



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

December 14, 2022

Mr. Ben Langenfeld, P.E.
Lewicki & Associates, PLLC
3375 West Powers Circle
Littleton, CO 80123

**Re: Incompleteness Notice No. 3, Conversion Application (CN-1), Gold Hill Mill,
Permit No. M-1994-117**

Mr. Langenfeld:

On December 1, 2022, the Division of Reclamation, Mining and Safety (Division/DRMS) received your responses to the Division's Incompleteness Notice dated October 17, 2022 for the Conversion Application for the Gold Hill Mill, File No. M-1994-117. Review of the submitted responses determined the following items must be received before the Division can consider the application as being submitted/file and technical review can begin. Please respond to this Incompleteness Notice No. 3 with the requested additional/updated information on permit application replacement pages and summarize each response in a cover letter titled "Incompleteness Response No.3; M-1994-117".

APPLICATION FORM:

1. Responsibilities as a Permittee. The Division was unable to locate the updated page six where question 10 was addressed according to Incompleteness Review No. 2. Please submit a replacement page six of the application form.
2. Certification. On page 7, the notary signature section is incomplete. The title of the individual signing for Colorado Milling Company, LLC, Michael Bynum, has been left blank. Please submit a replacement certification page of the application form.

EXHIBIT I – Proof of Filing with County Clerk and Recorder (Rule 6.3.9):

3. The Division was unable to locate the certified mailing card, or other demonstration, the Applicant placed a copy of the responses to Incompleteness Notice No. 2 with the County Clerks or Recorders Offices. Please provide the missing demonstration.
4. Pursuant to Rule 1.6.2(1)(c), please demonstrate that the Applicant has placed a copy of the responses to Incompleteness Notice No. 3 with the County Clerks or Recorders Offices along with the application materials previously placed with the County Clerks or Recorders Offices, and made available for public review.



Your Conversion Application will not be considered filed until the information listed above is received and found sufficient to begin our review. 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 starting ten (10) days of the date your application is considered filed. The final date for receiving comments is the tenth (10th) day after the date of 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 February 12, 2023.

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 and Rules after submittal of all required items.

If you need additional information or have any questions, please contact me 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: Ben Langenfeld, Lewicki & Associates, PLLC, benl@lewicki.biz
Jerry Jergensen, Colorado Milling Company, jerryjergensen@aol.com