitude or UTM pursuant to Rule 6.3.1(2). Please updated the location map to indicate the main entrance.
4. Please update the Location Map to include the names of all immediately adjacent surface owners of record pursuant to Rule 6.3.1(3).



6.3.2 Exhibit B - Site Description

5. On Item #5, the Applicant indicated there are no streams, springs, lakes, stock water ponds, ditches, reservoirs and aquifers that would receive drainage directly from the mine. The proposed mine site is located southeast of an irrigation ditch. Please update Exhibit B to identify the ditch.

6.3.3 Exhibit C - Mining Plan

6. On Item #3, the Applicant refers to Exhibit C - Mining Plan Map. Please revise Exhibit C to indicate Exhibit E - Mining Plan Map.
7. On Item #3, the Applicant states the topsoil stockpiles will be seeded at the end of the project. Please commit to using all available stockpiled topsoil for reclamation and revise Exhibit C accordingly.
8. On Item #3, the Applicant states the topsoil stockpiles will be seeded at the end of the project. Please provide the seed mixture in pure live seed (PLS) per acre for Division review and revise Exhibit C accordingly.
9. On Item #6, the Applicant states the access road is an existing gravel surface road off of WCR 40. Please specify the dimensions of the existing road to be used for the mining operation pursuant to Rule 6.3.3(g) and revise Exhibit C accordingly.
10. The Applicant did not complete Item #7. Please indicate if water will be used during the mining operation, specify the source and amount of water and update Exhibit C accordingly.
11. On Item #9, the Applicant states the irrigation pond will be excavated to a bottom elevation of 4751', which is above the highest groundwater level of 4750'. Please commit to remaining a minimum of two (2) feet above the highest anticipated groundwater elevation during the mining operations and revise Exhibit C accordingly.
12. On Item #9, the Applicant states a berm around the exterior of the mining, with a top width of 15 feet will be constructed using clay / overburden materials. Please provide the profile geometry for the entire berm and update Exhibits C and E accordingly.
13. An operation that qualifies for a 111(1)(b) Reclamation Permit must not employ material processing activities typically associated with mining operations. Please update Exhibit C to clearly state no material processing will occur during the mining operations.
14. Please identify the primary and secondary commodities to be mined/extracted and describe the intended use pursuant to Rule 6.3.3(n).

6.3.4 Exhibit D - Reclamation Plan

15. On Item #2, the Applicant states the mined area will be reclaimed to create a lined pond to store irrigation water. Please provide documentation of the Applicant's or landowner's water rights to store irrigation water at the site.
16. The Applicant failed to provide an estimate of the actual costs to reclaim the site based on what it would cost the State of Colorado using an independent contractor to complete reclamation. Please provide a financial warranty estimate pursuant to Rule 6.3.4(2).

6.3.5 Exhibit E - Map

17. Rule 6.2.1(2)(e) requires maps be prepared at a scale that is appropriate to clearly show all elements that are required to be delineated by the Act and these Rules. The acceptable range of map scales shall not be larger than 1 inch = 50 feet nor smaller than 1 inch = 660 feet. Also, that a map scale, appropriate legend, map title, date and a north arrow shall be included. The maps submitted by the Applicant did not include a map scale or a north arrow on the maps. Please submit copies of the Exhibit E maps with all of the requirements of Rule 6.2.1(2)(e).

6.3.8 Exhibit H - Municipalities Within Two-miles Radius

18. The Applicant listed the Town of Gilcrest as the only municipality located within two miles of the proposed mine site. Based on the Division's review, the site appears to be within two miles of the Town of Milliken. Please review and verify all municipalities are located within two miles of the proposed mine site were identified by the Applicant and revise Exhibit P accordingly.

6.3.9 Exhibit I - Proof of Filing with County Clerk

19. 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).

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 the 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 January 29, 2023.

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