



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

August 25, 2023

Craig Pester
116 Homestead Drive
Woodland Park, CO 80863

**Re: Notice of Filing Deficiencies, 110c Construction Materials Amendment Application AM2
Glen Johnston Site 1, File No. M-1982-044**

Dear Mr. Pester,

On August 11, 2023, the Division of Reclamation, Mining and Safety (Division) received your 110c Construction Materials Limited Impact Operation Reclamation Permit Amendment Application (AM2) for Glen Johnston Site 1, Permit No. M-1982-044. Pursuant to Rule 1.4.1(8), the Division has determined AM2 contains deficiencies which prevent the application from being considered filed. 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 AM2, M-1982-044".

APPLICATION FORM

1. On Page 1 of the application form, Application Question 3 – Permitted Acreage, the permitted acreage (new or existing) was left blank. Please submit a new Page 1, providing the existing acreage of 7.0 acres.
2. Responsibility #10 (Page 6 of the application form) has been initialed, however the Applicant appears to not be a joint venture/partnership business. Please submit a new Page 6 without responsibility #10 initialed.
3. The Application Certification (Page 7 of the application form) has not executed correctly. Please submit a new Application Certification with the notary acknowledgement section revised to "The forgoing instrument was acknowledged before me ...by Craig Pester as Operator of Glen Johnston Site 1".

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

4. In accordance with Rule 6.3.9, please submit proof that the revisions associated with this letter have been placed for public review with the original application at the local County Clerk and Recorder.

110c Construction Materials Limited Impact Operation Reclamation Permit Amendment Application will not be considered filed until the information listed above is received and found sufficient to begin our review. A decision date will then 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 October 24, 2023.**



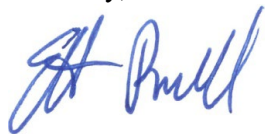
February 8, 2023

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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.

Sincerely,



Elliott R. Russell
Environmental Protection Specialist

Cc: Michael Cunningham, Division of Reclamation, Mining & Safety