



June 24, 2024

Jordan Power
P B & S Sand and Gravel LLC
P.O. Box 863
Rye, CO 81069

**Re: Ghost River Gravel Pit, File No. M-2024-029 Receipt of 112c Construction
Materials Reclamation Permit Application Package, Incompleteness Notice No. 1**

Dear Jordan Power:

On June 13, 2024, the Division of Reclamation, Mining and Safety received your 112c Construction Materials Reclamation Permit Application package for the Ghost River Gravel Pit, File No. M-2024-029. Preliminary review of the information received determined that the following additional information must be received before the Division can consider your application as being submitted and technical review can begin:

Application Form

1. On the first page of the application:
 - (i). Item #1 asks for the “Applicant/operator or company name (name to be used on permit)”. The Applicant/Operator is listed as “P B & S Gravel LLC” and under item #1.1 the organization is listed as an LLC. The organization name must match how it is listed on the Colorado Secretary of State website, exactly.
 - * Please update item #1 on the application form to read “P B & S Sand and Gravel LLC” as it is listed on the Secretary of State website, and re-submit the page.
2. On the second page of the application:
 - (i). Items #6 and #7 list the subsurface rights and the surface rights of the affected land (respectively). Jordan Power and Patrick are listed as being both the subsurface and surface owners, but on item #6 Patrick’s name is spelled “Patrick Steele” and on item #7 it’s spelled “Patrick Steel”.
 - * Please correct the incorrect spelling of Patrick’s last name, and re-submit the page.



- (ii). Item #9, under “General Description” the number of miles and direction from the nearest town is required.
 - * Please provide the miles to the nearest town, and the name of the nearest town, and re-submit the page.
- 3. On the third page of the application:
 - (i). Item #11, under the Applicant/Operator information, the “Company Name” is listed as “P B & S Gravel LLC”.
 - * Please update item #11 on the application form to read “P B & S Sand and Gravel LLC” as it is listed on the Secretary of State website, and re-submit the page.
 - (ii). Item #11, under contact information, information for an Inspection Contact is not provided.
 - * Please provide contact information for a designated inspection contact and re-submit the page.
- 4. On page seven of the application:
 - (i). Item #10 is not addressed.
 - * Please either initial, or write “N/A” next to item #10 and re-submit the page.
- 5. On page eight of the application:
 - (i). The Applicant/Operator is listed as Patrick A “Steel” in two places on the form. On the Secretary of State website, the attached deed, and the typed portion of the attached lease agreement, Patrick’s last name is spelled “Steele”.
 - * Please correct the spelling, re-notarize, and re-submit the page.
 - (ii). On the Colorado Secretary of State website, and on the printout from the Secretary of State website included in the application package, the Registered Agent is listed as Mark A Ohlsen.
 - * Please provide a signed and notarized Affidavit from the company’s Registered Agent that signifies that Patrick may sign on the company’s behalf.
 - (iii). The entry next to “If Corporation Attests (Seal)” is not addressed.
 - * Because the permit is to be put under the company’s name, please either place the cooperation’s seal next to this entry, or sign “No Seal”.

Exhibits

6. Exhibit I:

- * Please provide a title page, or an indication, of the location of Exhibit I and the associated materials within the application package and re-submit the corresponding pages.

7. Exhibit H:

- * Please provide a title page, or an indication, of the location of Exhibit H and the associated materials within the application package and re-submit the corresponding pages.

8. Exhibit O:

- (i). On the hand written portion of the Commercial Lease Agreement, Patrick's last name is spelled "Steel", but above where Patrick's name is typed, it's spelled "Steele".
 - * Please correct the spelling of Patrick's last name on the Notary section of the Agreement, re-notarize, and re-submit the page.

9. Exhibit S:

- (i). On both structure agreement certification pages included with the application, Patrick's last name is spelled "Steel". From the other documents in the application, it appears that this is an error.
 - * Please correct the spelling of Patrick's last name on the Notary section of the Agreement, re-notarize, and re-submit the page.

Addendum 1

10. Rule 1.6.2(1)(b) states the following:

- (i). "Prior to submitting the application to the Office for a 12 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."

Additionally, Rule 1.6.2(1)(b) states that: "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."

- * Please provide the Division with a signed affidavit indicating that the notices (signs) required by Rule 1.6.2(1)(b) have been posted.

Publication Requirements

11. Pursuant to Rules 1.6.2(1)(d) and 1.6.5:

* Please provide the Division with Proof of Publication.

12. Pursuant to Rule 1.6.2(1)(e):

* Please provide the Division with proof of notice to the Owners of Record of surface and mineral rights of the affected land, and to Owners of Record of all land surface within 200 feet of the boundary of the affected land.

13. Pursuant to Rule 1.6.2(1)(c):

- (i). Any changes or additions to the application on file in our office must also be reflected in the public review copy which was placed with the Las Animas County Clerk and Recorder.

* Pursuant to Rule 6.4.18, you must provide our office with an affidavit or receipt indicating the date this was done.

Your application will not be considered submitted until all the information listed above is received and found sufficient to begin our review.

You have sixty (60) days from the above date (until **August 23, 2024**) to submit all necessary documents that the Office 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 Office, the Office may deny the application and terminate the application file.

This letter shall not be construed to mean that there are no other technical deficiencies in your 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 by telephone at [720-836-0967](tel:720-836-0967), or by email at amber.gibson@state.co.us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Amber Gibson", is located at the bottom left of the page.

Amber M. Gibson
Environmental Protection Specialist I

Ec: Jodi Schreiber, PFM Consulting LLC