



April 11, 2023

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

Re: HCR High Country Repair, Ghost River Gravel Pit, File No. M-2003-002, Second Notice, Incomplete Submittal of 112 Construction Materials Permit Conversion Application

Dear Ms. Schreiber:

On March 23, 2023, the Division of Reclamation, Mining and Safety (Division/DRMS/Office) received HCR High Country Repair's incompleteness response for the 112 Construction Materials Permit Conversion Application for Ghost River Gravel Pit, File No. M-2003-002. In addition, on March 30, 2023 the Division received documentation from Morgan Wiener of Williams, Weese, Pepple & Ferguson that a new Special Administrator (Kendra Oyen) has been appointed by the District Court of Pueblo to administer the estate of James Branch and High County Repair, LLC. It appears Natasha Goldberg may no longer act as the administrator for the permittee/applicant/operator. Review of the responses you submitted and review of the additional information regarding a change in administration of HCR High County Repair determined the following items must be received before the Division can consider the application complete and eligible for technical review. Please address these items below, or please provide documentation that Natasha Goldberg may still act on behalf of HCR High County Repair.

Application Form

1. **Correspondence Information:** On page 3, the information for the contact's name for the Applicant/Operator will need to be updated to the current special administrator's information, or a person appointed by the special administrator to act in this capacity. Additionally, the Applicant/Operator may wish to change the Inspection Contact as well. Please revise this section and resubmit the page. If the contact person is not the current special administrator, please provide documentation from the special administrator that the individual has been appointed to act in that capacity.
2. **Responsibilities as a Permittee:** On pages 5 and 6, the current special administrator will need to provide their initials. Please revise this section and resubmit the page.
3. **Certification:** The Applicant/Operator's name and signature will need to be updated with the current special administrator's name and signature. Additionally, this page will need to be re-notarized with the current special administrator as the witness. Please revise this section and resubmit the page.



Exhibit N – Source of Legal Right to Enter

4. The source of legal right to enter provided is an access agreement between Natasha Goldberg and Chris A. Dickey and Barbara A. Dickey. Please provide documentation that that the applicant/operator (HCR High Country Repair) has legal right to enter from Chris A. Dickey and Barbara A. Dickey in accordance with Rule 6.4.14.
5. Please provide documentation of the legal right to enter in accordance with Rule 6.4.14 between HCR High Country Repair and Natasha Goldberg or the current owner of Lot 22 (the eastern portion of the affected land).

Exhibit S – Permanent Man-made Structures

6. Any outstanding and returned structure agreements that list Natasha Goldberg as the representative's name for HCR High Country Repair will need to be updated with the current special administrator's information or appointee and re-sent to the structure owners. Please send updated structure agreements and resubmit any returned forms.

Addendum 1:

7. Please update the following notice sign to reflect the current contact information for HCR High Country Repair.

[Pursuant to Rule 1.6.2(1)(b) "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". Please submit photo evidence that this has been complied with or provide a signed affidavit that such notice signs were posted.]

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 90 days from the date of receipt of all the requested information.

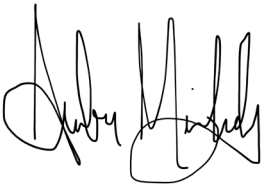
You have sixty (60) days from the above date to submit all necessary documents the Office needs for the application to be considered filed. If, at the end of the sixty day period, the application has not been determined to be filed with the Office, the Office shall deny the application and terminate the application file.

The response due date is June 10, 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 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

Cc: Natasha Goldberg
Kendra Oyen, Special Administrator for HCR High Country Repair