



May 14, 2024

Bill Schenderlein
Blue Earth Solutions, LLC
P.O. Box 2427
Fort Collins, Colorado 80522

Re: Timnath Connell Pit, Permit No. M-1999-050, Notice of Incomplete Amendment Application (AM-1)

Dear Mr. Schenderlein:

On April 30, 2024, the Division of Reclamation, Mining and Safety (Division) received your 112c Construction Materials Reclamation Permit Amendment application (AM-1) for the Timnath Connell Pit, which is located in Larimer County. A preliminary review of the information received has identified the following filing deficiencies which must be addressed before the application can be considered complete for filing purposes:

Exhibit Q – Proof of Mailing of Notices to Board of County Commissioners and Soil Conservation District (Rule 6.4.17)

- 1) A stamped and dated letter was provided as proof of filing with the Larimer County Board of County Commissioners. The stamp states it was received by the “Commissioners’ Office” but does not identify Larimer County specifically. The Division requires further proof that a copy of the application was received by the Larimer County Board of County Commissioners. This can be accomplished with a return receipt of a Certified Mailing, a date-stamped and signed letter acknowledging receipt, or with an emailed response acknowledging receipt of the application (similar to the proof of notice that was provided for the Natural Resources Conservation Service).

Exhibit R – Proof of Filing with County Clerk and Recorder (Rule 6.4.18)

- 2) A stamped and dated letter was provided as proof of filing with the Larimer County Clerk and Recorder. This does not meet the requirements of proof in Rule 6.4.18. Please provide an affidavit or receipt indicating the date on which the application was placed with the local County Clerk and Recorder for public review, pursuant to Rule 1.6.2(1)(c).



Your application will not be considered complete for filing purposes until the information listed above is received and found sufficient to begin our technical review. A decision date will be established ninety (90) days from the date of filing.

Per Rule 1.4.1(8), you have 60 days from the date of this correspondence to submit all necessary documents the Division needs for the application to be considered filed, due by **July 13, 2024**. If, by this date, the application has not been determined to be filed, the application may be terminated.

This letter shall not be construed to mean there are no other technical deficiencies in your application. The Division will review your application for technical adequacy after the filing deficiencies are satisfied.

If you require additional information, or have questions or concerns, please feel free to contact me by phone at (720) 812-2002, or by email at joel.renfro@state.co.us.

Sincerely,

A handwritten signature in blue ink that reads "Joel Renfro". The signature is cursive and fluid.

Joel Renfro
Environmental Protection Specialist

Cc: Kevin Anderson, Connell Resources, Inc.
Amy Eschberger, DRMS