TCY.

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

RECEIVED

MAR 05 2014

DIVISION OF RECLAMATION MINING AND SAFETY



CONSTRUCTION MATERIALS REGULAR (112) OPERATION RECLAMATION PERMIT APPLICATION FORM

<u>CH</u>	ECK	NE: There is a File Number Already Assigned to this Operation
	1/	Permit # M19 92 016 (Please reference the file number currently assigned to this operation)
		New Application (Rule 1.4.5) Amendment Application (Rule 1.10)
		Conversion Application (Rule 1.11)
	P	rmit # M 19 92 016 (provide for Amendments and Conversions of existing permits)
forr sub- app the	n; (2) nit yo licatio applio	ation for a Construction Materials Regular 112 Operation Reclamation Permit contains three major parts: (1) the application exhibits A-S, Addendum 1, any sections of Exhibit 6.5 (Geotechnical Stability Exhibit; and (3) the application fee. When you application, be sure to include one (1) complete signed and notarized ORIGINAL and one (1) copy of the completed form, two (2) copies of Exhibits A-S, Addendum 1, appropriate sections of 6.5 (Geotechnical Stability Exhibit, and a check for tion fee described under Section (4) below. Exhibits should NOT be bound or in a 3-ring binder; maps should be folded to 1" 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, ALL information requested below.
1.	App	icant/operator or company name (name to be used on permit): Rocky Mountain Materials & Asphalt, Inc.
	1.1	Type of organization (corporation, partnership, etc.): Corporation
2.	Ope	ation name (pit, mine or site name): Penrose Ranch's
3.	Per	itted acreage (new or existing site): 2496 permitted acres
	3.1	Change in acreage (+) 0 acres
	3.2	Total acreage in Permit area <u>2496</u> acres
4,	Fee: 4.1 4.2 4.4 4.5	New Application \$2,696.00 application fee New Quarry Application \$3,342.00 quarry application Amendment Fee \$2,229.00 amendment fee Conversion to 112 operation (set by statute) \$2,696.00 conversion fee
5.	Prin	ary commoditie(s) to be mined: sand gravel
	5.1	Incidental commoditie(s) to be mined: 1 lbs/Tons/yr 2/ lbs/Tons/yr
		3. / lbs/Tons/yr 4. / lbs/Tons/yr 5. / lbs/Tons/yr
	5.2	Anticipated end use of primary commoditie(s) to be mined:asphalt, concrete, landscape & construction aggregates
	5.3	Anticipated end use of incidental commoditie(s) to be mined:



6.	Name of owner of subsurface rights of affected land: If 2 or more owners, "refer to Exhibit O". Stephen J Schnurr Living Trust & Penrose Ranch 1 LLC.
7.	Name of owner of surface of affected land: same as above
8.	Type of mining operation: Surface Underground
9.	Location Information: The center of the area where the majority of mining will occur: COUNTY: Fremont PRINCIPAL MERIDIAN (check one): 6th (Colorado) 10th (New Mexico) Ute SECTION (write number): 5 18 TOWNSHIP (write number and check direction): 7 19 North South RANGE (write number and check direction): R 68 East West QUARTER SECTION (check one): NE NW SE SW GENERAL DESCRIPTION: (the number of miles and direction from the nearest town and the approximate elevation):
	Approx. \$ miles east of Florence, Co on Sate Hwy 120. Go south on CNTY Rd 112 to pit entrance.
10.	Primary Mine Entrance Location (report in either Latitude/Longitude OR UTM): Latitude/Longitude: Example: (N) 39° 44′ 12.98″
	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

11. Correspondence Information:

	(name, address, and phone of name to be used on permit)	Vice President
Contact's Name:	Rob Mangone	Title: Vice President
Company Name:	Rocky Mountain Materials & Asphalt, Inc	
Street/P.O. Box:		P.O. Box:
City:	Colorado Springs	00005
State:	Colorado	Zip Code: 80905
Telephone Number:		
Fax Number:	(⁷¹⁹) - ⁴⁷³⁻³¹⁰⁹	
PERMITTING CONTACT		
Contact's Name:	Tom Smith	Title: General Manager
Company Name:	Rocky Mountain Materials & Asphalt, Inc	
Street/P.O. Box:	1910 Rand Ave.	P.O. Box:
City:	Colorado Springs	
State:	Colorado	Zip Code: 80905
Telephone Number:	719 \ 473-3100 ·	
Fax Number:	(719) - 473-3109	
INSPECTION CONTACT		
Contact's Name:	Tom Smith	Title:
Company Name:		
Street/P.O. Box:		P.O. Box:
City:		
State:		Zip Code:
Telephone Number:	(
Fax Number:	(
CC: STATE OR FEDERAL	LANDOWNER (if any)	
Agency:	None	
Street:		
City:		
State:		_ Zip Code:
Telephone Number:	() -	·
CC: STATE OR FEDERAL	LANDOWNER (if any)	
Agency:	None	
Street:		
City:		
State:		Zip Code:
Telephone Number:	(•

12.	Primary future (Post-mining) land use (check one):
	Cropland(CR) Pastureland(PL) General Agriculture(GA)
	Rangeland(RL) Forestry(FR) Wildlife Habitat(WL)
	Residential(RS) Recreation(RC) Industrial/Commercial(IC)
	Developed Water Resources(WR) Solid Waste Disposal(WD)
13.	Primary present land use (check one):
	Cropland(CR) Pastureland(PL) General Agriculture(GA)
	Rangeland(RL) Forestry(FR) Wildlife Habitat(WL)
	Residential(RS) Recreation(RC) Industrial/Commercial(IC)
	Developed Water Resources(WR)
14.	Method of Mining: Briefly explain mining method (e.g. truck/shovel): Gravel caps will be removed by use of loaders, dozers or excavators and carried to a crushing and screening plant.
15.	On Site Processing: Crushing/Screening
	13.1 Briefly explain mining method (e.g. truck/shovel):
	The material will be processed by crushing, screening and washing to prepare for transport.
	List any designated chemicals or acid-producing materials to be used or stored within permit area:
	None
16.	Description of Amendment or Conversion:
	If you are amending or converting an existing operation, provide a brief narrative describing the proposed change(s).
	This amendment is to allow for 200 acres of disturbance rather than the currently permitted 100
	acres. Please see the attached cover letter for a complete description of the proposed changes.

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;









- 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.



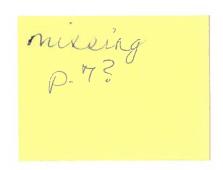
- 7. The boundaries of the permit boundary area must be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries prior to site disturbance.
- 8. It is a provision of this permit that the operations will be conducted in accordance with the terms and conditions 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.



10. <u>For joint venture/partnership operators</u>: 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.



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.).
- 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 27 day of February	2014 MATERIA MATERIA
Rocky Mountain Materials # Asphalt, In. Applicant/Operator or Company Name	If Corporation Attest SEAL SEAL
Signed: Loto ?. Man fore to	Signed Ruy Municipal Constitution of the Signed Ruy Manufacture of the Signed S
	Corporate Secretary or Equivalent
Title: Vice President	Town/City/County Clerk
State of $COlorcido$) ss. County of $EIPASO$)	
The foregoing instrument was acknowledged before me this 27TH 14, by RODEVA MCINGONE as VICE Pres	SICIENT OF ROCKY Mountain Mater
	Notary Public Notary Public
	My Commission expires 1

SIGNATURES MUST BE IN BLUE INK



ROCKY MOUNTAIN MATERIALS & ASPHALT INC.

1910 Rand Avenue Colorado Springs, CO 80906

Penrose Ranch Adjoining Property Owners
Permit # M 1992-016: 2014 Amendment

William Phillips

PO Box 364

Florence, Co. 81226

Donald Gay

1000 Fremont Cnty Rd 108

Florence, Co. 81226

Dayhawk & Joyce Long

1020 Fremont Cnty Rd108 Florence, Co. 81226

June Mramor

407 W 5th St.

Pueblo, Co. 81003

Keith Smith

In Care of Angela Johnson

PO Box 356

Fruita, Co. 81521

Eva O' Connell

In Care of Shirley Brock

35747 W 218th St.

Edgerton, Ks 66021

Ranch Land LLC.

3925 Hill Circle

Colorado Springs, Co 80904

Holcim Inc

Attn: Tax Dept.

201 Jones Rd.

Waltham, Ma. 02451

Douglas Tucker

2584 State Hwy 120

Florence, Co. 81226

Penrose Water District

Water Activity Enterprise

340 Grant St.

Penrose, Co. 81240

Castle Concrete

PO Box 2379

Colorado Springs, Co. 80901

James Grisenti

14662 N State Hwy 115

Florence, Co. 81226

Aercrete Land LLC. 6289 S Fibert Ct.

Centenial, Co. 80201

Phone 473-3100 • Fax 473-3109



Clerk and Recorder

Katie Barr - Fremont County Clerk & Recorder 615 Macon Avenue, Room 102, Cañon City, Colorado 81212
Phone 719-276-7330 Fax 719-276-7338

COLO STAT. 34-32-112.10.8
DATE RECEIVED 2.27-14
NAME OF APPLICANT ROCKY MINT MATERIALS & ASSPHANDING.
PERMIT # 1992-016
DATE OF HEARING
NAME OF CONTACT PERSON Tam Smith
PHONE NUMBER 719. 413 3100
Please check which applies to your permit:
I wish to be contacted 30 days after the hearing to pickup the application
I do not wish to pick up the application 30 days after the hearing and hereby give the Clerk's Office permission to destroy
Signature Journ Junif
Date of Disposition ? 90 days after Clerk & Chrie
nearry

FEB 27 2014

Lin Grondell

NOTICE OF FILING APPLICATION FOR COLORADO MINED LAND RECLAMATION PERMIT FOR REGULAR (112) CONSTRUCTION MATERIALS EXTRACTION OPERATION

NOTICE TO THE BOARD OF COUNTY COMMISSIONERS

Femont	COUNTY

Rocky Mountain Materials & Asphalt, Inc	(the "Applicant/Operator") has appli	ied for a Regular (112) reclamation
permit from the Colorado Mined Land Recla		
operations in Femont	County. The attached information is l	being provided to notify you of the
location and nature of the proposed operation	n. The entire application is on file with the Di	vision of Reclamation, Mining, and
Safety (the "Division") and the local county	clerk and recorder.	
The applicant/operator proposes to reclaim	the affected land to Rangeland	use. Pursuant to
Section 34-32.5-116(4)(m), C.R.S., the Boar	d may confer with the local Board of County (
the post-mining land use. Accordingly, the I	Board would appreciate your comments on th	ne proposed operation. Please note



ROCKY MOUNTAIN MATERIALS & ASPHALT INC.

1910 Rand Avenue Colorado Springs, CO 80906

February 24, 2014

Tim Cazier Division of Reclamation, Mining and Safety 1313 Sherman Street, Room 215 Denver, CO 80203

RE: Penrose Ranch Permit #M1992-016

Amendment Application

Tim,

Enclosed is the application to amend the existing permit at our Penrose Ranch operation. As discussed, the purpose of this action is to change the allowable disturbed acreage from 100 acres total to 200 acres. This change is needed to allow more time to establish the necessary reclamation to allow the land to be released. Additional time is needed as a result of the drought conditions that we have been faced with over the past several years.

As we have discussed in the past, the additional acreage will be in areas that have been reclaimed and are awaiting growth of cover materials. The ownership of the property and the limits of mine property have not changed since the last amendment in 2003. As well, the mining and processing procedures will not change. Therefore, none of the mining maps will need to be changed. The adjoining property owners list has been updated and is attached.

Rob Mangone or I can be reached at 719-473-3100 if any further information is needed.

Tom Smith

General Manager

Rocky Mountain Materials & Asphalt, Inc.

Division of Reclamation, Mining, and Safety

Fee Receipt for M1992016

Rocky Mountain Materials & Asphalt, Inc.

Receipt #:

16983

Date:

03/05/2014

Permit:

M1992016

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Payment Method	Revenue Code	Fee Description/Notes		Amount
057021 msr	4300-03	Minerals Amendment Fees		\$2,229.00
		M1992-016	İ	
	'	'	Description	40.000.00

Receipt Total: \$2,229.00

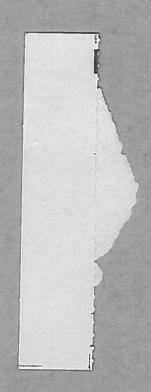
MATERIALS & ASPHAL

1940 RAND AVE.

COLORADO SPRINGS, CO 80905







Division of Reclamation, Mining & Safety
1313 Sherman St. Room 215
Denver, CO. 80203

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