

L.G. EVERIST, INC.



**Star Water Resource
Permit # M-1977-522
Town of Greeley, COLORADO**

**Regular 112 permit - Amendment
March 2014**

Amendment to an a Regular (112) Mined Land Reclamation Board Construction Materials Permit

**PREPARED BY
ENVIRONMENT, INC.
7985 VANCE DR., SUITE 205A
ARVADA, CO 80003
(303) 423-7297**

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



Bill Ritter, Jr.
Governor

Harris D. Sherman
Executive Director

Ronald W. Cattany
Division Director
Natural Resource Trustee

CHECK ONE: ☒ There is a File Number Already Assigned to this Operation

Permit # M - - - - (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)

Permit # M - 1977 - 522 - (provide for Amendments and Conversions of existing permits)

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) complete signed and notarized ORIGINAL and one (1) copy of the completed 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 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

Type or print clearly, in the space provided, ALL information requested below.

1. Applicant/operator or company name (name to be used on permit): L.G. Everist, Incorporated
 - 1.1 Type of organization (corporation, partnership, etc.): Corporation
2. Operation name (pit, mine or site name): Star Water Resource
3. Permitted acreage (new or existing site):

	<u>75.0</u>	permitted acres
3.1 Change in acreage (+)	<u>15.63</u>	acres
3.2 Total acreage in Permit area	<u>90.63</u>	acres
4. Fees:

4.1 New Application	<u>\$2,896.00</u>	application fee
4.2 New Quarry Application	<u>\$2,342.00</u>	quarry application
4.4 Amendment Fee	<u>\$2,229.00</u>	amendment fee
4.5 Conversion to 112 operation (set by statute)	<u>\$2,696.00</u>	conversion fee
5. Primary commodity(ies) to be mined: Gravel Sand
 - 5.1 Incidental commodity(ies) to be mined:

1. <u>-</u>	<u>lbs/Tons/yr</u>	2. <u>/</u>	<u>lbs/Tons/yr</u>
3. <u>/</u>	<u>lbs/Tons/yr</u>	4. <u>/</u>	<u>lbs/Tons/yr</u>

 5. / | lbs/Tons/yr || 5.2 Anticipated end use of primary commodity(ies) to be mined: Specification aggregates, fill | | | | |
| 5.3 Anticipated end use of incidental commodity(ies) to be mined: _____ | | | | |

6. **Name of owner of subsurface rights of affected land:** L.G. Everist, Incorporated
If 2 or more owners, "refer to Exhibit O".

7. **Name of owner of surface of affected land:** L.G. Everist, Incorporated

8. **Type of mining operation:** ☒ Surface ☐ Underground

9. **Location Information:** The center of the area where the majority of mining will occur:

COUNTY: Weld

PRINCIPAL MERIDIAN (check one): ☒ 6th (Colorado) ☐ 10th (New Mexico) ☐ Ute

SECTION (write number): S 26

TOWNSHIP (write number and check direction): T 6 ☒ North ☐ South

RANGE (write number and check direction): R 66 ☐ East ☒ West

QUARTER SECTION (check one): ☐ NE ☐ NW ☒ SE ☐ SW

QUARTER/QUARTER SECTION (check one): ☐ NE ☐ NW ☒ SE ☐ SW

GENERAL DESCRIPTION: (the number of miles and direction from the nearest town and the approximate elevation): _____

Approximately 3.2 miles northwest of Greeley on O Street, Elevation 4680

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

Latitude/Longitude:

Example: (N) 39° 44' 12.98"
(W) 104° 59' 3.87"

Latitude (N): deg 40 min 27 sec 19.21 (2 decimal places)

Longitude (W): deg 104 min 44 sec 33.92 (2 decimal places)

OR

Example: (N) 39.73691°
(W) -104.98449°

Latitude (N) _____ (5 decimal places)

Longitude(W) _____ (5 decimal places)

OR

Universal Transverse Mercator (UTM)

Example: 201336.3 E NAD27 Zone 13
4398351.2 N

UTM Datum (specify NAD27, NAD83 or WGS 84) WGS 84 Zone 13

Easting _____

Northing _____

11. **Correspondence Information:**

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

Contact's Name: Dennis L. Fields Title: Vice President
Company Name: L.G. Everist, Inc.
Street/P.O. Box: 7321 E 88th Ave., Suite 200 P.O. Box: _____
City: Henderson
State: CO Zip Code: 80640
Telephone Number: (303) - 286-2249
Fax Number: (303) - 289-1348

PERMITTING CONTACT (if different from applicant/operator above)

Contact's Name: Steve O'Brian Title: President
Company Name: Environment, Inc
Street/P.O. Box: 7985 Vance Dr. #205A P.O. Box: _____
City: Arvada
State: CO Zip Code: 80003
Telephone Number: (303) - 423-7297
Fax Number: (303) - 423-7599

INSPECTION CONTACT

Contact's Name: Lynn M. Shults Title: Regulatory manager
Company Name: L.G. Everist, Inc.
Street/P.O. Box: 7321 E 88th Ave., Suite 200 P.O. Box: _____
City: Henderson
State: CO Zip Code: 80640
Telephone Number: (303) - 286-2249
Fax Number: (303) - 289-1348

CC: STATE OR FEDERAL LANDOWNER (if any)

Agency: _____
Street: _____
City: _____
State: _____ Zip Code: _____
Telephone Number: () -

CC: STATE OR FEDERAL LANDOWNER (if any)

Agency: _____
Street: _____
City: _____
State: _____ Zip Code: _____
Telephone Number: () -

12. **Primary future (Post-mining) land use (check one):**

- | | | |
|---|--|--|
| <input type="checkbox"/> Cropland(CR) | <input type="checkbox"/> Pastureland(PL) | <input type="checkbox"/> General Agriculture(GA) |
| <input type="checkbox"/> Rangeland(RL) | <input type="checkbox"/> Forestry(FR) | <input type="checkbox"/> Wildlife Habitat(WL) |
| <input type="checkbox"/> Residential(RS) | <input type="checkbox"/> Recreation(RC) | <input type="checkbox"/> Industrial/Commercial(IC) |
| <input checked="" type="checkbox"/> Developed Water Resources(WR) | | <input type="checkbox"/> Solid Waste Disposal(WD) |

13. **Primary present land use (check one):**

- | | | |
|--|--|---|
| <input type="checkbox"/> Cropland(CR) | <input type="checkbox"/> Pastureland(PL) | <input type="checkbox"/> General Agriculture(GA) |
| <input type="checkbox"/> Rangeland(RL) | <input type="checkbox"/> Forestry(FR) | <input type="checkbox"/> Wildlife Habitat(WL) |
| <input type="checkbox"/> Residential(RS) | <input type="checkbox"/> Recreation(RC) | <input checked="" type="checkbox"/> Industrial/Commercial(IC) |
| <input type="checkbox"/> Developed Water Resources(WR) | | |

14. **Method of Mining:** Briefly explain mining method (e.g. truck/shovel): _____
Front end loaders remove material and load into trucks for hauling to processing plant. _____

15. **On Site Processing:** ☒ Crushing/Screening

13.1 Briefly explain mining method (e.g. truck/shovel): Limited if found to be feasible or material will be removed
and stockpiled as pit run and moved to a another mine for processing.

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 adds 15.36 acres to the permit area. The mining methods do not change. The final end use is changed to developed water storage with possible residential and other uses.

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.

- 27
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;

DF 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;

DF 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;

DF 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;

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

DF 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.

DF 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.

DF 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.

DF 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.

NA 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.).
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 24 day of March, 2014.

L.G. Everist, Incorporated

Applicant/Operator or Company Name

Corporation Attest (Seal)

Signed: Dennis Fields

Signed: James A. Sittner

Corporate Secretary or Equivalent

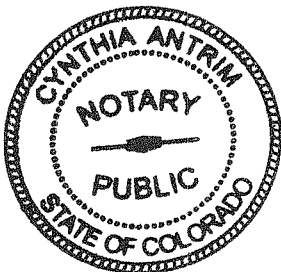
Title: Vice President

Town/City/County Clerk

State of Colorado)

County of Adams) ss.

The foregoing instrument was acknowledged before me this 24 day of March, 2014, by Dennis L. Fields as Vice President of L.G. Everist, Incorporated



Cynthia Antrim
Notary Public

My Commission expires: 2/19/2016

SIGNATURES MUST BE IN BLUE INK

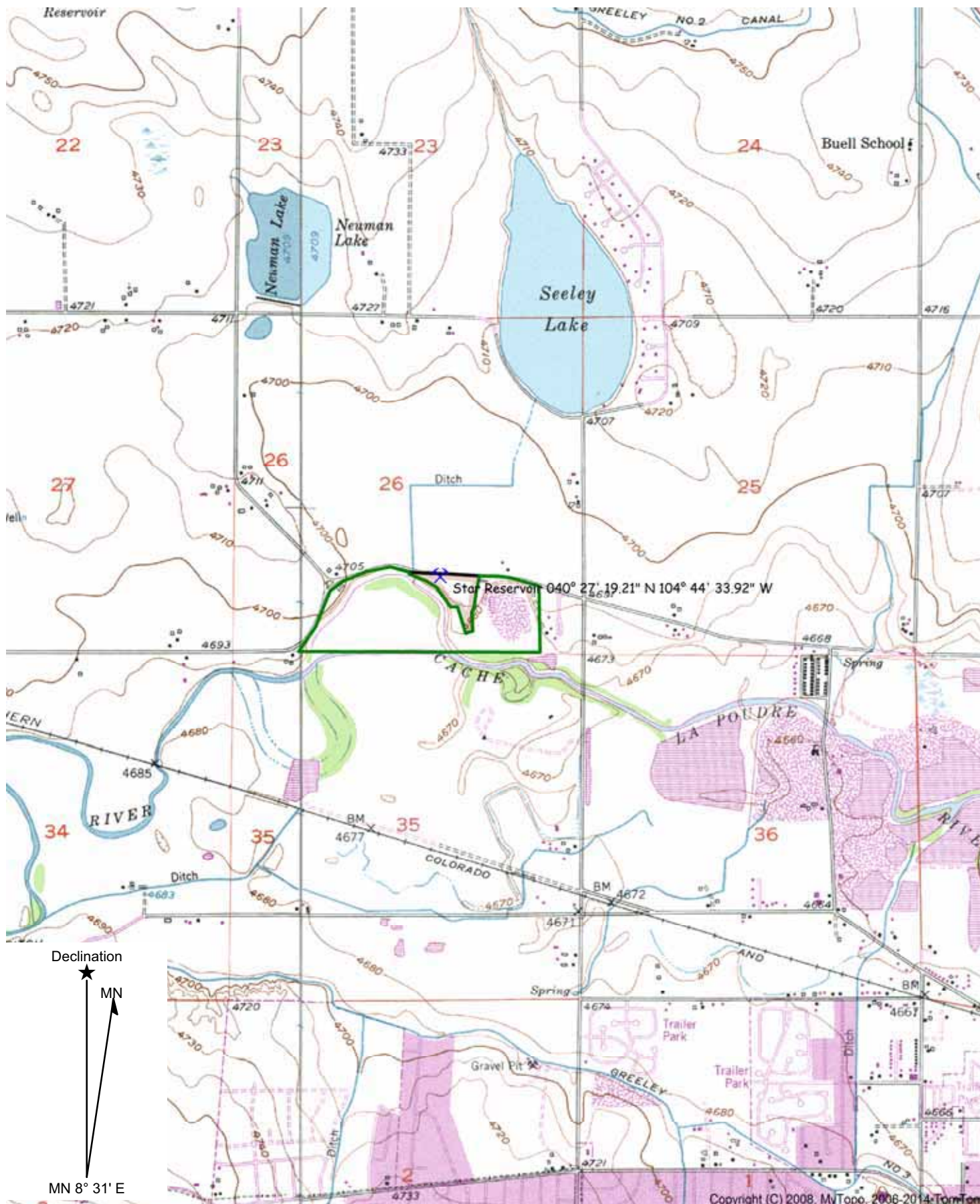
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Exhibit A

LEGAL DESCRIPTION

Part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26. T-6-N, R-66-W, 6th P.M., Weld County, Colorado. Containing 90.63 ac. more or less.



Name: GREELEY (CO)
 Date: 02/12/14
 Scale: 1 inch = 2,000 ft.

MINE LOCATION: PARTS OF THE SE/4SE/4,
 SW/4SE/4, SE/4SW/4 AND SW/4SW/4,
 SECTION 26, T-6-N, R-66-W, 6TH P.M., CITY
 OF GREELEY, COUNTY OF WELD,
 COLORADO

L.G. Everist, Inc.
Star Water Resource
Map Exhibit B - Vicinity Map

Exhibit D

MINING PLAN

L.G. Everist, Inc. was approved as operator through a Succession of Operator process in November-2013. The site name was changed to Star Water Resource.

Unless specifically discussed below, the methods described and approved in the original Herman Feit Pit (M-1977-522) mining and reclamation plans will remain unchanged. This will remain a dry mining operation. No blasting will take place on this mine site.

This Amendment has 3 primary purposes,

- (a) to increase the permit area to include area disturbed by previous operators and establish an accurate permit boundary.
- (b) to change the end use of the Varra Companies batch plant area from residential to Industrial, so it matches the Town of Greeley's 2010 zoning change from agriculture to industrial. The Varra property is a 9.36 acres site on the north side of the permit area that is used as a ready-mix plant site. Our intention is to release this area from the permit once the Amendment is approved.
- (c) to revise the reclamation plan on the parcel owned by L.G. Everist, Inc. from Residential to Developed Water Storage with secondary uses of Residential and Industrial/Commercial. This area covers 81.27 acres ± of the permit area.

The new permit area will encompass the existing permit area. It will follow the property line except along the south side adjacent to the river. From the southeast corner to where the property line meets the river bank, the property line will be used. Along the river we have chosen to use the existing permit line that follows the top of the north bank of the river. This will allow the operator to stay within the permit boundary without including the river channel. The existing permit had the same boundary. There is no indication mining ever occurred within the banks of the river and the mine operator has no

responsibility to take on the liability of the upkeep and/or improvement of the banks of the Cache La Poudre River.

Existing Conditions.

A revised **EXHIBIT C-1 - MINING PLAN MAP (CURRENT CONDITIONS)** is supplied to show current conditions at the mine.

The west lake is in the process of being dewatered so L.G. Everist can evaluate the bottom of the lake and calculate material volumes and finished water storage volumes. It will also be determined whether slopes that are currently underwater will need additional work. The shale bottom material may be used as slope and backfill material if deemed acceptable for the design.

Most of the sand and gravel materials in this mine have been removed, but there are still sufficient quantities of gravel left to sell and to complete the reclamation of the site. The remaining aggregate reserves will be mined once the site is dewatered.

Two areas that contain reserves are:

- The peninsula in the west lake. The oil company that owns the well on the peninsula is in the process of abandoning this well. It will be capped sometime this spring, which will allow removal of the peninsula.
- Additional gravel has also been found in the southeast corner of the west lake.

A portable plant may be used to process the material or it may be loaded into trucks and hauled off-site.

In 1994, when the previous permittees expanded the original permit they left the bank between "O" Street and the north bank of the old river channel out of their permit and noted on the map that this area would be the landowner's responsibility to reclaim. This slope appears to be stable with a vegetative cover, so we plan to avoid re-disturbing the slopes if possible. If we do need to re-disturb the slopes during construction of the slurry wall, then the area disturbed will be reclaimed.

Mining Timetable

As mentioned above, this site is mostly mined out. The remaining mining to take place will be in conjunction with the reclamation of the site and much of the mined materials may be used in another area of the mine. It will take from 3 to 5 years to complete the development and reclamation of the reservoir facility.

Exhibit E

RECLAMATION PLAN

Overview

The **MAP EXHIBIT F - RECLAMATION PLAN MAP** shows the sloping plan, the reservoir areas, the areas needing reclamation and areas that were not disturbed.

Unless specifically discussed below, the methods described and approved in the original Reclamation Plan will remain unchanged.

The current post mining land use is listed as Residential. As mentioned above in the Mining Plan, one of the primary reasons for this amendment is to change the reclamation plan to be Developed Water Storage with secondary end uses of Residential and Industrial/Commercial.

There are two property owners on this mine and each owner's parcel will have a final end use different from the other.

- Varra Parcel - Varra Companies own the 9.36 acre Industrial Area on the north. The previous owners had the land zoned to Industrial in the City of Greeley in 2010. This parcel will remain as a concrete batching area with raw material stockpiles, a wash out area and truck parking area and concrete batch plant.

This parcel will be removed from the permit once this Amendment has been approved. No grading, resoiling or revegetation is needed in the Industrial area.

- L.G. Everist Parcel - On the L.G. Everist, Inc. parcel, (81.27 acres) the primary final end use will become Developed Water Storage surrounded by access roads and revegetated areas. The setbacks and side slopes from the existing surface to the water's edge will be top-soiled and revegetated using the methods described in the existing plan. Only areas disturbed by activities at the mine will be reclaimed.

Current Conditions

Currently, the mine site has been disturbed by mining and some reclamation was completed on the perimeter of the mine by previ-

ous operators. The areas where reclamation has been completed are shown on **MAP EXHIBIT C- MINING PLAN (CURRENT CONDITIONS)**.

The current uses are, mining, material stockpiling and processing, partially reclaimed areas, lake areas, oil/gas operations area and a concrete manufacturing/industrial area.

There is very little native vegetation present on the site except along the site's property boundary. The oil/gas operations area has little vegetation due to the need to work on the well heads.

Reclamation Plan

As mentioned above, the primary reclamation end use of the site will be Developed Water Storage. A copy of the slurry wall design will be sent to the Division for review under separate cover.

The slurry wall for the Developed Water Storage is being designed by Deere and Ault and will be constructed to meet the Design Standard as set forth in the Colorado State Engineer's Office guidelines ("State Engineer Guidelines for Lining for Gravel Pits," August 1999) with respect to the allowable leakage rate through the slurry wall component of the reservoir lining system and utilizing the design criteria set forth by the Division of Reclamation Mining and Safety (DRMS) in its "Guide to Specification Preparation for Slurry Walls and Clay Liners as a Component of Colorado Mined Land Reclamation Permits," September 2000. Upon completion of construction, the slurry wall shall undergo a 90-day Liner Leak Test to test the performance of the slurry wall against the State's Design Standard for leakage.

During development of the reservoir(s) the working platform for the slurry wall installation will be shaped and graded into the banks around the reservoir area. The slopes from the working platform to the bottom of the reservoir area may be graded 3h to 1v or flatter. All other slopes above the working platform may be graded 2h to 1v or flatter. The areas above the water line that will be revegetated will have growth medium re-spread on them.

Once the reservoir liner has been certified by the State Engineer's Office and the area around the reservoirs has been sloped and resoiled, we would propose using one of the two seeding options listed below. They presume that the reservoir(s) have been sold to an end user and said end user plans to continue development in the near future. This continued development may involve re-disturbing part of the reservoir banks to install armoring and pumping facilities. To avoid the expense of seeding an area that will be redisturbed later, the applicant suggests a two-tier revegetation plan that is triggered if the new reservoir owner plans to start development of a reservoir cell within 6 months of final resoiling.

- 1) If the reservoir owner plans to start reservoir development within 6 months of final resoiling no grass will be planted. Reclamation will be considered complete if a notarized release letter from the reservoir owner is filed with the Division.
- 2) If the reservoir owner does not start reservoir development within 6 months of final resoiling the area will be planted. However, if at anytime after planting is complete but before final release is granted, the owner decides to begin development, then reclamation will be considered complete, again if a notarized release letter from the owner is filed with the Division.

The following seed mix will replace the one currently approved. It is more cost-effective to use this seed mix for the entire area and will place approximately 41.2 seeds per pound per sq-ft as prescribed by the NRCS planting guidelines.

<u>PROPOSED SEED MIX</u>	
<u>Species</u>	<u>Lbs. PLS/Acre</u>
Western Wheatgrass (Aribba)	5.00
Big Bluestem (Champ)	2.50
Blue Grama (Hachita)	0.60
Switchgrass (Blackwell)	<u>1.75</u>
TOTALS	9.85

Since we have assumed control of the mine we are still assessing the site to be sure the previous operators retained sufficient

growth medium for our needs. All stockpiled topsoil we find will be retained for use in reclamation and if needed additional growth medium will be developed using material on the site. This may include adding organic material or wash fines found around the mine area.

Graveled maintenance roads will be built around each reservoir and left around each gas/oil well where no seeding or resoiling will take place. This will provide graveled access around each well or reservoir to service it as needed by the well or reservoir owners.

On-site generated materials will be used for bank sloping areas around the lakes or will be recycled/sold. If needed, some inert fill (as defined in Colorado Department Public Health and Environment regulations) may be imported for reclamation purposes. Any material placed below the water line in an unlined area will be dirt fill and will not contain asphalt or concrete material that is aged less than 60 days.

Optional Reclamation Plans .

We are submitting two optional reclamation plans in addition to the primary one shown on **MAP EXHIBIT F - RECLAMATION PLAN MAP**. The initial plan (Option A) is to seal both lake areas using slurry walls to surround the existing lakes. Option A is discussed in detail above. The other two options (Options B and C) are discussed below and Figures "Option B" & "Option C" following this text show how the site will be reclaimed depending on what option is chosen.

Option B - The western lake will be developed as a lined water storage reservoir and the eastern lake will be partially backfilled to remove all post-1980 water surface area. This will leave a 6.10 acre area in the northeast part of the existing lake. The backfilled area will be filled to the original ground surface elevations that existed prior to mining and will be revegetated using the current reclamation plan.

Option C - The western lake will be developed as a lined water storage reservoir and the eastern lake will be completely backfilled, graded and reclaimed to its original level prior to mining.

The methods used to reclaim the reservoirs will be the same for all options. The differences will be an increase/decrease in the volume of developed water storage and an increase/decrease in the amount of revegetation necessary.

We do not know exactly when the Reclamation Options will be chosen or when some part(s) will be implemented, because we are still in the planning and discovery phase at this site. These optional plans are included to increase the flexibility for reclaiming this site and account for the operational changes that occur when developing the site. Whenever any part(s) of the Options become feasible, we will file a Technical Revision(s) with the Division to provide a revised Reclamation Map(s) that will show the changes proposed. The Technical Revision(s) will discuss any changes needed to implement the optional changes, including a discussion on changes to the size of the disturbed areas, slurry wall lengths and revegetated areas, and any bond re-calculations.

Please also note that all changes connected with these optional plans will take place within the permitted boundaries, therefore not affecting (increasing) the overall acreage of the permitted area and guaranteeing the allowed use of the Technical Revision process for these changes.

Reclamation Timetable

The numbers presented below represent our estimate of the various areas of disturbance in the mine area. They may change as the actual mining progresses through the site.

Table E-1: Reclamation Phases (Option A)

Area	Years	ACRES ±				
		TOTAL	LAKE AREA	REVEGE-TATION	ROAD	MISC. (DITCHES, UN-DISTURBED AREAS, RECLAIMED AREAS, ETC)
Eastern Phase	3-5	28.08	16.40	4.43	1.55	5.70
Western Phase	3-5	53.19	33.83	10.32	2.71	6.38
Varra Property	0-1	9.36	0.00	0.00	0.00	9.36
Totals		90.63	50.23	14.75	4.26	21.44

Figure E-1 - OPTION B

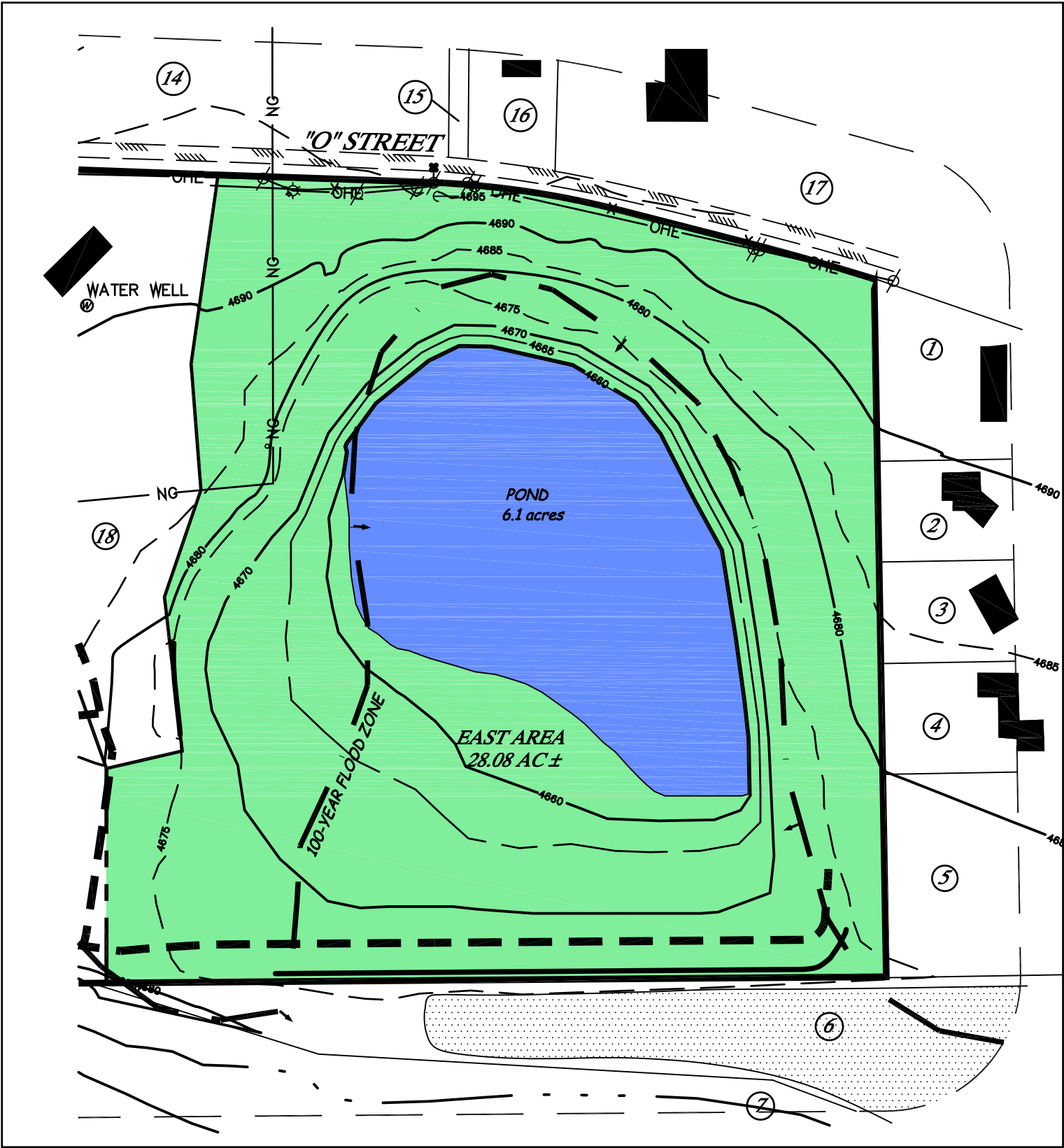


Figure E-2 - OPTION C

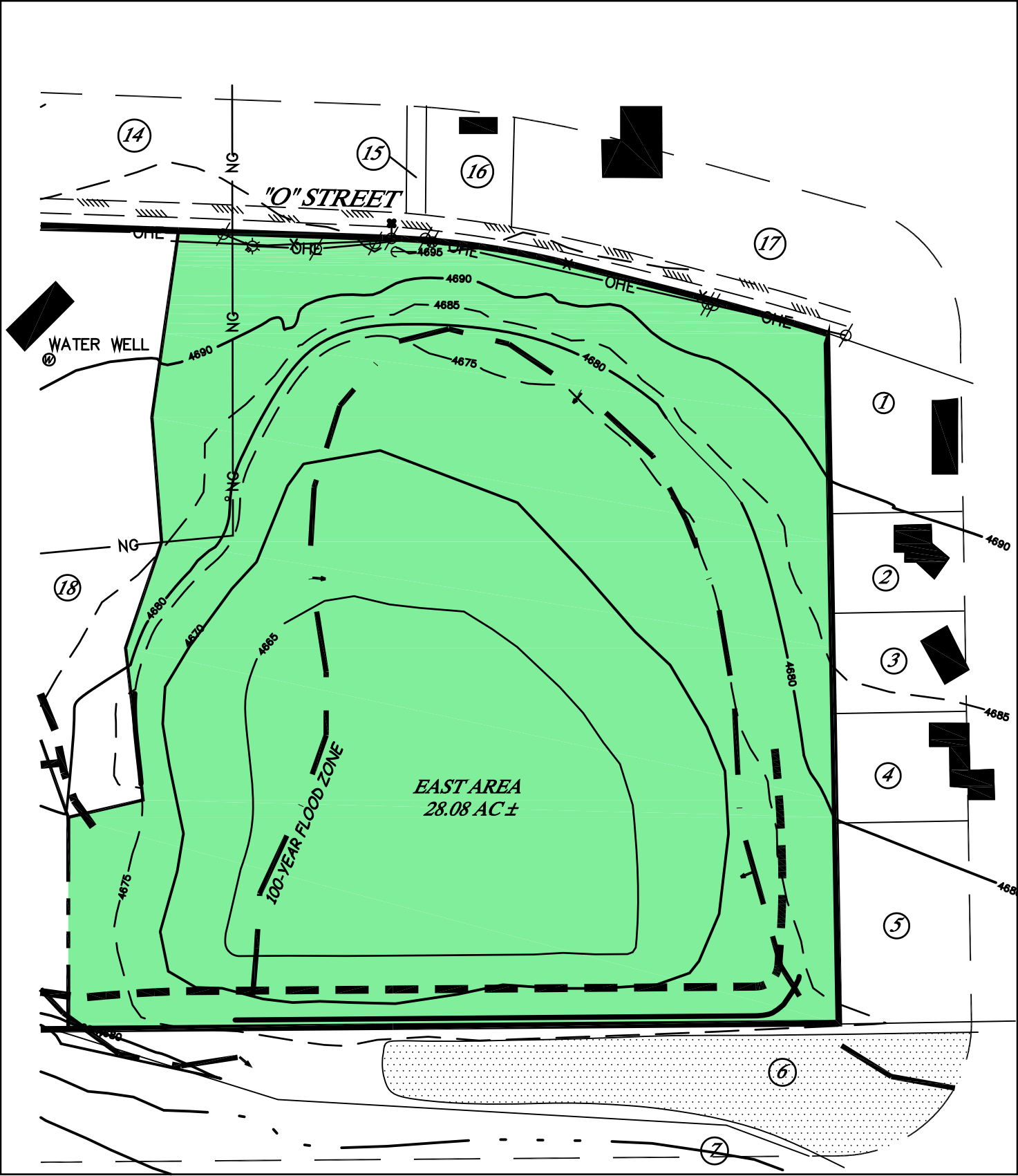


EXHIBIT G

WATER INFORMATION

The following information is presented to update and supplement information submitted in 1977 when the original permit was submitted, and 1994 when the first Amendment was filed to increase the permit to its current size.

Five groundwater monitoring wells have been installed since L.G. Everist has taken over and owner/operator around the reservoir areas and are shown on **MAP EXHIBIT C**. As needed during property development, additional piezometers may be installed. Data will be collected from these wells on a monthly basis to establish ground water levels that will be used as a baseline data during certification of the liner(s).

We know of no ground water studies or monitor information done by previous permittees, so there is no historic data available on ground water elevations.

Our investigations show that the ground water table at this time is approximately 4671 and we presume this fluctuates with the season being higher in the fall and may be at its lowest point in the spring.

Along "O" Street, the surface elevations of the mined area are approximately 24 feet below the surrounding area to the north. The maximum slurry wall height will be approximately 11 feet below the road level so there would be little to no impact to surrounding properties. Impact to groundwater will be minimal along the south and southern portion of the east side due to the proximity of an off-site groundwater lake and the river. Any depletions to the Cache La Poudre River that are associated with mining are currently mitigated to prevent injury to the vested senior water rights by having an approved Temporary Substitute Water Supply Plan in place. This plan will remain in effect until the liners have been certified or backfilling is complete and there is no longer a need for processing water. A water court case was filed in December, 2013, for water storage rights and post-reclamation groundwater augmentation associated with the final reclamation plan of Developed Water Storage.

The Amendment of Star Water Resource will have minimal impacts on the prevailing hydrologic balance. The slurry walls installed around existing lakes will seal the pits so they are not hydraulically connected to the alluvial aquifer. As noted in the

Optional Reclamation Plans, parts of the eastern lake area may be partially or totally backfilling so no post-1980 water will be exposed.

Ground Water Wells

FIGURE G-1 is the list of wells from the Office of the State Engineer's files that are within 600 feet of the mine. Only one well is within 200 feet, it is an industrial well located on the Varra Parcel. A second well located approximately 300 feet north of the permit area is a stock well. Both wells are up gradient of the proposed slurry walls and therefore are not expected to be affected by the reclamation of the site as developed water storage.

Post Reclamation

Potential storm water and surface runoff water along the north will be diverted by installing a ditch outside the slurry wall that will keep the runoff water at least 2 feet below the top of the slurry wall. This will assure that the groundwater table along that side will not come within 13 feet of the surface. This elevation is well below any basements on adjacent properties around the north side of the mine.

Post-reclamation ground water depletions, if any, will be replaced through a Colorado Water Court approved Plan of Augmentation.

Discharge Permits Surface Water Management

The ground water is being pumped and discharged from the mine under a CDPS Permit. This permit (COG-500022) was obtained from the Colorado Department of Public Health and Environment, Water Quality Control Division (CDPHE-WQCD). It will remain active during the life of the mine. The discharge points may change as mining progresses and all necessary changes will be submitted to the WQCD prior to modifications of the discharge points.

Runoff from disturbed areas will be managed to protect against pollution of either surface or groundwater through the implementation of the site specific Storm Water Management Plan (SWMP) for the Star Water Resource.

As mentioned in the Post Reclamation paragraph above, a ditch will be installed to the north and up-gradient side of the slurry walls to capture and divert any surface and stormwater runoff and protect the integrity of the slurry wall and slopes.

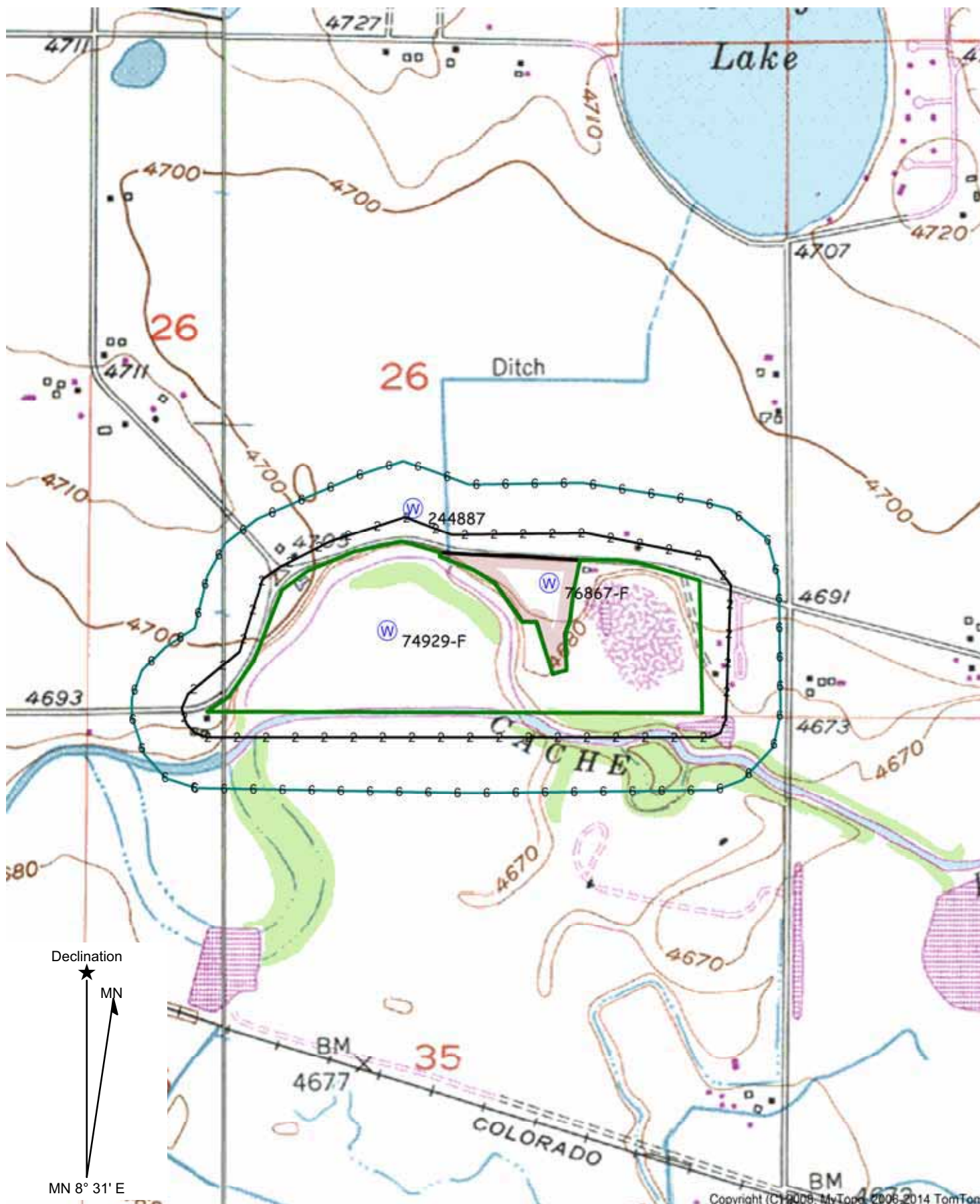
Consumptive Water Use

The current annual consumptive uses of water associated with the Star Water Resource are described below.

USES	VOLUME Acre-feet
Dust Control	1.00
Water Surface Evaporation	2.80
Total Consumption (Augmented)	3.80

100-Year Floodplain

Portions of the Star Water Resource are located within the 100-year floodplain of the Cache La Poudre River. The operator does not intend to place fill above the original surface elevation of the 100-year flood plain. If this need arises, a Flood Plain Development permit will be obtained prior to any filling taking place. The location of the 100-year flood line shown on the maps was transferred, as accurately as possible, from FIRM Panel 0802660609C. An excerpt of this panel showing the mine site is attached.



Name: GREELEY (CO)
 Date: 02/20/14
 Scale: 1 inch = 1,000 ft.

MINE LOCATION: PARTS OF THE SE/4SE/4,
 SW/4SE/4, SE/4SW/4 AND SW/4SW/4,
 SECTION 26, T-6-N, R-66-W, 6TH P.M., CITY
 OF GREELEY, COUNTY OF WELD,
 COLORADO

L.G. Everist, Inc.
Star Water Resource
Map Exhibit G-1 Water Well Map

WELLS WITHIN 200 FEET

permitno	permit suffix	full name	mailing address	city	state	Zip	well depth	pump rate	static water level	use1	use2	q160	q40	UTM x	UTM y
244887		POST WILLIAM M & BETH A	1251 51ST AVE	GREELEY	CO	80634-	80	5	37	STOCK		SW	NE	521599.1	4478465.1
74929	F	LG EVERIST, INC	7321 E. 88th AVE., SUITE 200	HENDERSON	CO	80640				OTHER		SW	SE	521456.6	4478187.5
76867	F	VARRA COMPANIES INC	8120 GAGE STREET	FREDERICK	CO	80516-	50	15		INDUSTRIAL	COMMERCIAL	SW	SE	521638.1	4478269.5

SOURCE: COLORADO STATE ENGINEERS RECORDS - WELL SEARCH 3/1/2014



DEPARTMENT OF NATURAL RESOURCES

DIVISION OF WATER RESOURCES

February 27, 2014

John W. Hickenlooper
Governor

Mike King
Executive Director

Dick Wolfe, P.E.
Director/State Engineer

Mr. Rick Parsons, P.E.
Parsons Water Consulting, LLC
4729 W 32nd Avenue
Denver, Co 80212

Re: L.G. Everist Combined Substitute Water Supply Plan (WDID 0202618)
Carbon Valley Pit (formerly Lohmann Pit), DRMS No. M-2001-017 (WDID 0503003)
Rinn Valley Pit, DRMS No. M-1997-093 (WDID 0503004)
Firestone Pit, DRMS No. M-1996-052 (WDID 0503005)
Ft. Lupton Pit, DRMS No. M-1999-120 (WDID 0203040)
Lupton Meadows Pit, DRMS No. M-2002-104 (WDID 0203047)
Star Water Resource (formerly Feit Pit), DRMS No. M-1977-522 (WDID 0303000)
Water Division 1, Water Districts 2, 3 and 5

Approval Period: January 1, 2014 through December 31, 2015

Contact Phone Number for Mr. Rick Parsons: 303-667-5067

Dear Mr. Parsons:

This letter is in response to your letter dated December 2, 2013, requesting renewal of the above referenced substitute water supply plans to cover depletions caused by gravel mining operations at multiple mine sites operated by L.G. Everist ("Applicant") along the South Platte River mainstem, the Saint Vrain Creek and the Cache La Poudre River. The required fee of \$1542 (6 x \$257) was submitted on December 13, 2013 (receipt # 3662829). This plan proposes to replace depletions resulting from current and past mining at the six sites as specified in Tables A and B below:

TABLE A – GRAVEL PIT SUMMARY

Site Name	WDID	DRMS Permit Number	Previous SWSP Approval	Current Well Permit Number	Exposed Surface (acres)	New Permit Required?
Carbon Valley Pit (formerly Lohmann Pit*)	0503003	M-2001-017	5/28/2013	70326-F	4.30	No
Rinn Valley Pit	0503004	M-1997-093	5/28/2013	75968-F	6.10	Yes**
Firestone Pit	0503005	M-1996-052	5/28/2013	69155-F	7.54	Yes***
Fort Lupton Pit	0203040	M-1999-120	5/28/2013	65814-F	4.06	Yes
Lupton Meadows Pit****	0203047	M-2002-104	5/28/2013	75967-F	6.34	
Star Water Resources (formerly Feit Pit)*****	0303000	M-1977-522	11/20/2012	74929-F	1.00	No

* Carbon Valley Pit (formerly Lohmann Pit) will be referred in this plan as the Carbon Valley Pit

**Rinn Valley Pit's projected operations exceed the permitted allowance for water lost in mined product

***Firestone Pit's projected operations are not currently permitted by the existing permit

****Lupton Meadows Pit DRMS M-2002-104 is now included in DRMS M-1999-120 and are known as the Fort Lupton Sand and Gravel. They will be referred in the plan as the Fort Lupton Sand and Gravel

Office of the State Engineer

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www.water.state.co.us

*****The Applicant purchased the Feit Pit DRMS M-1977-522 in October 2013 (now called the Star Water Resources) and requested to include this pit in this combined SWSP. Star Water Resources (formerly Feit Pit) will be referred in this plan as the Star Water Resources Pit

TABLE B – GRAVEL PIT LOCATION

Site Name	Location	Stream Reach
Carbon Valley Pit	Sections 6, T2N, R67W	Saint Vrain Creek
Rinn Valley Pit	Sections 10, T2N, R68W	Saint Vrain Creek
Firestone Pit	Section 32, T3N, R67W	Saint Vrain Creek
Fort Lupton Pit	Section 30, T2N, R66W	South Platte River
Lupton Meadows Pit	Section 30, T2N, R66W	South Platte River
Star Water Resources	Section 26, T6N, R66W	Cache La Poudre

During the past SWSP approval period (2010 – 2011) the liner for the Rinn Valley Phase 3 Reservoir (WDID 0504005) was approved by the State Engineer's Office in December 2010. Additionally, two cells within the former Lupton Meadow Pit site (DRMS M2002-104) identified as the Meadow West Reservoir and Everist Reservoir No. 1 were lined and have storage rights pending in case no. 2007CW25. Also, the Firestone Pit changed its status with DRMS from "Temporary Cessation" to "Active." L. G. Everist anticipates to actively mine in 2014 and 2015 the following sites: Carbon Valley Pit, Rinn Valley Pit, Firestone Pit on Saint Vrain Creek and Fort Lupton Sand and Gravel (include cells previously identified as within Fort Lupton Pit and Lupton Meadows Pit) on the South Platte River. Depletions resulting from dewatering, evaporation and mining operations at these sites are replaced under this plan. Water use at these sites during the period of this plan will include dewatering, evaporation from exposed groundwater, aggregate production, dust control and concrete batching.

During the period of this SWSP L. G. Everist will not actively mine Star Water Resources but will dewater the site to facilitate the installation of an operational platform to support a slurry wall liner installation. Dewatering is anticipated to continue until approximately one acre of surface water area is exposed at the site. According to the information provided, a total of 6.1 acres of groundwater was exposed within the Star Water Resources reclamation permit boundary prior to January 1, 1981. Based on the Division 1 Water Court decision in case no. 2009CW49, the replacement of evaporative depletions is not required for ground water exposed to the atmosphere prior to January 1, 1981 through open mining of sand and gravel, regardless of whether open mining operations continued or were reactivated on or after that date. Accordingly, the evaporative depletions for the Star Water Resources were calculated based on an exposed surface area of 1 acre exposed after December 31, 1980. **The area receiving the pre-1981 credit is shown on the attached map and is the same area shown in the last SWSP approval for the Star Water Resources (Feit Pit). The area to receive the pre-81 credit is tied to the physical location as depicted in map and cannot be relocated.**

Mining depletions from Carbon Valley Pit, Rinn Valley Pit and Firestone Pit are estimated to affect the Saint Vrain Creek below the Last Chance Ditch headgate. Mining depletions from Fort Lupton Sand and Gravel are estimated to affect the South Platte River above the Meadow Island Ditch No. 1 headgate. Mining depletions from Star Water Resources are estimated to affect the Cache La Poudre River at a point approximately eight miles upstream from the confluence with the South Platte River. The proposed replacement sources for these pits are Rural Ditch Company shares and Lupton Bottom Ditch shares during the summer months. During the winter months and for portions of the summer months the depletions will be replaced by releases of water stored in the Rinn Valley Phase 3 Reservoir (WDID 0504005), Meadow West Reservoir (aka Everist No. 2/4 Cell) (WDID 0203932) and, if needed, nontributary Laramie-Fox Hills water withdrawn from well nos. 66271-F, 66273-F and 66274-F.

In accordance with the letter dated April 30, 2010 (copy attached) from the Colorado Division of Reclamation, Mining, and Safety ("DRMS"), all sand and gravel mining operators must comply with the requirements of the Colorado Reclamation Act and the Mineral Rules and Regulations for the protection of water resources. The April 30, 2010 letter from DRMS requires that you provide information to DRMS to demonstrate you can replace long term injurious stream depletions that result from mining related exposure of ground water. The operator intends to comply with this requirement by providing bonds sufficient to line or backfill the pits in accordance with approaches nos. 1 and 3. One share each of the Rural Ditch and Lupton Bottom Ditch has been dedicated to this plan as sufficient bonding is not yet in place. Future SWSPs for this site will not authorize any additional use of ground water until the Applicant provides documentation that a bond sufficient to cover lining or backfilling of each pit has been obtained. The current bond amount for each pit is shown in Table C below.

TABLE C – DRMS Bonding

Site Name	DRMS #	Bond Amount	Notes
Carbon Valley Pit	M-2001-017	\$665,800	
Rinn Valley Pit	M-1997-093	\$114,700	
Firestone Pit	M-1996-052	\$509,900	
Fort Lupton Sand and Gravel	M-1999-120	\$2,002,400.00	Bond amount changed with the inclusion of the Lupton Meadows site
Star Water Resources	M-1977-522	\$103,754	

Depletions

The depletions resulting from evaporation, water lost in product, dust control and concrete production are shown in Table D below:

TABLE D – DEPLETION SUMMARY

Site Name	Evaporation Loss (ac-ft)		Product Moisture Loss (ac-ft)		Dust Control (ac-ft)		Concrete Production (ac-ft)		Total Depletions (ac-ft)		Total Net Depletions*** (ac-ft)	
	2014	2015	2014	2015	2014	2015	2014	2015	2014	2015	2014	2015
Carbon Valley Pit	10.0	10.0	2.21	2.94	1.0	1.0	0.0	0.0	13.2	13.9	6.89	10.42
Rinn Valley Pit	14.1	14.1	15.89	15.89	1.0	1.0	13.0*	13.0*	44.1	44.1	58.04	44.24
Firestone Pit	17.3	17.3	5.15	11.77	1.0	1.0	0.0	0.0	23.4	30.1	24.18	29.47
St. Vrain Creek Net Depletions											76.60	85.46
Fort Lupton Pit	11.4	11.4	41.94	45.62	1.0	1.0	0.0	0.0	54.34	58.02	53.67	57.43
Lupton Meadows Pit	17.9	17.9	0.0	0.0	1.0	1.0	0.0	0.0	18.9	18.9	20.59	18.99
South Platte River Net Depletions											74.26	76.42
Star Water Resources	2.82	2.82	0.0	0.0	1.0	1.0	0.0	0.0	3.82	3.82	7.86	3.90
Cache la Poudre River Net Depletions											7.86	3.90
Total Net Depletions											158.72	165.78

* Based on 85,000 tons of concrete production and 50 gallons of water per ton of concrete

*** The total net depletions include accretions credits or depletions from dewatering. The total net depletions for 2014 and 2015 for all pits were taken from Tables 6, 7, 8, 9, 10, 11, 12, 13 and 14 (attached)

The net evaporation for the Firestone Pit includes a credit of 0.60 acre-feet of consumptive use of ground water associated with the partial subirrigation of the historically irrigated acreage. No other phreatophyte credit was applied to the other sites. Computation of evaporation under this plan was reduced during the ice covered periods. You have assumed the ice covered period to occur during the months of December, January and February, based on average monthly temperatures less than 32°F taken from the Longmont 2ESE weather station for the Saint Vrain Pits and Fort Lupton 2SE station for the South Platte Pits, and for December and January for the Cache La Poudre site based on the monthly temperatures taken from the Greeley UNC weather station. However, for the purpose of this SWSP, the Applicant shall replace the net evaporation depletions from the exposed ground water surface area that may occur during the assumed ice covered period (the months of January, February and December) for any time that the pits are not completely covered by ice.

Computation of the net evaporation during any time that the pits are not completely covered by ice shall be determined as the pro-rata amount of the monthly gross evaporation rate distribution amount identified in the State Engineer's *General Guidelines for Substitute Supply Plans for Sand and Gravel Pits*, subtracting the pro-rata amount of the effective precipitation for that period.

The material excavated from the gravel pit areas will be washed on site. The consumptive use of water associated with excavated material is dependent on the location of the material with respect to the water table. According to the "*General Guidelines for Substitute water Supply Plans for Sand and Gravel Pits*" the product moisture loss is calculated as four percent by weight of mine material excavated below the ground water table and two percent by weight for the mined material excavated above water table. The Applicant anticipates 2014 mining production at the Carbon Valley Resource, Rinn Valley Pit, Firestone Pit and Fort Lupton Sand and Gravel to be 150,000 tons, 580,000 tons, 200,000 tons and 1,650,000 tons respectively. For 2015, production at these same sites are anticipated to increase to 200,000 tons, 580,000 tons, 450,000 and 1,800,000 tons, respectively.

Water used for dust control at Carbon Valley Pit, Rinn Valley Pit, Firestone Pit and Star Water Resources will come from water originally pumped from the pits for dewatering. Water used for dust control at the Fort Lupton Sand and Gravel was previously used from an existing alluvial well, permit no. 57957-F (WDID 0205018 DI TIRRO WELL 2), located outside of the approved slurry wall on the Fort Lupton Pit site. Well permit no. 57957-F is no longer being used for dust control, as Everist has a re-circulating water system at the site where reusable water is pumped from lined cells to wash material and for dust control.

Continuous dewatering operations at Carbon Valley Pit, Rinn Valley Pit, and Firestone Pit are occurring in order to facilitate dry mining conditions. This water is used for dust control at these pits, and is used for concrete production at the Rinn Valley pit. All other water pumped for dewatering is returned immediately to the river system. The applicant has performed a lagged water balance for these operations and account for the lagged depletions which is offset by monthly net accretions. Totalizing flow meters have been installed and monthly meter readings showing dewatering volumes were reported on the 2012-2013 submitted accounting.

A stream depletion model using the Glover method was used to calculate the lagged depletions to the River. The alluvial aquifer model uses four aquifer input parameters for each site as follows: 1) X-distance from centroid of the well to the river, 2) W-distance from the aquifer boundary through the well to the river channel, 3) T-transmissivity of the alluvial aquifer (in gallons per foot/day) between the well and the river, and 4) S-specific yield. The following parameters for each site listed in the table below were used in the model:

TABLE E – AQUIFER CHARACTERISTICS

Site Name	T	X	W	S
Carbon Valley Pit	50,000	2,000	4,173	0.2

Rinn Valley Pit	125,000	715	4,173	0.2
Firestone Pit	72,300	2,210	2,262	0.2
Fort Lupton Pit	90,000	1,200	7,996	0.2
Lupton Meadows Pit	90,000	300	4,500	0.2
Star Water Resources	120,000	558	4,300	0.2

Replacements

Saint Vrain Creek

L. G. Everist owns 7.4 shares of the Rural Ditch Company. Of the 7.4 shares of the Rural Ditch water, 1 share will be dedicated for this plan for 2014 and 2015. The 7.4 shares of the Rural Ditch were historically used to irrigate 215 acres of pasture grass, corn and alfalfa. The land historically irrigated by the 7.4 shares is the same land that is currently being mined at the Rinn Valley Pit. Assuming a 10% ditch loss and a 55% irrigation efficiency, the dry-year consumptive use of the 7.4 shares was determined to be 337 acre-feet. The prorated consumptive use for the 1 share is 45.5 acre-feet. The historical return flow obligation of the 1 Rural Ditch shares will be maintained by the plan. The Rural Ditch share is delivered to Saint Vrain Creek through Central's Rural Ditch augmentation station (WDID 0502303) located at 40°10'31.18"N, 104°57'5.06"W near the end of the ditch. The delivery location is below the Last Chance Ditch headgate and above downstream calling water rights located on the South Platte River.

L.G. Everist has fully reusable supplies stored in the Meadow West Reservoir. The entire capacity of 1,078 acre-feet in the Meadow West Reservoir was filled pursuant to a free river in September 2013. The water commissioner approved the entire capacity of the water as fully consumable. All releases of replacement water will be made at or above the point of downstream calling right. Releases from this reservoir to cover the Saint Vrain Creek Pits will account for the transit losses to Saint Vrain Creek of approximately 3.7 percent based on about 15 river miles from the reservoir releases to Saint Vrain River down to the confluence with the South Platte River times 0.25 percent winter transit loss per mile. The transit loss percentage is subject to change by the water commissioner. The applicant shall obtain prior permission from the District 2 Water Commissioner when making releases from this reservoir. Credit will not be given to any releases not measured and recorded to the satisfaction of the District 2 or District 5 Water Commissioners or Division Engineer.

South Platte River

L. G. Everist owns 2.25 shares of the Lupton Bottom Ditch. Of the 2.25 shares of the Lupton Bottom Ditch water, 1 share will be dedicated to this plan in 2014 and 2015. The 2.25 shares were historically used to irrigate 95 acres of corn and small vegetables. The land historically irrigated by the 2.25 shares is the same land that is currently being mined at the Ft. Lupton Pit. Assuming a 10% ditch loss and a 55% irrigation efficiency, the dry-year consumptive use of the 2.25 shares was determined to be 138 acre-feet. The prorated consumptive use and return flows for the 1 share is 61.33 acre-feet. The Lupton Bottom shares will be delivered back to the South Platte River at either the augmentation station located just north of WCR 14.5 (WDID 0202917) or the East Lateral Ditch into Little Dry Creek (WDID 0202307). The East Lateral Ditch into Little Dry Creek augmentation station is preferred for all releases, and if the WCR 14.5 augmentation station is used, the Applicant is required to first contact the District 2 Water Commissioner. Due to the distance from the augmentation station to the river, the Water Commissioner may assess transit losses on the amount released from the WCR 14.5 augmentation station.

Winter replacement will be made from the Meadow West Reservoir when there is no call on the South Platte River between the Ft. Lupton and Lupton Meadows Pits and the confluence of the South Platte River and Saint Vrain Creek. Two augmentation stations from Meadows West Reservoir, as shown on the attached map will pump water to Little Dry Creek then from there to the South Platte River below the Meadow Island No. 1 headgate. The two stations are: the Northwest Station to Little Dry Creek located at 40.1095270 N, 104.834691 W about 4 miles from the confluence with the South Platte River and the Southeast Station to Little Dry Creek located at 40.102871 N, 104.8295469 W about 4.5 miles from the confluence with the South Platte River. Transit losses from a point directly east of the reservoir on the South Platte River will be 0.25 percent winter transit loss per mile. The applicant shall obtain prior permission from the District 2 Water Commissioner when making releases from this reservoir. Credit will not be given to any releases not measured and recorded to the satisfaction of the District 2 Water Commissioner or Division Engineer.

During times a winter call on the reach of the South Platte (i.e., the Milton Reservoir storage right at the Platte Valley Canal Headgate), replacement supplies will be from L.G. Everist Laramie Fox Hills wells. The nontributary Laramie-Fox Hills aquifer water will be withdrawn by existing wells pursuant to permit nos. 66271-F, 66273-F and 66274-F. The wells are currently permitted for industrial, commercial and augmentation use and are allowed a combined average annual withdrawal of 73.1 acre-feet and a pumping rate of 150 gpm. The wells are further described in the following Table F. The Applicant's accounting includes the 2% relinquishment requirement for the nontributary Laramie-Fox Hills water.

TABLE F – L.G. EVERIST LARAMIE FOX HILLS WELL SUMMARY

Well Field WDID	0204101	0204101	0204101
Well Field Name	EVERIST LFH WL FLD	EVERIST LFH WL FLD	EVERIST LFH WL FLD
Well WDID	0210211	0210212	0210213
Well Name	EVERIST LFH WELL 66271-F	EVERIST LFH WELL 66273-F	EVERIST LFH WELL 66274-F
Relevant Well Permit	66271-F	66273-F	66274-F
Well Location	SW, NE SEC 30, 2N, 66W	NW, NW SEC 24, 1S 65W	NW, NW SEC 30, 2N, 66W
Aquifer	LAR/FOX HILLS	LAR/FOX HILLS	LAR/FOX HILLS
Allowable AF Amount	73.1 ACRE FEET COMBINED		

Cache La Poudre River

During the summer months, the Applicant will use release water from Rinn Valley Phase 3 Reservoir. L.G. Everist has fully reusable supplies stored in the Rinn Valley Phase 3 Reservoir. The pump from northwest corner of Rinn Valley Phase 3 Reservoir is located adjacent to the Rural Ditch at 40.1527335N, 104.9851568 W. A total of 329 acre-feet of water was stored pursuant in September 2013. The water in storage is available for replacement purposes. Any releases from this reservoir to cover the Cache La Poudre Pit will be assessed a transit loss to the confluence of the South Platte and Cache La Poudre rivers of approximately 16.3 percent based on about 32.7 river miles from where the reservoir releases to the Cache La Poudre River down to the confluence with the South Platte River times 0.50 percent per mile during the summer. The transit loss percentage is subject to change by the water commissioner. The applicant shall obtain prior permission from the District 5 Water Commissioner when making releases from this reservoir. Credit will not be given to any releases not measured and recorded to the satisfaction of the District 2 or District 3 Water Commissioners or Division Engineer.

For the winter months L.G. Everist will use fully reusable supplies stored in the Meadow West Reservoir. Any releases from this reservoir to cover the Cache La Poudre Pit will be assessed a transit loss to the confluence of the South Platte and Cache La Poudre rivers of approximately 9.2 percent

based on about 36.7 river miles from where the reservoir releases to the Cache La Poudre River down to the confluence with the South Platte River times 0.25 percent per mile during the winter. Again, the transit loss percent is subject to change by the water commissioner. The applicant shall obtain prior permission from the District 2 Water Commissioner when making releases from this reservoir. Credit will not be given to any releases not measured and recorded to the satisfaction of the Water Commissioner or Division Engineer.

A monthly breakdown of the stream depletions from the mining operations as well as the replacements are shown in the attached Tables 9, 12, and 14.

Conditions of Approval

I hereby approve the proposed substitute water supply plan in accordance with Section § 37-90-137(11), C.R.S. subject to the following conditions:

1. This plan is approved with an effective date of January 1, 2014 and shall be valid through December 31, 2015 unless otherwise revoked or modified. If this plan will not be made absolute by a water court action by the plan's expiration date, a renewal request must be submitted to this office with the statutory fee (currently \$257/pit) for each gravel pit no later than **November 1, 2015**.
2. Well permits must be obtained for the current use and exposed surface area at the Firestone Pit, Rinn Valley Pit and Fort Lupton Sand and Gravel Pit in accordance with §37-90-137(2) and (11), C.R.S. in conjunction with this plan. The provisions of Colorado Revised Statute 37-90-137(2) prohibits the issuance of a permit for a well to be located within 600 feet of any existing well, unless the State Engineer finds that circumstances so warrant after a hearing held in accordance with the procedural rules in 2CCR402-5. This hearing may be waived if you are able to obtain statements from the owners of all wells within 600 feet, verifying that they have no objection to your use of the proposed well. Should a new well permit be denied for reasons of 600 foot spacing, or any other legitimate reason, approval of this substitute supply plan may be cancelled.
3. Well permits were obtained for the current use and exposed pond surface area at the Carbon Valley Pit, and Star Water Resources in accordance with §37-90-137(2) and (11), C.R.S., permit nos. 70326-F and 74929-F, respectively.
4. The total area of pond surface exposed for each of the pits shall not exceed those values listed in Table A of this approval. Should the total surface area exposed exceed those amounts, an amendment request shall be promptly filed with this office.
5. The total amount of ground water to be appropriated from each of the pits shall not exceed the values listed in Table D of this approval.
6. Approval of this plan is for the purposes as stated herein. Any additional uses of water must first be approved by this office. Any future additional historical consumptive use credit given (e.g., agricultural water transfer) for this site must consider all previous credits given.
7. All pumping for dust control shall be measured in a manner acceptable to the division engineer.
8. All releases from the Meadow West Reservoir shall be measured in a manner acceptable to the water commissioner and division engineer.
9. The replacement water, which is the subject of this plan, cannot be sold or leased to any other entity. As a condition of subsequent renewals of this substitute water supply plan, the replacement water must be appurtenant to this site until a plan for augmentation is obtained. All replacement water must be concurrent with depletions in quantity, timing, and location.

10. The name, address, and phone number of the contact person who will be responsible for the operation and accounting of this plan must be provided on the accounting forms submitted to the division engineer and the water commissioner.
11. Conveyance loss for delivery of augmentation water to the South Platte River, Saint Vrain Creek and the Cache La Poudre River is subject to assessment and modification as determined by the division engineer.
12. The Division Engineer, or his designated representative, will administer all such water transported in the South Platte River or its tributaries under this SWSP, including water for replacement of depletions, past intervening headgate to ensure that such water is not intercepted or otherwise diminished in quantity by diversion, use or other interference by intervening water rights and to assure that such water remains available and suitable for Applicant's uses under this SWSP, except when any intervening headgate is diverting the entire flow of ("sweeping") the river. In the event that delivery past headgate which sweep the river requires the installation of a bypass structure or the use of an existing bypass structure by agreement with a third-party, Applicant is responsible for either installation a new bypass structure with a continuous recording measuring device(s) as approved by the Water Commissioner or securing an agreement with a third-party to use an existing bypass structure and providing such information and agreement to the Division Engineer.
13. All diversions shall be measured in a manner acceptable to the Division Engineer. The Applicant shall install and maintain such measuring devices as required by the Division Engineer for operation of this SWSP. In addition, the applicant shall maintain daily records of all diversions, replacements, and the amount of water used for each particular purpose. The applicant shall provide a report of these records to the division engineer and the water commissioner on a monthly basis on a form approved by them. The accounting must be submitted to the division engineer in Greeley (Div1Accounting@state.co.us) and the water commissioners (Bill Schneider at William.Schneider@state.co.us, Shera Sumerford at Shera.Sumerford@state.co.us and Mark Simpson at Mark.Simpson@state.co.us) within 30 calendar days of the end of the month for which the accounting is being made. Submitted accounting shall conform to the *Administration Protocol – Augmentation Plan Accounting*.
14. The Applicant is required to provide a written notification to the water commissioner and division engineer **by April 1 of 2014 and 2015** identifying the lands to be dried up for the **2014 and 2015** irrigation season. The Applicant submitted an affidavit signed by James Sittner, Front Range Project Manager, verifying the dry-up lands associated with L.G. Everist's Lupton Bottom Ditch and Rural Ditch shares. This is accepted as the written notifications required by April 1 of 2014 and 2015. **By October 31 of 2014 and 2015** the Applicant shall provide an affidavit to the water commissioner and division engineer that identifies and confirms the lands that were dried up during the **2014 and 2015** irrigation season in order that the final determination of augmentation credits for the irrigation season can be made along with mapping showing any revisions to the dried-up acreage. The Applicant shall modify accounting to reflect that the credit from any dried up fields containing alfalfa or native grass was assessed in the following manner:
 - (a) For fields deep tilled or chemically treated to successfully kill alfalfa or native grass, 100% credit will be given for consumptive use as otherwise computed under the conditions of this approval.
 - (b) For fields not deep tilled or chemically treated to successfully kill alfalfa, records of monthly monitoring of depth to groundwater at existing irrigation wells or existing or new monitoring wells or piezometers within ¼-mile of each alfalfa or native grass field must be maintained. Credits will be reduced according to the following table when depth to groundwater is less

than the depth assumed to provide no significant contribution to alfalfa growth. Measurements taken at the start of each month will determine the necessary reduction in credit to be applied during the following month. The applicant may use another methodology upon review and approval by the State Engineer and Division Engineer.

Depth to Ground Water (Feet)	Percent Reduction in CU Credit ¹	
	Native Grass	Alfalfa
1	85%	100%
2	50%	90%
3	30%	75%
4	20%	50%
5	15%	35%
6	10%	20%
7	5%	15%
8	0%	10%

1. Adapted from EVAPOTRANSPIRATION AND AGRONOMIC RESPONSES IN FORMERLY IRRIGATED MOUNTAIN MEADOWS, South Park, Colorado, March 1, 1990; Revised September 1, 1991

15. This substitute water supply plan may be revoked or modified at any time should it be determined that injury to other vested water rights has or will occur as a result of this plan. Should this supply plan expire without renewal or be revoked prior to adjudication of a permanent plan for augmentation, all use of ground water must cease immediately.
16. If reclamation of the mines at the gravel pit sites included in this SWSP produce a permanent water surface exposing groundwater to evaporation, an application for a plan for augmentation must be filed with the Division 1 Water Court at least three years prior to the completion of mining to include, but not be limited to, long-term evaporation losses. If a lined pond results after reclamation, replacement of lagged depletions shall continue until there is no longer an effect on stream flow.
17. Dewatering at the Carbon Valley Pit, Rinn Valley Pit, and Firestone Pit will produce delayed depletions to the stream system. As long as the pits are continuously dewatered, the water returned to the stream system should be adequate to offset the depletions. However, once dewatering at the sites cease, the delayed depletions must be addressed. A plan that specifies how the post pumping dewatering depletions (including refilling of the pit) will be replaced, in time, place and amount along with the evaporation from groundwater exposed at the sites after the dewatering stops was presented in the proposed plan.
18. The monthly volume of water pumped for dewatering operations must be recorded through a totalizing flow meter and shown on the submitted accounting sheets.
19. Water shall not be impounded in any lined reservoirs except pursuant to lawful diversions allowed by statute or decree. At all other times, all inflow of water into the reservoirs from any source, including precipitation and ground water inflows, shall be removed by the applicant. The water may be removed from within the lined area and returned to the stream system through surface flow or ground water recharge without need for replacement, so long as the operator does not put the water to beneficial use.
20. In accordance with amendments to §25-8-202(7), C.R.S., and "Senate Bill 89-181 Rules and Regulations" adopted on February 4, 1992, the State Engineer shall determine whether the substitute supply is of a quality to meet requirements of use to senior appropriators. As such,


February 27, 2014

water quality data or analysis may be requested at any time to determine if the water quality is appropriate for downstream water users.

21. The decision of the state engineer shall have no precedential or evidentiary force, shall not create any presumptions, shift the burden of proof, or serve as a defense in any pending water court case or any other legal action that may be initiated concerning this plan. This decision shall not bind the state engineer to act in a similar manner in any other applications involving other plans, or in any proposed renewal of this plan, and shall not imply concurrence with any findings of fact or conclusions of law contained herein, or with the engineering methodologies used by the Applicant.

If you have any questions concerning this approval, please contact Ioana Comaniciu in Denver at (303) 866-3581 or Dean Santistevan in Greeley at (970) 352-8712.

Sincerely,


Jeff Deatherage, P.E.
Chief of Water Supply

Attachments: Tables 6 through 15
Star Water Resources Pre 81 Map
Augmentation Station Map
Dry-up Agreements
Administration Protocol – Augmentation Plan Accounting, Division 1 – South Platte River

cc: Dean Santistevan, Assistant Division Engineer, Div1Accounting@state.co.us (810 9th Street, 2nd Floor, Greeley, Colorado 80631, 970-352-8712)
Shera Sumerford, District 5 Water Commissioner, Shera.Sumerford@state.co.us (1417 25th Avenue, Greeley, Co 80634, (970) 352-5558)
Bill Schneider, District 2 Water Commissioner, William.Schneider@state.co.us (810 9th Street, 2nd Floor, Greeley, Colorado 80631, 970-352-8712)
Mark Simpson, Water Commissioner District 3, Mark.Simpson@state.co.us
951 Wheatridge Cir., Loveland, CO 80537; (970) 420-9568

Division of Reclamation Mining and Safety

JD/JMW/idc-Lohmann, Rinn Valley, Firestone, Ft Lupton, Lupton Meadows & Feit (14-15).docx

EXHIBIT H - WILDLIFE INFORMATION

NO CHANGE

EXHIBIT I - SOILS INFORMATION

NO CHANGE

EXHIBIT J - VEGETATION INFORMATION

NO CHANGE

EXHIBIT K - CLIMATE

NO CHANGE

EXHIBIT L

RECLAMATION COSTS

The current bond for the Star Water Resource is \$103,754.00. As part of this Amendment it will be necessary to recalculate the surety to include the total disturbance area, and account for the slurry wall to be installed.

We have chosen to calculate this bond based on the current plans to install the slurry wall around the western lake, and complete bank sloping in that area. It will be necessary to remove material from the bottom of the reservoir to create a hard bottom on the reservoir. This material will be used to reclaim parts of the eastern lake. For this reason, we are unsure when the eastern area slurry wall will be installed, if at all. Most of the area around the eastern lake and part to the upper side of the western area has been seeded and not redisturbed at this time. Much of the initial material being removed from the west area reservoir will be placed along the south side to increase the setback area along the property line. As noted in the reclamation plan, we will notify the Division of any changes to the final reclamation of the eastern area as soon as we know what will happen and recalculate the bond as needed.

This reclamation cost estimate is based on the assumption that no more than 90.63 acres will need some form of reclamation at any one time. Of this, 14.75 acres will need revegetation and resoiling, 9.36 acres is industrial area, 4.26 acres is road area and 21.44 acres is area that needs no reclamation.

The **Tables L1, L2, and L3** contain all the base information used to calculate this estimate. The disturbed areas include the roads, slurry wall construction pads and the above water areas around active mining areas. In addition, minor slope shaping may be necessary on the below water areas to complete the 3h to 1v slopes.

In this estimate, there will be one certified slurry wall that will be installed by late May 2014 but will not expose water since the site is being dewatered. The slurry wall depths are to bottom of the key trench and the estimated length is shown in the **Table L3**. We have included a factor of 20% for the Division to do remedial work on the completed liners until OSE certification is accomplished. The total potential water surface area in the uncertified reservoir area is estimated to be 33.83 acres in the West area reservoir. The dewatering calculations are shown in

Table L2. We rounded the pumping time to the next day and used 72,300 gal/day as a transmissivity number to figure inflow from the aquifer. These figures are then used in the calculations for the bond amount. The slurry wall platforms and slopes above the water line would only need grading and seeding as they will be shaped during slurry wall construction.

A 627C Cat motor scraper or similar equipment will be used to resoil the area and a 140G Cat motor grader or similar equipment will be used to shape the seed bed, and the resoiled areas. A D8N Cat dozer or similar equipment will be used to shape the underwater slopes on the perimeter of the reservoirs.

TABLE L1

CALCULATION FACTORS		
Explanation	Quantity	Units
Soil depth	6.00	Inches
Below water sloping	3.00	cy/lft
Slurry wall installation cost	\$3.00	sq-ft
Slurry wall bond factor	20%	
Weed control costs	\$5,000.00	Per year

TABLE L2

DEWATERING DATA (West area lake only)		
Description	Amount	Units
Area 100% of lake depth	25.02	acres
Area above 3:1 slopes	8.82	acres
Maximum depth	25	feet
Gallon conversion factor	7.48	gal/cft
Transmissivity #	72,300	gal/day
Pump rate minimum	6,000	gpm
CALCULATED VOLUMES AND TIMES		
Slope water volumes		
3:1 slope capacity	34,300,975	gal
100% depth	207,027,975	gal
Total pumping volume	241,328,950	gal
Pumping time		
Dewater lake	27.93	Days
Slope construction time	3.59	Days
Recharge factor for inflow during sloping time and Dewatering	0.26	Days
TOTAL PUMPING TIME*	32.00	Days

*NOTE: pumping time rounded to next full day

TABLE L3

RECLAMATION ACTIVITY	STAGE			
	Eastern	Western	Varra Property	TOTALS
RESOIL - GRADE & SHAPE (ac)	4.43	10.32	0.00	14.75
REVEGETATE (ac)	4.43	10.32	0.00	14.75
DEWATER (ac)		33.83	0	33.83
LAKE SLOPE GRADING (Lft)		4,650	0.00	4,650.00
SLURRY WALL LENGTH (Lft)	0	5,188	0.00	5,188.00
SLURRY WALL AVERAGE DEPTH(ft)		44.20	0	44.20
ROADS (ac)	1.55	2.71	9.36	13.62

ESTIMATED UNIT COSTS FOR RECLAMATION ITEMS:

	<u>Unit Cost</u>
1. Revegetation includes grass seed mix and labor to drill	\$250.00/AC.
2. Re-spreading soil and/or growth media with 627-E Motor Scraper, Haul distance less than 900 . . .	40.4¢/YD ³
3. Grade and shape seed beds, 140G motor grader . .	\$59.54/ac
4. Pumping costs includes, full service rental of self contained pump, fuel, maintenance and servicing daily.	\$166.67/day**
5. Slurry wall construction	\$3.00 SQ-FT
Slurry wall bonding factor	20.%
6. Grade underwater slopes	63.7¢ /Yd.
7. Secondary Revegetation seeding only	\$250.00/ac

RECLAMATION COSTS

1. Revegetation, 14.75 ac @ \$250.00/ac	\$3,687.50
2. Resoiling, 11,898 yd ³ x 1.12 @ 40.4¢/yd ³	5,383.20
3. Grading and shaping 14.75 ac. @ \$59.54/ac	877.56
4. Dewatering, 32 days @ \$166.67/day	5,333.33
5. Slurry contingency fee. 229,310 sq-ft @ (\$3.00x20%)	137,585.76
6. Grade underwater slopes, 13,950 yd ³ x 1.15 @ 63.7¢/yd ³	7,866.13
7. Secondary revegetation 14.75 x 25% x \$500.00/ac	921.88
8. Weed control costs	5,000.00
9. Mobilization	5,707.88
	<hr/>
Direct Cost Total	\$172,363.24
Indirect Cost @19.2%	\$33,086.85
Total	<hr/> \$205,405.09

Recommend bond be set at \$205,405.00

Equipment listed in this estimate is used for the calculations and similar types may be used in the actual reclamation activities at the mine.

Source of figured using, Cat Handbook #38 and rental costs from Means for 83% efficiency, for eastern Colorado

** Estimate for services from Rain for Rent, Ft. Lupton, CO (970) 535-4963

Exhibit M

OTHER PERMIT AND LICENSES

1. An Air Pollution permit has been filed with the CDPHE.
2. Star Ready Mix Pit annexation was approved by the City of Greeley in 2000, case # A7:00.
4. A dredge fill permit (404) is not required at this time because waters of the U.S. will not be impacted. If jurisdictional wetland areas are mined we will obtain the necessary permit.
5. A Storm Water Management Plan (SWMP) and CDPS permits exist for the mine, COG-500022.
6. Well Permit was issued by the Colorado State Engineers Office (SEO), Well permit #74929-F.
7. A Temporary Substitute Water Supply Plan has been approved by the Colorado State Engineer's Office. Renewal submitted 12/2013 will cover 2014 to 2015.

SPECIAL WARRANTY DEED

THIS DEED, made this 24th day of October, 2013 between STAR READY MIX, INC., a dissolved Colorado corporation as to parcels 1 and 2 and STAR PROPERTY, LLC, a Colorado limited liability company as to parcel 3, (together, the GRANTOR), whose address is 235 43rd Ave., Greeley, CO 80634, and L.G. EVERIST, INCORPORATED, an Iowa corporation, GRANTEE, whose address 7321 E. 88th Ave., Suite 200, Henderson, CO 80640.

WITNESSETH, that the Grantor, for and in consideration of the sum of Eight Hundred Thousand and no/100 Dollars (\$800,000.00), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey, and confirm, unto the Grantee, its successors and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Weld, State of Colorado, described as follows:

See Exhibit A attached hereto and incorporated herein by this reference.

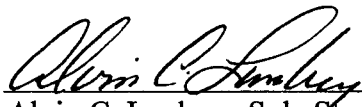
TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right title, interest, claim and demand whatsoever of the Grantor, either in law or equity, of in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto the Grantee, its successors and assigns forever. The Grantor, for itself, its successors and assigns does covenant and agree that it shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the Grantee, its successors and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the Grantor, except those matters of record.

IN WITNESS WHEREOF, the Grantor has caused its name to be hereunto subscribed the day and year first above written.

GRANTOR:

STAR READY MIX, INC., a dissolved Colorado corporation (dissolved June 18, 2012)

By: 
Alvin C. Lunbery, Sole Stockholder and
Sole Director

STAR PROPERTY, LLC,

a Colorado limited liability company

By: *Alvin C. Lunbery*
Alvin C. Lunbery, Member/Manager

By: *Janet L. Lunbery*
Janet L. Lunbery, Member/Manager

STATE OF COLORADO)
) ss.
COUNTY OF Denver)

This Special Warranty Deed was acknowledged before me this 24th day of October, 2013 by Alvin C. Lunbery as sole Stockholder and Sole Director of STAR READY MIX, INC., a dissolved Colorado corporation (dissolved June 18, 2012).

Witness my hand and official seal.
My commission expires:

Carma D. Weymouth
Notary Public
CARMA D. WEYMOUTH
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 06/25/2016

STATE OF COLORADO)
) ss.
COUNTY OF Denver)

This Special Warranty Deed was acknowledged before me this 24th day of October, 2013 by Alvin C. Lunbery and Janet L. Lunbery as Members/Managers of STAR PROPERTY, LLC, a Colorado limited liability company.

Witness my hand and official seal.
My commission expires:

CARMA D. WEYMOUTH
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 06/25/2016

Carma D. Weymouth
Notary Public

EXHIBIT A
Legal Description

Parcel 1:

All that portion of the Southwest $\frac{1}{4}$ of Section 26, Township 6 North, Range 66 West of the 6th P.M., County of Weld, State of Colorado, lying South and East of the center line of "O" Street, also known and designated as Weld County Road 64. EXCEPT therefore two strips of land 60 feet in width as conveyed to Weld County by Quit Claim Deed recorded August 13, 1988 in Book 78 at Page 26.

Parcel 2:

Outlot A VARRA-STAR MINOR SUBDIVISION, located in the SE $\frac{1}{4}$ of Section 26, Township 6 North, Range 66 West of the 6th P.M., City of Greeley, County of Weld, State of Colorado.

Parcel 3:

That part of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 26, Township 6 North, Range 66 West of the 6th P.M., lying South of County Road No. 64, EXCEPTING therefrom right of way conveyed by deed recorded in Book 218 at Page 423, County of Weld, State of Colorado.

SURFACE AREA AND SUBSTANCE TO BE MINED

L.G. Everist, Inc.
7321 E. 88th Ave, Suite 200
Henderson, CO 80640

ADJOINING LANDOWNERS (WITHIN 200 FEET)

- | | |
|---|---|
| 1 HAMIDEH ABDOLMOHAMMADZADEH
& AZIZ ZANDI
1645 N 35TH AVENUE CT
GREELEY CO 806319468 | 10 E. DIANE & ELMER E, JR OESTMAN, TRUST,
1685 E 160TH AVE,
BROOMFIELD CO 80020-9116 |
| 2 MARK D & PATRICIA L BECKER
1639 N 35TH AVENUE CT
GREELEY CO 806319468 | 11 VISTA LAND & CATTLE LLC
4343 W O ST
GREELEY CO 80631 |
| 3 KAY R. COLLINS
1631 N 35 AVENUE CT
GREELEY CO 80631 | 12 S E 2 LAND LIMITED LIABILITY COMPANY
4627 W 20TH STREET RD STE A
GREELEY CO 806343203 |
| 4 CINDY & DOUGLAS D York
1627 N 35TH AVENUE CT
GREELEY CO 806319468 | 13 DEAN R & MARNE J VANDERGON
3755 W O ST
GREELEY CO 806319459 |
| 5 EVELYN GATSIPOULOS
1617 N 35TH AVENUE CT
GREELEY CO 806319468 | 14 VETERINARY PROPERTIES LLC
3765 W O ST
GREELEY CO 80631-9459 |
| 6 RIVER VIEW HOMEOWNERS ASSN.
C/O EVELYN GATSIOPULOS
1617 N 35TH AVENUE CT
GREELEY CO 806319468 | 15 ANDRIA L & MIKE W REICHEL
3747 W O ST
GREELEY CO 806319459 |
| 7 LAFARGE CORPORATION
C/O BADEN TAX MANAGEMENT
P.O. BOX 8040,
FORT WAYNE IN 46898-8040 | 16 JEFFREY C SCHWARTZ
3737 W O ST
GREELEY CO 806319459 |
| 8 MARTIN MARIETTA MATERIALS INC
C/O BADEN TAX MANAGEMENT
PO BOX 8040,
FORT WAYNE IN 46898-8040 | 17 LINDA KAY DANIEL
2190 UNION DR
LAKEWOOD CO 802151167 |
| 9 DEBORAH E & MELVIN D EVERHART
4514 W O ST,
GREELEY CO 80631-9460 | 18 VARRA COMPANIES INC
8120 GAGE ST
FREDERICK CO 805169439 |

OIL, GAS AND OTHER MINERAL LEASES OF RECORD

Noble Energy
1675 Broadway Suite 2200
Denver, CO 80202

PDC Energy, Inc.
1775 Sherman St Suite 300
Denver, CO 80203

RECORDED ROW's (WITHIN 200 FEET)

Ogilvy Irrigation and Land Com-
pany - ROW.
822 7th Street, Suite 706
Lucern, CO 80631

Xcel Energy (PSCO) - ROW
1500 6th Ave.
Greeley, CO 80631

Century Link (Qwest)
1801 California St, Suite 1160
Denver, CO 80202

Comcast Greeley
5779 W. 10th Street
Greeley, CO 80634

North Weld County Water Dis-
trict
P.O. Box 56
Lucerne, CO 80646

EXHIBIT P

MUNICIPALITIES WITHIN TWO MILES

The following municipality is within two miles of the permit expansion area.

City of Greeley
1000 10th Street
Greeley, CO 80631
(970) 350-9770

NOTICE OF FILING
FOR COLORADO MINED LAND RECLAMATION PERMIT
FOR **REGULAR (112) CONSTRUCTION MATERIALS EXTRACTION OPERATIONS**
NOTICE TO THE WELD COUNTY BOARD OF COUNTY COMMISSIONERS

L.G. Everist, Incorporated (the "Applicant/Operator") has applied for an Amendment to their Star Water Resource, a regular (112) reclamation permit (M-1977-522) from the Colorado Mined Land Reclamation Board ("the Board") to conduct an extraction of construction materials operation in Weld County. The attached information is being provided to notify you of the location and nature of the proposed operation. The entire application is on file with the Colorado Division of Reclamation, Mining & Safety ("the Division") and the local county clerk and recorders office.

The applicant proposes to reclaim the land as Developed Water Storage. Pursuant to C.R.S. 34-32.5-116(4)(m), C.R.S., the Board may confer with the local Board of County Commissioners before approving the post-mining land use. Accordingly, the Board would appreciate your comments on the proposed operation. Please note that, in order to preserve your right to a hearing before the Board on this application, you must submit written comments to the application within twenty (20) days of the date of last publication notice pursuant to Section 34-32.5-112(10), C.R.S.

If you would like to discuss the proposed post-mining land use, or any other issue regarding this application, please contact Division of Reclamation, Mining & Safety, 1313 Sherman St., Room 215, Denver, CO 80203, (303) 866-3567. You may also contact the applicant directly at the above address or phone number below.

L.G. Everist, Incorporated.
Attention: Lynn M. Shults
303-286-2245

Hand Delivered

NOTICE OF FILING
FOR COLORADO MINED LAND RECLAMATION PERMIT
FOR **REGULAR (112) CONSTRUCTION MATERIALS EXTRACTION OPERATIONS**
NOTICE TO THE BOARD OF SUPERVISORS
OF THE LOCAL SOIL CONSERVATION DISTRICT
WEST GREELEY DISTRICT

L.G. Everist, Incorporated (the "Applicant/Operator") has applied for an Amendment to their Star Water Resource regular (112) reclamation permit (M-1977-522) from the Colorado Mined Land Reclamation Board ("the Board") to conduct an extraction of construction materials operation in Weld County. The attached information is being provided to notify you of the location and nature of the proposed operation. The entire application is on file with the Colorado Division of Reclamation, Mining & Safety ("the Division") and the local county clerk and recorders office.

The applicant proposes to reclaim the land to a Developed Water storage. Pursuant to C.R.S. 34-32.5-116(4)(m), C.R.S., the Board may confer with the Board of the local Soil Conservation District before approving the post-mining land use. Accordingly, the Board would appreciate your comments on the proposed operation. Please note that, in order to preserve your right to a hearing before the Board on this application, you must submit written comments to the application within twenty (20) days of the date of last publication notice pursuant to Section 34-32.5-112(10), C.R.S.

If you would like to discuss the proposed post-mining land use, or any other issue regarding this application, please contact Division of Reclamation, Mining & Safety, 1313 Sherman St., Room 215, Denver, CO 80203, (303) 866-3567. You may also contact the applicant directly at the above address or phone number below.

L.G. Everist, Incorporated.
Attention: Lynn M. Shults
303-286-2245

Hand Delivered

EXHIBIT R

PROOF OF FILING WITH COUNTY CLERK AND RECORDER

March 28, 2014

Weld County Clerk to the Board
Board of County Commissioners Office
1150 O Street
Greeley, Colorado 80631

Re: Amendment of a Mined
Land Reclamation Permit

Dear Sir/Madam:

We are delivering to you herewith, an Amendment to our approved permit application for the Star Water Resource (permit # M-1977-522) operated by L.G. Everist, Incorporated. Two copies of the Amendment application are on file with the Division of Reclamation, Mining & Safety.

This copy of the Amendment application is delivered to you pursuant to 34-32.5-112(9)(a), Colorado Revised Statutes 1995, as amended, which states in part:

.... the applicant shall place a copy of such application for public inspection at the office of the Board and Office of the County Clerk and Recorder of the county in which the affected land is located.

This book must be kept for public review until the Amendment has been approved by the Division. We will contact you once it is and make arrangements to pickup this copy.

Please acknowledge receipt of the copy of the permit Amendment by signing in the appropriate space provided below and returning one copy of this letter to the person delivering the book. This will be submitted to the Division of Reclamation, Mining & Safety to prove the Amendment book was delivered to your office.

Yours truly,
ENVIRONMENT, INC.

Stevan L. O'Brian

enclosure

**RECEIVED THIS ____ DAY OF _____, 2014, one copy of
an application Amendment packet for above referenced mine.**

Weld County Clerk to the Board

By _____

EXHIBIT S

PERMANENT MAN MADE STRUCTURES

Permanent man-made structures within 200 ft of affected areas are located on all Map Exhibits and their owners are listed below. No mining will take place within 200 feet of any of these structures. The material left to be mined is in the bottom of the lake area mined by previous operators and in most cases said structures were built after mining had started.

Structures

HAMIDEH ABDOLMOHAMMADZADEH & AZIZ ZANDI - house
MARK D & PATRICIA L BECKER - house
KAY R. COLLINS - house
CINDY & DOUGLAS D York - house
RIVER VIEW HOMEOWNERS ASSN. - concrete fence
MARTIN MARIETTA MATERIALS INC - chain link fence
DEBORAH E & MELVIN D EVERHART - house
VISTA LAND & CATTLE LLC - wire fence, building
S E 2 LAND LIMITED LIABILITY COMPANY - pipe fence
VETERINARY PROPERTIES LLC - chain link fence
JEFFREY C SCHWARTZ - house
LINDA KAY DANIEL - house
VARRA COMPANIES INC - concrete batch plant & support building,
water well, 4 strand wire fence
LG EVERIST INC - 4 wire fence
OGILVY IRRIGATION AND LAND COMPANY - overflow ditch.
XCEL ENERGY - power lines
CENTURY LINK - communication lines
COMCAST - fiber optic line
NORTH WELD COUNTY WATER DISTRICT - water line
CITY OF GREELEY - city street
NOBLE ENERGY - Gas well, Gas line, separator, chain link fence
PDC ENERGY, INC. - Gas well, Gas line (to be abandoned 2014)

Appendix:



L.G. EVERIST, INC.
ROCK SOLID SINCE 1876

7321 E. 88TH AVENUE, SUITE 200
HENDERSON, COLORADO 80640
PHONE 303-287-9606 • FAX 303-289-1348

March 26, 2014

Mr. Eric Scott
Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, CO 80203

**RE: INERT FILL NOTICE (RULE 3.1.5(9))
Star Water Resource - M-1977-522**

Dear Mr. Scott:

From time to time over the life of the mine L.G. Everist, Incorporated, may import inert materials as defined in M.L.R.B. Rule 1.1(20) into the permitted mining operation referenced above. The imported inert materials will be recycled and sold or used to partially construct the slopes that will be left when mining ends. Some materials may also be used to backfill portions of mined areas.

If courser fill is used for backfilling it will be covered with finer material and revegetated where required by the permit. Growth-quality fill materials may be used to supplement the topsoil needs for the mined area.

The exact amount of material to be imported is unknown. We will maintain a record of the volume imported. We will be able to supply a volume total to the Division if requested.

We will continue to import inert fill until reclamation is complete or we no longer have a need.

No specific compaction rates are proposed for the fill, due to the variances in the materials and their placement throughout the site. Stabilization of this inert fill material is not a concern because of the limited amount used in the slopes and the way it is placed. The material usually available may contain smaller pieces of concrete, or dirt mixed with the larger pieces of the same material. The materials will be compacted as they are placed throughout the site with heavy mobile equipment.

An Inert Fill Notice Affidavit is attached, signed and notarized.

If you have any questions, please contact me at 303-286-2247 or lmshults@lgeverist.com.

Sincerely,

Lynn Mayer Shults
Regulatory Manager

cc: Dennis Fields, L.G. Everist, Inc.
Steve O'Brian, Environment, Inc.

INERT FILL NOTICE (RULE 3.1.5(9))

AFFIDAVIT

Dennis L. Fields, as the Vice President of L.G. Everist, Incorporated, being first duly sworn, deposes and says that the material to be imported into the mining operation known as the Star Water Resource permit # M-1977-522, will be inert material as defined in Mined Land Reclamation Board rule 1.1(20) listed below. At no time will material that does not meet this definition be imported to this site.

M.L.R.B. Rule 1.1(20)

“Inert Material” means non-watersoluable and non-putrescible solids together with such minor amounts and types of materials, unless such materials are acid or toxic producing, as will not significantly affect the inert nature of such solids. Terms included, but not limited to, earth, sand, gravel, rock, concrete which has been in a hardened state for at least sixty days, masonry, asphalt paving fragments and other inert solids.



By: Dennis L. Fields, Vice President, L.G. Everist, Incorporated

State of Colorado)
) ss.
County of Adams)

Subscribed and sworn before this 26th day of March, 2014, by Dennis L. Fields as Vice President of L.G. Everist, Incorporated.


Notary Public

My Commission expires 02/19/2016

PUBLIC NOTICE

PUBLISHED NOTICE OF APPLICATION AMENDMENT FILING FOR A REGULAR (112) CONSTRUCTION MATERIALS RECLAMATION PERMIT

L.G. Everist, Incorporated has filed an application amendment to their Reclamation Permit with the Colorado Mined Land Reclamation Board under the provisions of the Colorado Mined Land Reclamation Act for the extraction of construction materials. The mine is known as the Star Water Resource (permit # M-1977-522) and is located in parts of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, T-6-N, R-66-W, 6th Principal Meridian, Weld County, Colorado.

The date of commencement for this mine was 1977 and the proposed date of completion is December 2018. The proposed future use of the land is as developed water storage.

Additional information and the tentative decision date may be obtained from the Division of Reclamation, Mining & Safety, 1313 Sherman St., Suite 215, Denver, CO 80203 (303) 866-3567, or at the Weld County Clerk to the Board's office, 1150 "O" St., Greeley, Colorado 80632, or the above named applicant.

Comments must be in writing and must be received by the Division of Minerals and Geology by 4:00 p.m. on _____, 2014.

Please note that comments related to noise, truck traffic, hours of operation, visual impacts, effects on property values and other social or economic concerns are issues not subject to this Office's jurisdiction. These subjects and similar ones, are typically addressed by your local governments, rather than the Division of Reclamation, Mining & Safety or the Mined Land Reclamation Board.

L.G. Everist, Inc.
Henderson, Colorado

First Publication:
Second Publication:
Third Publication:
Last Publication:
Published in:

NOTICE

This site is the location of a proposed construction materials operation known as the Star Water Resource , Permit # M-1977-522. L.G. Everist, Incorporated, whose address and phone number is 7321 E. 88th Ave, Suite 200, Henderson, CO 80640, (303) 287-4656, has applied for an Amendment to a Regular Reclamation Permit with the Colorado Mined Land Reclamation Board. Anyone wishing to comment on the application may view the application at the Weld County Clerk to the Board, Board of County Commissioners office, 1150 O Street, Greeley, CO. 80631, and should send comments prior to the end of the public comment period to the Division of Reclamation, Mining & Safety, 1313 Sherman St, Room 215, Denver, CO 80203.

Certification

I, _____, hereby certify that I posted a sign containing the above notice for the proposed permit area known as the Star Water Resource, on _____, 2014.

Signature

Date

Environment, Inc.

LARRY E. O'BRIAN
FOUNDER

STEVAN L. O'BRIAN
PRESIDENT

7985 VANCE DRIVE, SUITE 205A
ARVADA, COLORADO 80003
303-423-7297
FAX 303-423-7599

March 28, 2014

Weld County Clerk to the Board
Board of County Commissioners Office
1150 O Street
Greeley, Colorado 80631

Re: Amendment of a Mined
Land Reclamation Permit

Dear Sir/Madam:

We are delivering to you herewith, an Amendment to our approved permit application for the Star Water Resource (permit # M-1977-522) operated by L.G. Everist, Incorporated. Two copies of the Amendment application are on file with the Division of Reclamation, Mining & Safety.


This copy of the Amendment application is delivered to you pursuant to 34-32.5-112(9)(a), Colorado Revised Statutes 1995, as amended, which states in part:

.... the applicant shall place a copy of such application for public inspection at the office of the Board and Office of the County Clerk and Recorder of the county in which the affected land is located.

This book must be kept for public review until the Amendment has been approved by the Division. We will contact you once it is and make arrangements to pickup this copy.

Please acknowledge receipt of the copy of the permit Amendment by signing in the appropriate space provided below and returning one copy of this letter to the person delivering the book. This will be submitted to the Division of Reclamation, Mining & Safety to prove the Amendment book was delivered to your office.

Yours truly,
ENVIRONMENT, INC.


Stevan L. O'Brian

enclosure

RECEIVED

APR 02 2014

**WELD COUNTY
COMMISSIONERS**

RECEIVED THIS _____ DAY OF _____,
2014, one copy of an application Amendment packet
for above referenced mine.

Weld County Clerk to the Board

By _____

Environment, Inc.

LARRY E. O'BRIAN
FOUNDER

STEVAN L. O'BRIAN
PRESIDENT

7985 VANCE DRIVE, SUITE 205A
ARVADA, COLORADO 80003
303-423-7297
FAX 303-423-7599

March 28, 2014

Weld County Board of
County Commissioners
915 10th Street
Greeley, Colorado 80631

Dear Board Members;

Re: Amended application for a Mined
Land Reclamation Permit

We are delivering to you here a Notice of Application and supporting documents for the Star Water Resource (Permit # M-1977-522) to be operated by L.G. Everist, Incorporated, pursuant to rule 2.2.2(1), Colorado Mined Land Reclamation Board - Mineral Rules and Regulations.

Please acknowledge receipt of this notice by signing in the appropriate space provided below and return a signed copy of this cover letter to the person delivering it. We need to submit this copy to the Division of Reclamation, Mining & Safety as proof of our filing with you.

Respectfully Submitted,
Environment, Inc.



Stevan L. O'Brian

RECEIVED

APR 02 2014

**WELD COUNTY
COMMISSIONERS**

enclosure

RECEIVED THIS _____ DAY OF _____ 2014
Weld County Board of County Commissioners

By _____

Title _____

Environment, Inc.

LARRY E. O'BRIAN
FOUNDER

STEVAN L. O'BRIAN
PRESIDENT

7985 VANCE DRIVE, SUITE 205A
ARVADA, COLORADO 80003
303-423-7297
FAX 303-423-7599

March 28, 2014

Board of Supervisors
West Greeley Soil Conservation District
4302 West 9th Street Road
Greeley, Colorado 80634

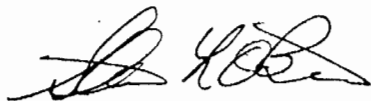
Dear Board members:

Re: Application for a Mined
Land Reclamation Permit

We are delivering to you here a Notice of Application and supporting documents for the Star Water Resource (Permit # M-1977-522) to be operated by L.G. Everist, Incorporated, pursuant to rule 2.2.2(1), Colorado Mined Land Reclamation Board - Mineral Rules and Regulations.

Please acknowledge receipt of this notice by signing in the appropriate space provided below and return a signed copy of this cover letter to the person delivering it. We need to submit this copy to the Division of Reclamation, Mining & Safety as proof of our filing with you.

Respectfully Submitted,
Environment, Inc.



Stevan L. O'Brian

enclosure

RECEIVED THIS 2 DAY OF April, 2014

West Greeley Soil Conservation District

By Megan Lowery

Title Conservation/Ed Tech

Environment, Inc.

LARRY E. O'BRIAN
FOUNDER

STEVAN L. O'BRIAN
PRESIDENT

7985 VANCE DRIVE, SUITE 205A
ARVADA, COLORADO 80003
303-423-7297
FAX 303-423-7599

April 1, 2014

Mr. Brad Muller, Director
City of Greeley Community Development
1100 Tenth St.
Greeley, CO 80631

APR 02 2014

Dear Mr. Muller;

RE: L.G. Everist, Inc.
Star Water Resource Greeley Case # A7:00
State Permit Amendment

Attached is a copy of the Reclamation permit amendment packet we are filing with the Colorado Division of Reclamation, Mining & Safety (DRMS). This amendment changes the end use from only residential to developed water storage and residential. The plan is to line the lakes with slurry walls to seal out groundwater and develop them as water storage reservoirs. I believe that Ms. Lynn Shults of L.G. Everist has been in contact with Ms. Carlin Berkeen of your office as L.G. Everist was in the midst of buying the property and developing this plan.

We are supplying you with a copy of this DRMS amendment packet since the mine is located within the city limits and is covered by an annexation agreement. A copy has also been filed with the Weld County Clerk to the Board as required by the state.

If you have any questions please call Ms. Shults at (303) 286-2247 or myself at (303) 423-7297.

Sincerely,
Environment, Inc.



Stevan L. O'Brian
President

cc L.G. Everist, Inc.
file

enclosure

Environment, Inc.

LARRY E. O'BRIAN
FOUNDER

STEVAN L. O'BRIAN
PRESIDENT

7985 VANCE DRIVE, SUITE 205A
ARVADA, COLORADO 80003
303-423-7297
FAX 303-423-7599

April 2, 2014

Mr. Tom Kaldenbagh
Division of Minerals and Geology
Minerals Section
1313 Sherman Street, Suite 215
Denver, Colorado 80203

RECEIVED

APR 02 2014

Division of Reclamation
Mining & Safety

Dear Tom;

Re: L.G. Everist, Incorporated - Star Water Resource
M-1977-522 - Weld County, Colorado
112 Permit Application Amendment

Attached are two copies of the application book and map exhibits for the subject sand and gravel mine. This amendment is being submitted in response to Mr. Eric Scott's inspection of December 19, 2013. It addresses the 4 items listed under corrective action, revises the final end use of the permit area and corrects issues that existed when L.G. Everist, Inc. took over the permit.

In addition, each packet contains copies of the:

- posted NOTICE certification
- Weld County Commissioners notice receipt
- West Greeley SCD notice mailing receipt
- City of Greeley placement receipt letter
- the Weld County Clerk to the Board office placement receipt

L.G. Everist, Inc. check (#187690) for the \$2,229.00 amendment application fee is attached. Please call me when this application is complete so I can arrange for publication of the public notice and mail adjoining owner notice letters after the first publication date as required in the rules.

If you have any questions please call me.

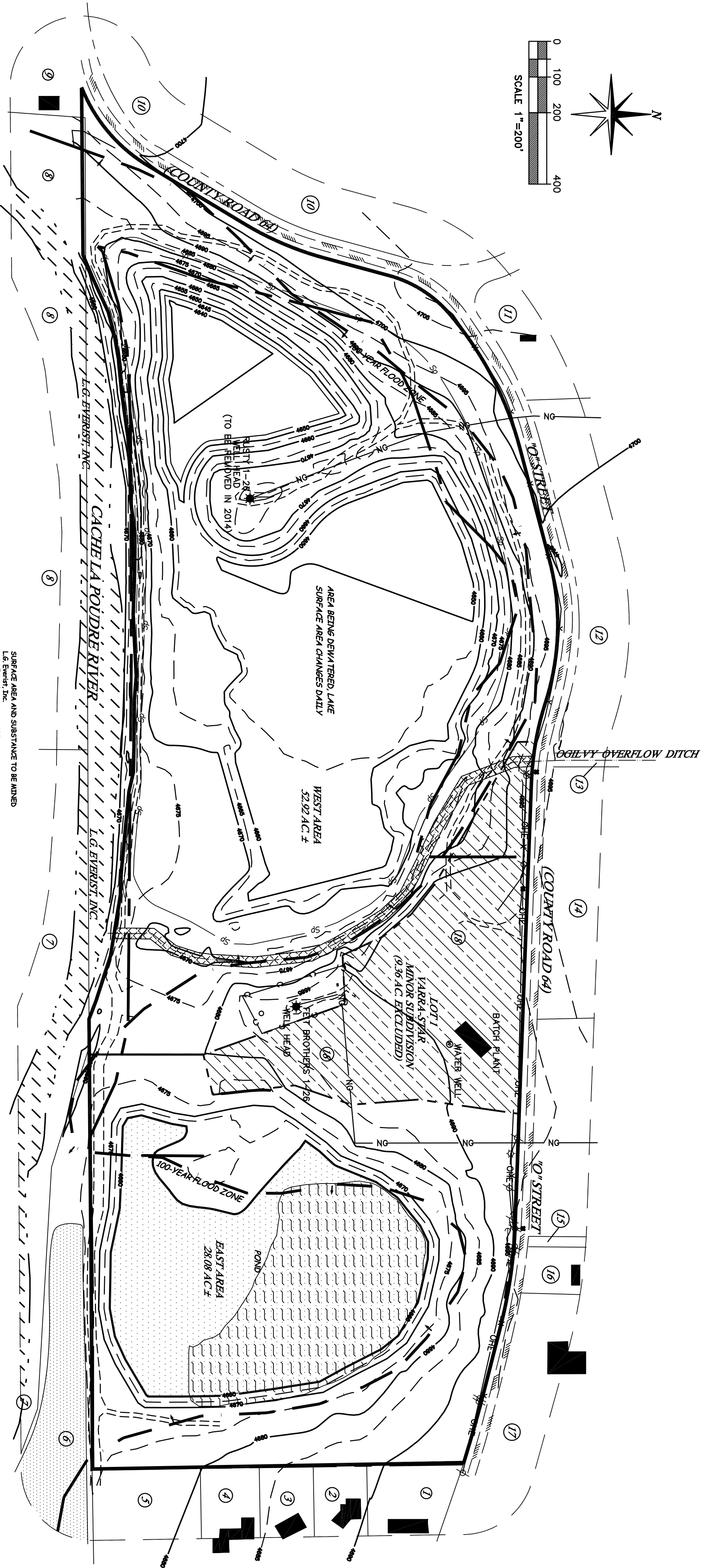
Yours truly,
Environment, Inc.



Stevan L. O'Brian
President

enclosures

cc: L.G. Everist, Inc.
file



- LEGEND**
- PERMIT BOUNDARY/AFFECTED LANDS
 - 1994 ESTIMATED PERMIT BOUNDARY/AFFECTED LANDS
 - 200 FOOT LIMIT
 - FLOOD PLAIN LINE
 - COMMUNICATION LINES
 - OVERHEAD ELECTRIC LINES
 - FENCE
 - ROADS
 - TOPO CONTOUR
 - STREAM
 - APPROXIMATE LOCATION OF SLURRY WALL
 - BUILDINGS
 - GAS/OIL WELL
 - LAKE AREA
 - INDUSTRIAL AREA
 - PRE 1981 WATER AREA 6.1 AC. ±
 - OVERFLOW DITCH CORRIDOR

- ADJOINING LANDOWNERS (within 200 feet)**
- 1 HAMDEH ABDOUMOHAMMADZADEH & AZIZ ZANDI, 1648 N 35TH AVENUE CT, GREELEY CO 806319468
 - 2 MARK D & PATRICIA L BECKER, 1639 N 35TH AVENUE CT, GREELEY CO 806319468
 - 3 KAY R COLLINS, 1631 N 35 AVENUE CT, GREELEY CO 80631
 - 4 CANDY & DOUGLAS D YORK, 1627 N 35TH AVENUE CT, GREELEY CO 806319468
 - 5 EUGEN GATSIOPULOS, 1617 N 35TH AVENUE CT, GREELEY CO 806319468
 - 6 RIVER VIEW HOMEOWNERS ASSN, 1617 N 35TH AVENUE CT, GREELEY CO 806319468
 - 7 LIFEAGE CORPORATION, P.O. BOX 8040, FORT WAYNE IN 46898-8040
 - 8 MAOTIN MARETTA MATTHEWS INC, C/O BADEN TAX MANAGEMENT, PO BOX 8040, FORT WAYNE IN 46898-8040
 - 9 DEBORAH E & MELVIN D EVERHART, 4514 W O ST, GREELEY CO 80631-9460
 - 10 DIANE E & BLAIR E JR OESTMAN, TRUST, 1605 E 160TH AVE, BROOMFIELD CO 80020-9116
 - 11 VISTA LAND & CATTLE LLC, 4343 W O ST, GREELEY CO 80631
 - 12 S E 2 LAND LIMITED LIABILITY COMPANY, 4627 W 20TH STREET RD STE A, GREELEY CO 806343203
 - 13 DEAN B & MARNE J VANDERBON, 3725 W O ST, GREELEY CO 806319459
 - 14 VETERINARY PROPERTIES LLC, 3763 W O ST, GREELEY CO 80631-9459
 - 15 ANDREA L & ALICE W REICHEL, 3747 W O ST, GREELEY CO 806319459
 - 16 JEFFREY C SCHWARTZ, 3750 W O ST, GREELEY CO 806319459
 - 17 LINDA KAY DANIEL, 2190 UNION DR, LAKEWOOD CO 80231167
 - 18 VARRA COMPANIES INC, 8120 GAZE ST, FREDERICK CO 803169439

- OWNERS AND OTHER MINERAL LEASES OF RECORD**
- | ADJOINING LANDOWNERS (within 200 feet) | OWNERS AND OTHER MINERAL LEASES OF RECORD |
|---|--|
| 1 HAMDEH ABDOUMOHAMMADZADEH & AZIZ ZANDI, 1648 N 35TH AVENUE CT, GREELEY CO 806319468 | Noble Energy, Inc., 1675 Broadway Suite 2200, Denver, CO 80202 |
| 2 MARK D & PATRICIA L BECKER, 1639 N 35TH AVENUE CT, GREELEY CO 806319468 | PDC Energy, Inc., 1775 Sherman St Suite 300, Denver, CO 80203 |
| 3 KAY R COLLINS, 1631 N 35 AVENUE CT, GREELEY CO 80631 | Ogilvy Trigaition and Land Company - ROW, 822 7th Street, Suite 706, Lucerne, CO 80631 |

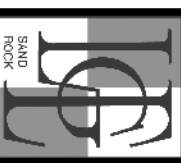
- STRUCTURES (within 200 feet)**
- | ADJOINING LANDOWNERS (within 200 feet) | STRUCTURES (within 200 feet) |
|--|---|
| 1 HAMDEH ABDOUMOHAMMADZADEH & AZIZ ZANDI, 1648 N 35TH AVENUE CT, GREELEY CO 806319468 | Hamdeh & Aziz Zandi - houses |
| 2 MARK D & PATRICIA L BECKER, 1639 N 35TH AVENUE CT, GREELEY CO 806319468 | Mark D & Patricia L Becker - houses |
| 3 KAY R COLLINS, 1631 N 35 AVENUE CT, GREELEY CO 80631 | Kay R Collins - house |
| 4 CANDY & DOUGLAS D YORK, 1627 N 35TH AVENUE CT, GREELEY CO 806319468 | Candy & Douglas D York - house |
| 5 EUGEN GATSIOPULOS, 1617 N 35TH AVENUE CT, GREELEY CO 806319468 | Eugen Gatsiopulos - concrete fence |
| 6 RIVER VIEW HOMEOWNERS ASSN, 1617 N 35TH AVENUE CT, GREELEY CO 806319468 | River View Homeowners Assn - concrete fence |
| 7 LIFEAGE CORPORATION, P.O. BOX 8040, FORT WAYNE IN 46898-8040 | Lifeage Corporation - water line |
| 8 MAOTIN MARETTA MATTHEWS INC, C/O BADEN TAX MANAGEMENT, PO BOX 8040, FORT WAYNE IN 46898-8040 | Maotin Marettam Matthews Inc - water line |
| 9 DEBORAH E & MELVIN D EVERHART, 4514 W O ST, GREELEY CO 80631-9460 | Deborah E & Melvin D Everhart - house |
| 10 DIANE E & BLAIR E JR OESTMAN, TRUST, 1605 E 160TH AVE, BROOMFIELD CO 80020-9116 | Diane E & Blair E Jr Oestman Trust - house |
| 11 VISTA LAND & CATTLE LLC, 4343 W O ST, GREELEY CO 80631 | Vista Land & Cattle LLC - water fence |
| 12 S E 2 LAND LIMITED LIABILITY COMPANY, 4627 W 20TH STREET RD STE A, GREELEY CO 806343203 | S E 2 Land Limited Liability Company - pipe fence |
| 13 DEAN B & MARNE J VANDERBON, 3725 W O ST, GREELEY CO 806319459 | Dean B & Marne J Vanderson - chain link fence |
| 14 VETERINARY PROPERTIES LLC, 3763 W O ST, GREELEY CO 80631-9459 | Veterinary Properties LLC - house |
| 15 ANDREA L & ALICE W REICHEL, 3747 W O ST, GREELEY CO 806319459 | Andrea L & Alice W Reichel - house |
| 16 JEFFREY C SCHWARTZ, 3750 W O ST, GREELEY CO 806319459 | Jeffrey C Schwartz - house |
| 17 LINDA KAY DANIEL, 2190 UNION DR, LAKEWOOD CO 80231167 | Linda Kay Daniel - house |
| 18 VARRA COMPANIES INC, 8120 GAZE ST, FREDERICK CO 803169439 | Varra Companies Inc - water line |

PREPARED BY: **ENVIRONMENT, INC.**
ARVON, CO 80003
(303) 423-7297
Environmental.Life@earthlink.net

Parts of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, & SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Section 26, T-6-N, R-66-W of the 6th P.M., City of
Greeley, County of Weld, State of Colorado

AMENDMENT
FOR
STAR WATER RESOURCE
PERMIT # M-1977-522

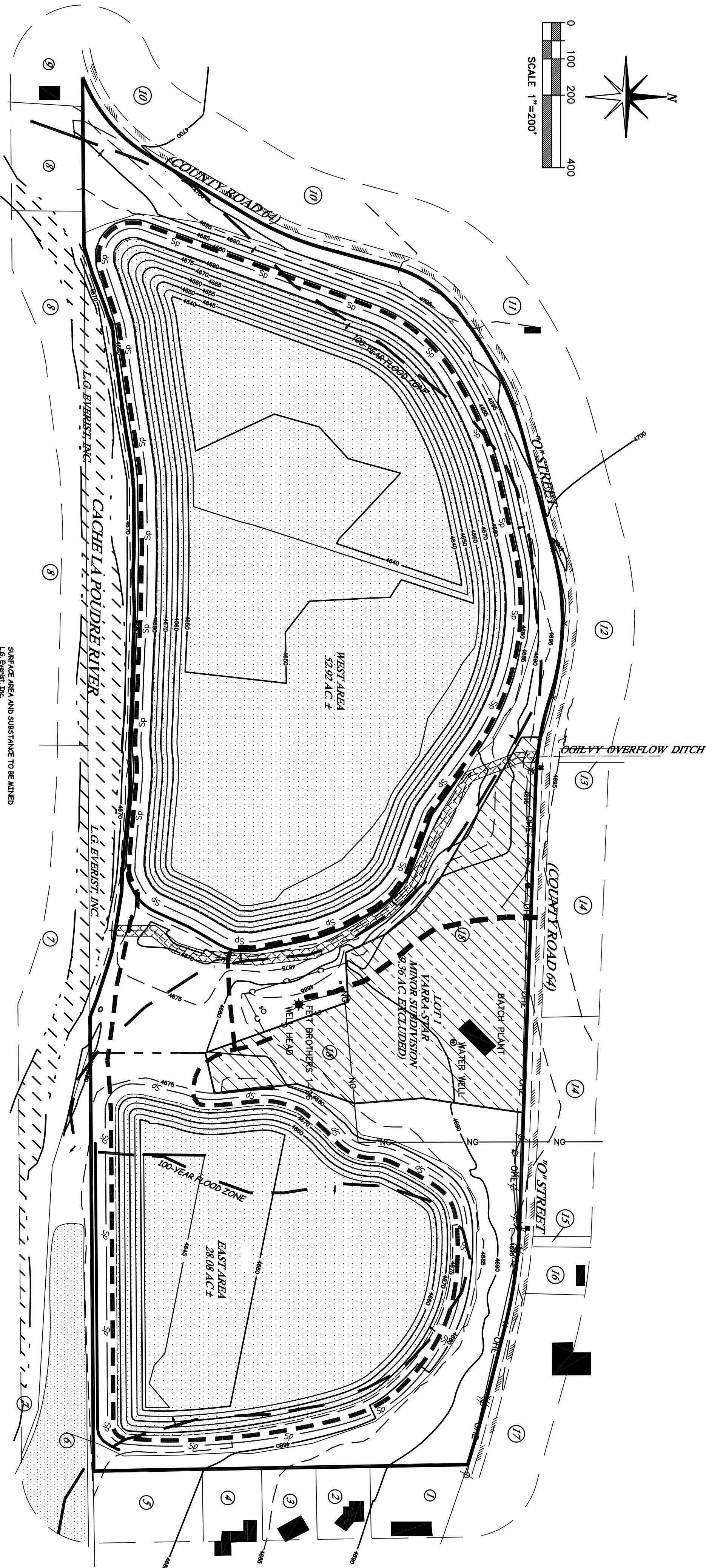
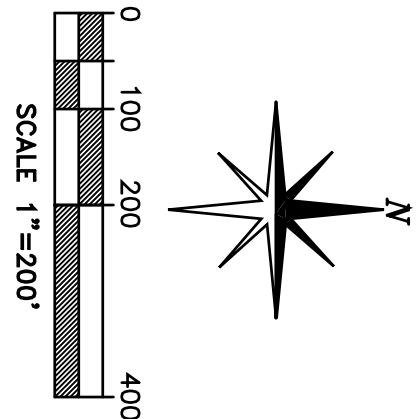
REVISIONS:	DATE:
ORIGINAL PERMIT	2/19/78
AMENDMENT - AREA INCREASE	07/1994
AMENDMENT - RECLAMATION PLAN CHANGE	02/2014



L.G. Everist, Inc.
7321 East 88th Avenue | Henderson, Colorado 80640
phone: (303) 287-4656 | fax: (303) 289-1348

CHECKED BY:	LMS
DRAWN BY:	DF/ENWNC
SCALE:	1"=200'
FILE NAME:	SWR-C1-MAP
DATE:	03/24/2014

Map Exhibit C1 - CURRENT CONDITIONS. MAP



SURFACE AREA AND SUBSTANCE TO BE MINED
L.G. Everest, Inc.
7321 E. 88th Ave, Suite 200
Henderson, CO 80640

ADJACENT LANDOWNERS (within 200 feet)

- 1 HAMIDEH ABDOLMOHAMMADZADEH & AZIZ ZANODI 1685 E 160TH AVE BROOMFIELD CO 80020-9116
- 2 MARK D & PATRICIA L BECKER 1639 N 35TH AVENUE CT GREELEY CO 806319466
- 3 KAY R COLLINS 1631 N 35 AVENUE CT GREELEY CO 80631
- 4 CINDY & DOUGLAS D YARK 1627 N 35TH AVENUE CT GREELEY CO 806319466
- 5 EVELYN GATSIOPoulos 1617 N 35TH AVENUE CT GREELEY CO 806319466
- 6 RIVER VIEW HOMEOWNERS ASSN 1617 N 35TH AVENUE CT GREELEY CO 806319466
- 7 LAFARGE CORPORATION C/O BADEN TAX MANAGEMENT FORT WAYNE IN 46898-8040
- 8 MARTIN MARETTA MATERIALS INC C/O BADEN TAX MANAGEMENT FORT WAYNE IN 46898-8040
- 9 DEBORAH E & MELVIN D EVERHART 4514 W O ST GREELEY CO 80631-9460
- 10 DIANE E. & ELMER E. JR OESTMAN, TRUST, 1685 E 160TH AVE BROOMFIELD CO 80020-9116
- 11 VISTA LAND & CATTLE LLC 4543 W O ST GREELEY CO 80631
- 12 S E 2 LAND LIMITED LIABILITY COMPANY 4627 W 20TH STREET RD STE A GREELEY CO 806319463
- 13 DEAN R & MARNE J VANDERBORN 3795 W O ST GREELEY CO 806319459
- 14 VETERINARY PROPERTIES LLC 3745 W O ST GREELEY CO 80631-9459
- 15 ANDREA L & MIKE W REICHEL 3747 W O ST GREELEY CO 806319459
- 16 JEFFREY C SCHWARTZ 3737 W O ST GREELEY CO 806319459
- 17 LINDA KAY DANIEL 2380 UNION DR LAKENWOOD CO 802181167
- 18 VARBA COMPANIES INC 8120 646E ST FREDERICK CO 803169439

OIL, GAS AND OTHER MINERAL LEASES OF RECORD

- | | |
|--|---|
| Noble Energy, Suite 2200
1545 W 17th Street, Suite 200
Denver, CO 80202 | PDC Energy, Inc.
1545 W 17th Street, Suite 300
Denver, CO 80203 |
| Oil City Tractition and Land Company - ROW,
882 7th Street, Suite 706
Lucern, CO 80631 | Consort Greeley
5779 W 10th Street
Greeley, CO 80634 |
| Xcel Energy (PSCD) - ROW
1500 6th Ave.
Greeley, CO 80631 | North Weld County Water District
P.O. Box 56
Lucern, CO 80446 |
| Century Link (Quest)
1801 Gifford St, Suite 1160
Denver, CO 80202 | |

STRUCTURES (within 200 feet)

- HAMIDEH ABDOLMOHAMMADZADEH & AZIZ ZANODI - house
MARK D & PATRICIA L BECKER - house
CINDY & DOUGLAS D YARK - house
RIVER VIEW HOMEOWNERS ASSN - concrete fence
MARTIN MARETTA MATERIALS INC - chain link fence
DEBORAH E & MELVIN D EVERHART - house
VISTA LAND & CATTLE LLC - wire fence building
S E 2 LAND LIMITED LIABILITY COMPANY - pipe fence
VETERINARY PROPERTIES LLC - chain link fence
LINDA KAY DANIEL - house
VARBA COMPANIES INC - concrete ditch plant & support building,
water well, & strand wire fence
L.G. EVEREST INC - 4 wire fence
OGELVY IRRIGATION AND LAND COMPANY - overflow ditch.
XCEL ENERGY - power lines
CONCAST - fiber optic lines
NORTH WELD COUNTY WATER DISTRICT - water line
CITY OF GREELEY - city street
NOBLE ENERGY - gas well, gas line separator, chain link fence
PDC ENERGY, INC. - gas well, gas line (to be abandoned 2014)

LEGEND

- PERMIT BOUNDARY/AFFECTED LANDS
- 200 FOOT LIMIT
- FLOOD PLAIN LINE
- STAGE LINE
- COMMUNICATION LINES
- OVERHEAD ELECTRIC LINES
- FENCE
- ROADS (OFFSITE)
- ROADS (HAUL, ACCESS) (TYP.)
- TOPO CONTOUR
- STREAM
- APPROXIMATE LOCATION OF SLURRY WALL
- BUILDINGS
- GAS/OIL WELL
- LAKE AREA
- INDUSTRIAL AREA
- PRE 1981 WATER AREA 6.1 AC. ±
- OVERFLOW DITCH CORRIDOR

PREPARED BY: **ENVIRONMENT, INC.**
ARVONIA, CO 80003
(303) 423-7297
Environmental.Life@earthlink.net

Parts of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, & SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Section 26, T-6-N, R-66-W of the 6th P.M., City of
Greeley, County of Weld, State of Colorado

AMENDMENT
FOR
STAR WATER RESOURCE
PERMIT # M-1977-522

REVISIONS:		DATE:
ORIGINAL PERMIT		2/19/78
AMENDMENT - AREA INCREASE		07/1994
AMENDMENT - RECLAMATION PLAN CHANGE		03/2014



L.G. Everest, Inc.
7321 East 88th Avenue | Henderson, Colorado 80640
phone: (303) 287-4656 | fax: (303) 289-1348

CHECKED BY:	LMS
DRAWN BY:	DF/ENVINC
SCALE:	1"=200'
FILE NAME:	SWR-CI-MAP
DATE:	03/24/2014

Map Exhibit F - Reclamation Plan Map (OPTION A)

Division of Reclamation, Mining, and Safety

Fee Receipt for M1977522

L.G. Everist, Incorporated

000000000

Receipt #: 17140

Date: 04/02/2014

Permit: M1977522

Payment Method	Revenue Code	Fee Description/Notes	Amount
189690 msr	4300-03	Minerals Amendment Fees M1977-522	\$2,229.00
Receipt Total:			\$2,229.00