



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

September 6, 2023

Joseph Harrington  
MineWater LLC  
10924 Leroy Dr.  
Northglenn, CO 80233

**Re: Notice of Filing Deficiencies, 110d Hardrock Amendment Application AM1  
London Mine, File No. M-2023-015**

Dear Mr. Harrington,

On September 1, 2023, the Division of Reclamation, Mining and Safety (Division) received your Amendment (AM1) to the 110d Hardrock Designated Mining Limited Impact Operation Reclamation Permit Application that is under review for the proposed operation known as the London Mine, File No. M-2023-015. Pursuant to Rule 1.4.1(8), the Division has determined AM1 contains deficiencies which prevent the application from being considered filed for review. Please respond to this Notice of Filing Deficiencies with the requested information and summarize each response to the numbered items below, in a cover letter titled "Response to Notice of Filing Deficiencies AM1, M-2023-015".

**APPLICATION FORM**

1. On Page 3 of the application form, Application Questions 8 and 9, Joseph Harrington and MineWater Finance LLC are identified as the owners of the surface and subsurface. This was previously corrected in the Response to Filing Deficiencies letter for the original permit application to MineWater Finance LLC and MW Sorter LLC. Please submit a new page 3 with Application Questions 8 and 9 revised to reflect the owners of the surface and subsurface of the affected lands.
2. On Page 4 of the application form, Application Question 15 was left blank. Please submit a new page 3 with a brief narrative describing the purpose of the amendment under Application Question 15.

**GENERAL APPLICATION PROCESS**

3. A copy of the on-site notice and affidavit for the amendment application was not provided in the application materials. As required by Rule 1.6.2(1)(b), please submit a copy of the on-site notice and a signed affidavit demonstrating the on-site notice has been posted at the access to the proposed site.

**EXHIBIT J – Proof of Mailing Notices to Board of County Commissioners and Conservation District (Rule 6.3.10):**

4. The application materials include a copy of the notice and certified mailing receipt showing the notice was mailed to the Park County Board of County Commissions. To date, the Division has not received copies of the certified mail return receipts, also known as the signature cards. In accordance with Rule 1.6.2 (1)(a)(ii), please submit Proof of Notice in the form of certified mail return receipts or date-stamped copies of the notices acknowledging receipt by the local Board of County Commissions.



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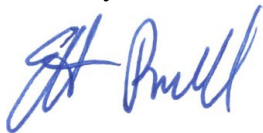
Your 110d Permit Amendment AM1 Application will not be considered filed until the information listed above is received and found sufficient to begin our review. A decision date will be established 30 days from the date of receipt and acceptance of all of the requested information. Please note, if you have already published notice you will need to republish notice, but only after the Division considers the application filed; the Division will notify you when you should initiate publication of your notice. This notice must be published once within 10 days of the date your application is considered filed. The final date for receiving comments is the 10th day after the publication or the next regular business day.

Pursuant to Rule 1.4.1(8), you have 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. **The response to this Notice of Filing Deficiencies is due on or before November 6, 2023.**

This letter shall not be interpreted to mean that there are no other deficiency or adequacy requirements 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 have any questions, please contact me at 303-866-3567 ext. 8132 or [elliott.russell@state.co.us](mailto:elliott.russell@state.co.us).

Sincerely,



Elliott R. Russell  
Environmental Protection Specialist

Cc: Michael Cunningham, Division of Reclamation, Mining & Safety  
Bob Oswald, High County Consulting Services LLC