Grand Gravel Pit, LLC 2 County Road 2 Kremmling, CO 80459

January 28, 2014

Peter Hays Environmental Protection Specialist 1313 Sherman St. Room 215 Denver, CO 80203

RE: Yust Ranch Gravel Pit 112 Conversion – Additional Items

Dear Peter:

In reference to your December 5, 2013 letter, please find the attached revised application with corrected legal description, proof of mailing notices and affidavit of filing with the County Clerk. These items were filed on January 28, 2014 at the Grand County Courthouse in Hot Sulphur Springs.

I thank you for your consideration of these requests and look forward to addressing any questions or comments.

Respectfully Submitted,

Jorry Carpenter Grand Gravel Pit, LLC

Attachments 112 Application Proof of Mailing Proof of Filing



JAN 3 0 2014

DIVISION OF RECLAMATION MINING AND SAFETY

RECEIVED

JAN 3 0 2014 Division of Reclamation, Mining & Safety

Grand Gravel Pit, LLC 2 County Road 2 Kremmling, CO 80459

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STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY Department of Natural Resources

1313 Sherman St., Room 215 Denver, Colorado 80203 Phone: (303) 866-3567 FAX: (303) 832-8106

December 5, 2013

Jerry Carpenter Grand Gravel Pit, LLC 2 County Road 2 Kremmling, CO 80459



John W. Hickenlooper Governor

Mike King Executive Director

Loretta Piñeda Director

Re: Yust Ranch Gravel Pit, File No. M-2000-014, Receipt of 110 to 112 Construction Materials Reclamation Permit Conversion Application Package – Incomplete

Mr. Carpenter:

On November 22, 2013, the Division of Reclamation, Mining and Safety (Division/DRMS) received the 110 to 112 Construction Materials Reclamation Permit Conversion Application (CN-01) package for the Yust Ranch Gravel Pit. Preliminary review of the information received determined the following items must be received before the Division can consider the application as being submitted and technical review can begin:

6.4.1 Exhibit A - Legal Description

- The Division requires the Operator/Applicant's name remain consistent and match the exact name registered with the Colorado Secretary of State's office (Grand Gravel Pit, LLC) throughout the application. Please revise the Operator's name on the signature section and notary section of the application form (Page 8). An edited application page is attached for reference.
- On Page 2, Item #10, the Operator indicates the Quarter Section as "NE" and the Quarter/Quarter Section as "SW". Based on Exhibit A, the Division believes the proper location information is the "NE" Quarter/Quarter Section of the "SW" Quarter Section. Please review the location selections and revise accordingly.

6.4.17 Exhibit Q - Proof of Mailing Notices to Board of County Commissioners and Soil Conservation District

3. The Applicant submitted certified mail receipts as proof of mailing notices to the Grand County Board of County Commissioners and Middle Park Conservation District. The receipts did not indicate the mailing address and are not adequate to satisfy Rule 6.4.17. Please provide proof of notice by submitting return receipts of a Certified Mailing or by proof of personal service.

6.3.9 Exhibit I - Proof of Filing with County Clerk

4. Please provide an affidavit or receipt indicating the date on which the <u>revised</u> application documents were placed with the Grand County Clerk and Recorder in response to this letter.

Page 2 of 2 Yust Ranch Gravel Pit CN-01 Application Incompleteness Letter

The conversion application will not be considered submitted 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 of the requested information. Additionally, if you have already published notice you will need to republish notice, after the Division considers the application submitted. This notice must be published once a week for four (4) consecutive weeks, starting within ten (10) days of the date your application is considered submitted. We will notify you when you should initiate republication of your notice. The final date for receiving comments is the 20th day after the fourth publication or the next regular business day.

You have sixty (60) days from the date of this letter 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 conversion application and terminate the application file.

The response due date is February 3, 2014.

This letter shall not be construed to mean 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.

Please contact me with questions at (303) 866-3567 Ext. 8124.

Sincerel

Peter S. Hays Environmental Protection Specialist

Enclosure: edited application page

Cc: Tom Kaldenbach, Division of Reclamation, Mining & Safety

Certification:

 $\sim u$

As an authorized representative of the applicant, I hereby certify that the operation described has met the minimum requirements of the following terms and conditions:

1. To the best of my knowledge, all significant, valuable and permanent man-made structure(s) in existence at the time this application is filed, and located within 200 feet of the proposed affected area have been identified in this application (Section 34-32.5-115(4)(e), C.R.S.).

2. No mining operation will be located on lands where such operations are prohibited by law (Section 34-32.5-115(4)(f), C.R.S.;

3. As the applicant/operator, I do not have any extraction/exploration operations in the State of Colorado currently in violation of the provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials (Section 34-32.5-120, C.R.S.) as determined through a Board finding.

4. I understand that statements in the application are being made under penalty of perjury and that false statements made herein are punishable as a Class 1 misdemeanor pursuant to Section 18-8-503, C.R.S.

This form has been approved by the Mined Land Reclamation Board pursuant to section 34-32.5-112,C.R.S., of the Colorado Land Reclamation Act for the Extraction of Construction Materials. Any alteration or modification of this form shall result in voiding any permit issued on the altered or modified form and subject the operator to cease and desist orders and civil penalties for operating without a permit pursuant to section 34-32.5-123, C.R.S.

Signed and dated this day of day of	
Applicant/Operator or Company Name	If Corporation Attest (Seal)
Signed: Juny Cryf	Signed:
Title: OWNER	Corporate Secretary or Equivalent Town/City/County Clerk
State of $(0)0radO$ County of $Grand$) ss.	
The foregoing instrument was acknowledged before me this 2015 2013, by Jerry Carpertan as Counter	day of NOVEMDER CRAND CRAVEL DET,
ERIN MCNALLAN NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20124054708 My Commission Expires Aug. 22, 2016	M. VIIIIII Notary Public My Commission expires: 8 2216

SIGNATURES MUST BE IN BLUE INK

You must post sufficient Notices at the location of the proposed mine site to clearly identify the site as the location of a

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY Department of Natural Resources

1313 Sherman St., Room 215 Denver, Colorado 80203 Phone: (303) 866-3567 FAX: (303) 832-8106

CONSTRUCTION MATERIALS REGULAR (112) OPERATION RECLAMATION PERMIT APPLICATION FORM



Permit# M 2000_ 014	CHECK ONE: There is a File Num	er Already Assigned to th	is Operation		Bill Ritter, jr. Governor		
New Application (Rule 1.4.5) Amendment Application (Rule 1.10) Reveld W. Catany Division Director National Resource Trustee Permit #	Permit # <u>M</u> _ ^{2,000} _ ⁰¹⁴						
The application for a Construction Materials Regular 112 Operation Reclamation Permit contains three major parts: (1) the application form; (2) Exhibits A-S, Addendum 1, any sections of Exhibit 6.5 (Geotechnical Stability Exhibit; and (3) the application fee. When you submit your application, be sure to include one (1) <u>complete signed and notarized QRIGINAL</u> and one (1) copy of the completed application fee described under Section (4) below. Exhibits should NOT be bound or in a 3-ring binder; maps should be folded to 8 1/2" X 11" or 8 1/2" X 14" size. To expedite processing, please provide the information in the format and order described in this form. GENERAL OPERATION INFORMATION GENERAL OPERATION INFORMATION Type or print clearly, in the space provided, <u>ALL</u> information requested below. 1. <u>Applicant/operator or company name (name to be used on permit)</u> : Grand Gravel Pit, LLC 1.1 Type of organization (corporation, partnership, etc.): limited liability company 2. <u>Operation name (pit, mine or site name)</u> : Yust Ranch Gravel Pit 3. <u>Permitted acreage (new or existing site)</u> : <u>9.9</u> 3.1 Change in acreage (+) <u>31.11</u> 3.2 Total acreage in Permit area <u>41.01</u> acres 4. <u>Feese</u> <u>52.696.00</u> application fee 4. <u>Feese</u> <u>52.696.00</u> application fee 5. <u>Primary commoditie(s) to be mined</u> : Sand <	New Application (Rule	New Application (Rule 1.4.5) Amendment Application (Rule 1.10) Ronald W. Cattany Division Director					
form; (2) Exhibits A-S, Addendum 1, any sections of Exhibit 6.5 (Geotechnical Stability Exhibit; and (3) the application fee. When you submit your application form, two (2) copies of Exhibits A-S, Addendum 1, appropriate sections of 6.5 (Geotechnical Stability Exhibit; and a check for the application form, two (2) copies of Exhibits A-S, Addendum 1, appropriate sections of 6.5 (Geotechnical Stability Exhibit, and a check for the application form, two (2) copies of Exhibits A-S, Addendum 1, appropriate sections of 6.5 (Geotechnical Stability Exhibit, and a check for the application fee described under Section (4) below. Exhibits should <u>NOT</u> be bound or in a 3-ring binder; maps should be folded to 8 1/2" X 11" or 8 1/2" X 14" size. To expedite processing, please provide the information in the format and order described in this form. GENERAL OPERATION INFORMATION Type or print clearly, in the space provided, <u>ALL</u> information requested below. 1. Applicant/operator or company name (name to be used on permit): Grand Gravel Pit, LLC 1.1 Type of organization (corporation, partnership, etc.): limited liability company 2. Operation name (pit, mine or site name): Yust Ranch Gravel Pit 3.1 Change in acreage (new or existing site): 3.1 Change in acreage (+) 3.2 Total acreage in Permit area 4.1 New Application 4.52.696.00 acres 4.1 New Application 4.52.696.00 2	Permit # <u>M</u> _2000_014	(provide for Amendments	and Conversions of ex	isting permits)			
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3/ lbs/Tons/yr 4/ lbs/Tons/yr 5/ lbs/Tons/yr							
					lbs/Tons/yr		

5.3 Anticipated end use of incidental commoditie(s) to be mined:

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6.	Name of owner of subsurface rights of affected land: If 2 or more owners, "refer to Exhibit O".			
7.	Name of owner of surface of affected land: James E. Yust			
8.	Type of mining operation: Surface Underground			
9.	Location Information: The center of the area where the majority of mining will occur:			
	COUNTY: Grand			
	PRINCIPAL MERIDIAN (check one): 6th (Colorado) 10th (New Mexico) Ute			
	SECTION (write number): S			
	TOWNSHIP (write number and check direction): $T _ I$ North South			
	RANGE (write number and check direction): $R \frac{80}{2}$ East $\sqrt{2}$ West			
	QUARTER SECTION (check one): $\square NE \square NW \square SE \checkmark SW$			
	QUARTER/QUARTER SECTION (check one):			
	GENERAL DESCRIPTION: (the number of miles and direction from the nearest town and the approximate elevation):			

- 2 -

Approximately 2 miles south of Kremmling, elevation 7400

10. <u>Primary Mine Entrance Location</u> (report in either Latitude/Longitude <u>OR</u> UTM):

Latitude/Longitude:
Example: (N) 39° 44′ 12.98″ (W) 104° 59′ 3.87″
Latitude (N): $deg \frac{40}{106}$ $min \frac{02}{25}$ $sec \frac{49}{27}$ (2 decimal places)Longitude (W): $deg \frac{106}{106}$ $min \frac{25}{25}$ $sec \frac{00}{15}$ (2 decimal places)OR
Example: (N) 39.73691° (W) -104.98449°
Latitude (N) (5 decimal places)
Longitude(W) (5 decimal places)
OR
Universal Tranverse Mercator (UTM)
Example: 201336.3 E NAD27 Zone 13 4398351.2 N
UTM Datum (specify NAD27, NAD83 or WGS 84) Nad 83 Zone 13
Easting
Northing

<u>APPLICANT/OPERATOR</u> (name, address, and phone of name to be used on permit)

	Contact's Name:	Jerry Carpenter	Title: Owner
Company Name:		Grand Gravel Pit, LLC	
	Street/P.O. Box:	2 County Road 2	P.O. Box:
	City:	Kremmling	
	State:	CO	
	Telephone Number:	/ 9/0 531-0295	
	Fax Number:	()	
PER	MITTING CONTACT	(if different from applicant/operator above)	
	Contact's Name:		Title:
	Company Name:		
	Street/P.O. Box:		P.O. Box:
	City:		
	State:		Zip Code:
	Telephone Number:	<u>()</u>	
	Fax Number:	<u>()</u>	
<u>INS</u>	PECTION CONTACT		
	Contact's Name:	<u> </u>	Title:
	Company Name:		
	Street/P.O. Box:		P.O. Box:
	City:		
	State:		Zip Code:
	Telephone Number:	()	
	Fax Number:	<u>()</u>	
<u>CC:</u>	STATE OR FEDERAL		
	Agency:		
	Street:		
	City:		<u>.</u>
	State:		Zip Code:
	Telephone Number:	<u>()</u>	
<u>CC:</u>	STATE OR FEDERAL	LANDOWNER (if any)	
	Agency:		
	Street:		
	City:		
	State:		Zip Code:
	Telephone Number:	()	



15.	On Site Processing: Crushing/Screening
	13.1 Briefly explain mining method (e.g. truck/shovel): Load will feed raw material
	13.1 Briefly explain mining method (e.g. truck/shovel): Loaden will feed raw material
	List any designated chemicals or acid-producing materials to be used or stored within permit area:

16. Description of Amendment or Conversion:

If you are amending or converting an existing operation, provide a brief narrative describing the proposed change(s).

Exhausted the resources within the existing 110 permit area and need additional reserve, stockpile and operational space. Mining and processing methods will be the same.

- 4 -

Maps and Exhibits:

Two (2) complete, unbound application packages must be submitted. One complete application package consists of a signed application form and the set of maps and exhibits referenced below as Exhibits A-S, Addendum 1, and the Geotechnical Stability Exhibit. Each exhibit within the application must be presented as a separate section. Begin each exhibit on a new page. Pages should be numbered consecutively for ease of reference. If separate documents are used as appendices, please reference these by name in the exhibit.

With each of the two (2) signed application forms, you must submit a corresponding set of the maps and exhibits as described in the following references to Rule 6.4, 6.5, and 1.6.2(1)(b):

EXHIBIT A	Legal Description
EXHIBIT B	Index Map
EXHIBIT C	Pre-Mining and Mining Plan Map(s) of Affected Lands
EXHIBIT D	Mining Plan
EXHIBIT E	Reclamation Plan
EXHIBIT F	Reclamation Plan Map
EXHIBIT G	Water Information
EXHIBIT H	Wildlife Information
EXHIBIT I	Soils Information
EXHIBIT J	Vegetation Information
EXHIBIT K	Climate Information
EXHIBIT L	Reclamation Costs
EXHIBIT M	Other Permits and Licenses
EXHIBIT N	Source of Legal Right-To-Enter
EXHIBIT O	Owners of Record of Affected Land (Surface Area) and Owners of Substance to be Mined
EXHIBIT P	Municipalities Within Two Miles
EXHIBIT Q	Proof of Mailing of Notices to County Commissioners and Conservation District
EXHIBIT R	Proof of Filing with County Clerk or Recorder
EXHIBIT S	Permanent Man-Made Structures
Rule 1.6.2(1)(b)	ADDENDUM 1 - Notice Requirements (sample enclosed)
Rule 6.5	Geotechnical Stability Exhibit (any required sections)

The instructions for preparing Exhibits A-S, Addendum 1, and Geotechnical Stability Exhibit are specified under Rule 6.4 and 6.5 and Rule 1.6.2(1)(b) of the Rules and Regulations. If you have any questions on preparing the Exhibits or content of the information required, or would like to schedule a pre-application meeting you may contact the Office at 303-866-3567.

Responsibilities as a Permittee:

Upon application approval and permit issuance, this application becomes a legally binding document. Therefore, there are a number of important requirements which you, as a permittee, should fully understand. These requirements are listed below. Please read and initial each requirement, in the space provided, to acknowledge that you understand your obligations. If you do not understand these obligations then please contact this Office for a full explanation.



1. Your obligation to reclaim the site is not limited to the amount of the financial warranty. You assume legal liability for all reasonable expenses which the Board or the Office may incur to reclaim the affected lands associated with your mining operation in the event your permit is revoked and financial warranty is forfeited;

4C

2. The Board may suspend or revoke this permit, or assess a civil penalty, upon a finding that the permittee violated the terms or conditions of this permit, the Act, the Mineral Rules and Regulations, or that information contained in the application or your permit misrepresent important material facts;

3. If your mining and reclamation operations affect areas beyond the boundaries of an approved permit boundary, substantial civil penalties, to you as permittee can result;

4. Any modification to the approved mining and reclamation plan from those described in your approved application requires you to submit a permit modification and obtain approval from the Board or Office;

5. It is your responsibility to notify the Office of any changes in your address or phone number;

6. Upon permit issuance and prior to beginning on-site mining activity, you must post a sign at the entrance of the mine site, which shall be clearly visible from the access road, with the following information (Rule 3.1.12):

- a. the name of the operator;
- b. a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and,
- c. the permit number.

7. The boundaries of the permit boundary area must be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries prior to site disturbance.

8. It is a provision of this permit that the operations will be conducted in accordance with the terms and conditions listed in your application, as well as with the provisions of the Act and the Construction Material Rules and Regulations in effect at the time the permit is issued.

9. Annually, on the anniversary date of permit issuance, you must submit an annual fee as specified by Statute, and an annual report which includes a map describing the acreage affected and the acreage reclaimed to date (if there are changes from the previous year), any monitoring required by the Reclamation Plan to be submitted annually on the anniversary date of the permit approval. Annual fees are for the previous year a permit is held. For example, a permit with the anniversary date of July 1, 1995, the annual fee is for the period of July 1, 1994 through June 30, 1995. Failure to submit your annual fee and report by the permit anniversary date may result in a civil penalty, revocation of your permit, and forfeiture of your financial warranty. It is your responsibility, as the permittee, to continue to pay your annual fee to the Office until the Board releases you from your total reclamation responsibility.

gc_

10. For joint venture/partnership operators: the signing representative is authorized to sign this document and a power of attorney (provided by the partner(s)) authorizing the signature of the representative is attached to this application.

NOTE TO COMMENTORS/OBJECTORS:

It is likely there will be additions, changes, and deletions to this document prior to final decision by the Office. Therefore, if you have any comments or concerns you must contact the applicant or the Office prior to the decision date so that you will know what changes may have been made to the application document.

The Office is not allowed to consider comments, unless they are written, and received prior to the end of the public comment period. You should contact the applicant for the final date of the public comment period.

If you have questions about the Mined Land Reclamation Board and Office's review and decision or appeals process, you may contact the Office at (303) 866-3567.

Certification:

As an authorized representative of the applicant, I hereby certify that the operation described has met the minimum requirements of the following terms and conditions:

1. To the best of my knowledge, all significant, valuable and permanent man-made structure(s) in existence at the time this application is filed, and located within 200 feet of the proposed affected area have been identified in this application (Section 34-32.5-115(4)(e), C.R.S.).

No mining operation will be located on lands where such operations are prohibited by law 2. (Section 34-32.5-115(4)(f), C.R.S.;

As the applicant/operator, I do not have any extraction/exploration operations in the State of Colorado currently in 3. violation of the provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials (Section 34-32.5-120, C.R.S.) as determined through a Board finding.

I understand that statements in the application are being made under penalty of perjury and that false statements 4. made herein are punishable as a Class 1 misdemeanor pursuant to Section 18-8-503, C.R.S.

This form has been approved by the Mined Land Reclamation Board pursuant to section 34-32.5-112,C.R.S., of the Colorado Land Reclamation Act for the Extraction of Construction Materials. Any alteration or modification of this form shall result in voiding any permit issued on the altered or modified form and subject the operator to cease and desist orders and civil penalties for operating without a permit pursuant to section 34-32.5-123, C.R.S.

Signed and dated this	16th	dav of	De	cember	201	3
0 -				and the second se		

Grand Gravel Pit, Applicant/Operator or Company Name

Signed: Juny Curput

Title: Owne

State of Olorado) ss. County of Gra

If Corporation Attest (Seal)

Signed:

Corporate Secretary or Equivalent Town/City/County Clerk

20	The foregoing instrument was acknown 13, by Jerry (arpl	
00	, by Jong Carp	as owner of Grand Gravel Pitlu
,		cir million
	ERIN MCNALLAN	Notari Bublic
	NOTARY PUBLIC	Notary Public
	STATE OF COLORADO NOTARY ID 20124054708	8/22/2011
	My Commission Expires Aug. 22, 2016	My Commission expires: 8 22 2016

SIGNATURES MUST BE IN BLUE INK

You must post sufficient Notices at the location of the proposed mine site to clearly identify the site as the location of a



AFFADAVIT OF RECEIPT

This document holds that the Grand County Clerk & Recorder's office has received a copy of the "Colorado Division of Reclamation Mining & Safety Application for a Regular 112 Operation Reclamation Permit Application Package, Yust Ranch Gravel Pit, Grand Gravel Pit, LLC, Grand County, Colorado," dated January <u>28</u> 2014.

Dated this 28th day of January, 2014.

(County Seal)

allent Deputy Clerk + Marci

Grand County Clerk & Recorder