



February 21, 2023

Baxter Kirkland  
Siete, Inc.  
PO Box 202  
Rye, CO 81069

Jodi Schreiber  
PFM Consulting LLC  
1774 N Cougar Dr.  
Pueblo West, CO 81007

**Re: Siete, Inc. Lascar Pit, File No. M-2023-005, Incomplete Submittal of Special Operation 111 Reclamation Permit Application**

Mr. Kirkland and Ms. Schreiber:

On February 13, 2023, the Division of Reclamation, Mining and Safety (Division/DRMS/Office) received the Special Operation 111 Reclamation Permit Application for the Lascar Pit, File No. M-2023-005. 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:**

- On page one of the application, under 'General Description', please provide the approximate elevation of the site and resubmit the page.
- On page one of the application, under 'Name of owner to the surface of affected land' and 'Name of owner to the subsurface rights of affected land' the Applicant listed the Colorado State Land Board as the owner. On page four of the application, under 'CC: State or Federal Landowner (if any)' the section was left blank. Please enter the information for the Colorado State Land Board on page four and resubmit the page.
- On page one, item 1.1, the Applicant describes Siete, Inc. as a Corporation. On page five of the application, a corporation is asked to seal the application. If the corporation does not have a seal, please write "no seal" and re-submit the page.
- On page five of the application, a witness signature is required by a corporate secretary (or equivalent) or by a town, city, or county clerk. The Applicant wrote "None" on the signature line, but a witness within the aforementioned categories is required. Please have a witness that is



either a corporate secretary or a town/city/county clerk to sign this document, then re-notarize, and resubmit the page.

- On page five of the application, the notary's stamp indicates that their commission expired on October 6, 2022. On the blank following 'My Commission expires' they wrote 10/6/26. Please resign the forms with a notary stamp that reflects an active commission.

### **Exhibits:**

#### **Exhibit B**

- Pursuant to Rule 6.3.2(b) the names of the structure owners for any permanent man-made structures within two hundred (200) feet of the affected area should be located on an Exhibit E – Map. Please include all structures and roads on the map titled "Lascar Pit Existing Conditions Exhibit C". Please change the exhibit name in the title to "E" and also include the names of the structure owners on the map.

#### **Exhibit C**

- The title of the Exhibit C page refers to Exhibit C as pertaining to Rule 6.3.2, but it should be Rule 6.3.3. Please revise the exhibit's title and resubmit the page.
- Pursuant to Rule 6.3.3(d), please also include a sentence in Exhibit C that specifies the thickness of the deposit to be mined.
- Pursuant to Rule 6.3.3(f), please specify the dimensions of any significant disturbances to the land surface such as pit excavations, mine benches, stockpiles, and waste rock disposal areas.
- Pursuant to Rule 6.3.3(g), please specify the dimensions of the existing and proposed roads that will be used for the mining operation. Please also describe any improvements necessary on existing roads and the specifications to be used in the construction of new roads.

#### **Exhibit D**

- On the page titled "6.3.4 Exhibit D Reclamation Plan", in item #5 the Applicant states that seed may be drilled in most areas but broadcast seeding may be needed where slopes do not allow drilling. The seed quantities provided on the following page are provided as drill seeding rates. Please include language stating that areas that will use broadcast seeding will double the application seeding rates provided in the reclamation plan.

- Item #8 in the reclamation plan the Applicant provides a calculation for the reclamation bond equating to \$75,000 based off of the minimum \$2,500 per acre given in Rule 4.2.4(1). However, in accordance with Rule 6.3.4(2) the applicant must also provide a detailed cost estimate addressing 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 the Division with a cost estimate pursuant to Rule 6.3.4(2).

#### Exhibit E

- On the page titled “6.3.5 Exhibit E Maps” the Applicant lists the Existing Conditions Map, the Mining Map, and the Reclamation Map. Only the Reclamation Map has Exhibit “E” in its title. Please revise the Existing Conditions Map and The Mining Map’s titles to include Exhibit E.
- In Exhibit C, the Applicant states that mining will progress from the west side of the permit boundary and move to the east of the site. Please revise the map titled “Lascar Pit – Siete INC Mining Map Exhibit D” to show the direction of mining.

#### Exhibit K

- Pursuant to Rule 6.3.11, in addition to providing the Division with the signed government contract, please also provide evidence of Performance and Financial Warranties provided under the governmental contract (Exhibits B and C in the government contract).

#### Exhibit L

- On the “Certification” page of the structure agreement for the fence, stock tank, and water line, please fill in the structure owner’s name and the operation’s file number.
- On the “Certification” page of the structure agreements, the notary’s stamp indicates that their commission expired on October 6, 2022. On the blank following ‘My Commission expires’ they wrote 10/6/26. Please resign the forms with a notary stamp that reflects an active commission.

#### Addendum 1

- Please comply with the 111 requirements of Rule 1.6.2(1)(b) Addendum 1 that states the following;

“Prior to submitting the application to the Office for a 112 Reclamation Permit, post notices (signs) at the location of the proposed mine site, as required by the Office, of sufficient number

and a minimum size of eleven (11) inches wide by seventeen (17) inches high, with appropriate font size, 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. Anyone wishing to comment on the application may view the application at the County Clerk's or Recorder's office and should send comments prior to the end of the public comment period to the Colorado Mined Land Reclamation Office, and state the Office's address, as given on the cover of these Rules. **For any class of 110 Limited Impact or 111 Special Operation**, the Applicant need only post notice at the location of the proposed access to the site. After having posted such notice, failure by an Applicant to maintain such notice (sign) shall not constitute just cause to deny approval of the application. **At the time the application is filed with the Office**, the Applicant shall provide a signed affidavit that such notices (signs) were posted according to the provisions of this Rule."

#### **Financial Warranty**

- The Financial Warranty cannot be accepted by the Division due to the following items:
  - On page five, Travelers Casualty and Surety Company of America's signature and notary are a photocopy, whereas original documents are required.
    - Please submit a new notarized page five of the Financial Warranty with original signatures and notary from Travelers Casualty and Surety Company of America. Counterpart signatures may be accepted.
  - On page six, Baxter W. Kirkland's name is misspelt by the notary.
    - Please submit a new notarized page six with Mr. Kirkland's name spelt correctly.

#### **Performance Warranty**

- On page three, the notary's stamp indicates that their commission expired on October 6, 2022. On the blank following 'My Commission expires' they wrote 10/6/26. Please resign the forms with a notary stamp that reflects an active commission.

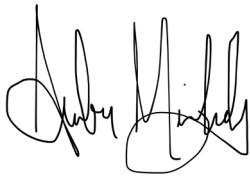
#### **Other**

- As of the date of this letter, DRMS has not received an Affidavit of Authority. The Division must receive signed original forms of a fully executed Affidavit of Authority before this application can be deemed complete.

This letter shall not be construed to mean there are no other technical deficiencies in the application. Please return the required documentation to the Division before April 22, 2023. All completed permit documents are required to be submitted for consideration of your Special Operations 111 Reclamation Permit Application. An incomplete application may be denied after the 60 day submittal request, if requested documents or information are not received. In the event of any delay in your submittal or if you have any questions, please contact the Division.

If you have any questions, please contact me at [amber.michels@state.co.us](mailto:amber.michels@state.co.us) or 720-836-0967.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amber Michels', with a stylized, cursive script.

Amber Michels  
Environmental Protection Specialist

Ec: Jared Ebert, DRMS