

# STATE OF COLORADO

## DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

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

# RECEIVED

APR 21 2014

DIVISION OF RECLAMATION  
MINING AND SAFETY

### CONSTRUCTION MATERIALS REGULAR (112) OPERATION RECLAMATION PERMIT APPLICATION FORM



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

Permit # M-2014-024 (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- - - - - (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):** Weld County Public Works
  - 1.1 Type of organization (corporation, partnership, etc.): County Government
2. **Operation name (pit, mine or site name):** Koskie Pit
3. **Permitted acreage (new or existing site):**

	<u>40.5</u>	permitted acres
3.1 Change in acreage (+)	<u>N/A</u>	acres
3.2 Total acreage in Permit area	<u>N/A</u>	acres
4. **Fees:**

4.1 New Application	<u>\$2,696.00</u>	application fee
4.2 New Quarry Application	<u>\$3,342.00</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:** sand gravel

5.1 Incidental commodity(ies) to be mined:	1. <u>N/A</u> - <u>      </u> lbs/Tons/yr	2. <u>N/A</u> / <u>      </u> lbs/Tons/yr
	3. <u>N/A</u> / <u>      </u> lbs/Tons/yr	4. <u>N/A</u> / <u>      </u> lbs/Tons/yr
		5. <u>N/A</u> / <u>      </u> lbs/Tons/yr
5.2 Anticipated end use of primary commodity(ies) to be mined:	<u>construction projects and surfacing gravel roads</u>	
5.3 Anticipated end use of incidental commodity(ies) to be mined:	<u>N/A</u>	

6. **Name of owner of subsurface rights of affected land:** Scott Koskie  
If 2 or more owners, "refer to Exhibit O".

7. **Name of owner of surface of affected land:** Scott Koskie

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 12

TOWNSHIP (write number and check direction): T 10 ☒ North ☐ South

RANGE (write number and check direction): R 67 ☐ 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 2.5 miles south of and 2.5 miles east of the town of Carr at an elevation of approximately 5500 ft

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 \_\_\_\_\_ min \_\_\_\_\_ sec \_\_\_\_\_.\_\_\_\_ (2 decimal places)

Longitude (W): deg \_\_\_\_\_ min \_\_\_\_\_ sec \_\_\_\_\_.\_\_\_\_ (2 decimal places)

OR

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

Latitude (N) 40 85578 (5 decimal places)

Longitude(W) -104 83538 (5 decimal places)

OR

Universal Tranverse Mercator (UTM)

Example: 201336.3 E NAD27 Zone 13  
4398351.2 N

UTM Datum (specify NAD27, NAD83 or WGS 84) Nad 83 Zone 13

Easting \_\_\_\_\_

Northing \_\_\_\_\_

11. **Correspondence Information:**

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

Contact's Name: Jay McDonald Title: Director  
Company Name: Weld County Public Works  
Street/P.O. Box: 1111 H St P.O. Box: 758  
City: Greeley  
State: CO Zip Code: 80632  
Telephone Number: ( 970 ) - 304-6496  
Fax Number: ( 970 ) - 304-6497

**PERMITTING CONTACT** (if different from applicant/operator above)

Contact's Name: Clay Kimmi Title: Senior Engineer  
Company Name: Weld County Public Works  
Street/P.O. Box: 1111 H St P.O. Box: 758  
City: Greeley  
State: CO Zip Code: 80632  
Telephone Number: ( 970 ) - 304-6496 x 3741  
Fax Number: ( 970 ) - 304-6497

**INSPECTION CONTACT**

Contact's Name: Same as Permitting Contact Title: \_\_\_\_\_  
Company Name: \_\_\_\_\_  
Street/P.O. Box: \_\_\_\_\_ P.O. Box: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Telephone Number: ( ) -   
Fax Number: ( ) -

**CC: STATE OR FEDERAL LANDOWNER (if any)**

Agency: N/A  
Street: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Telephone Number: ( ) -

**CC: STATE OR FEDERAL LANDOWNER (if any)**

Agency: N/A  
Street: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Telephone Number: ( ) -

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

- |  |  |  |
|--|--|--|
| <input checked="" 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 type="checkbox"/> Developed Water Resources(WR) |  | <input type="checkbox"/> Solid Waste Disposal(WD)  |

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

- |  |  |  |
|--|--|--|
| <input checked="" 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 type="checkbox"/> Developed Water Resources(WR) |  |  |

14. **Method of Mining:** Briefly explain mining method (e.g. truck/shovel):  
excavator, loader, or dozer will push material into a stockpile, a haul truck may be used to take material to the crusher

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

13.1 Briefly explain mining method (e.g. truck/shovel):  
Pit run will be sent through the crusher to generate construction materials and surface gravel

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).

N/A



**Maps and Exhibits:**

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

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

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

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

**Responsibilities as a Permittee:**

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



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

DNB

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;

DNB

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;

DNB

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;

DNB

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

DNB

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.

DNB

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.

DNB

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.

DNB

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.

DNB

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 14<sup>th</sup> day of April, 2014.

Weld County Public Works  
Applicant/Operator or Company Name

If Corporation Attest (Seal)

Signed: [Signature]

Signed: \_\_\_\_\_

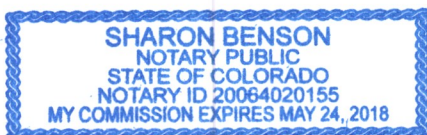
Corporate Secretary or Equivalent

Title: Director of Public Works

Town/City/County Clerk

State of Colorado )  
 ) ss.  
County of Weld )

The foregoing instrument was acknowledged before me this 14 day of April, 2014, by Director as Jay McDonald of Weld County Public Works



[Signature]  
Notary Public

My Commission expires: 5-24-18

**SIGNATURES MUST BE IN BLUE INK**

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

proposed mining operation. The following is a sample of the Notice required for Rule 1.6.2(1)(b) that you may wish to use.

### NOTICE

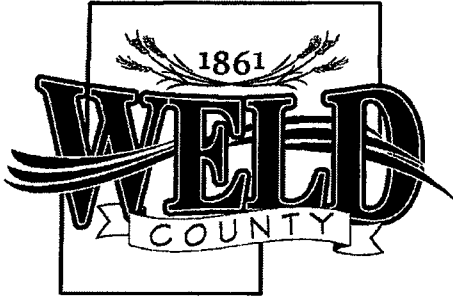
This site is the location of a proposed construction materials operation. (Name of the Applicant/Operator) Weld County Public Works, whose address and phone number is (Address and Phone Number of the Applicant/Operator) PO Box 758, Greeley, CO 80632, 970-304-6496, has applied for a Reclamation Permit with the Colorado Mined Land Reclamation Board. Anyone wishing to comment on the application may view the application at the (County Name) Weld County Clerk and Recorder's Office, (Clerk and Recorder's Office Address) 1150 O St, Greeley, CO 80632, and should send comments prior to the end of the public comment period to the Division of Reclamation, Mining, and Safety, 1313 Sherman St, Room 215, Denver, Colorado 80203.

### Certification:

I, Clay Kimmi, hereby certify that I posted a sign containing the above notice for the proposed permit area known as the (Name of Operation) Koskie Pit, on (Date Posted) April 14, 2014.

Clay Kimmi  
SIGNATURE

4/14/14  
DATE



**PUBLIC WORKS DEPARTMENT**  
1111 H STREET, P.O. BOX 758  
GREELEY, COLORADO 80632  
WEBSITE: [WWW.CO.WELD.CO.US](http://WWW.CO.WELD.CO.US)  
PHONE: (970) 304-6496  
FAX: (970) 304-6497

April 18, 2014

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

Re: New Mine Permit Application

Dear DRMS:

Enclosed please find two copies of a new mine permit application. Please let us know when we can proceed with public notice.

Please call with any questions.

Sincerely,

Clay Kimmi, P.E., CFM  
**Weld County Public Works**

Original: Division of Reclamation Mining & Safety  
CC to File: Koskie Mine File

# **KOSKIE PIT**

Construction Material  
Regular 112 Operations  
Reclamation Permit Application

## **Prepared For**

Division of Reclamation and Mining Safety  
Department of Natural Resources  
1313 Sherman Street, Room 215  
Denver, Colorado 80203

## **Land Owner**

Scott Koskie  
14570 N CR 7  
Wellington, CO 80543

## **Operator**

Weld County Public Works Department  
1111 H Street  
Post Office Box 758  
Greeley, Colorado 80632-0758



## **Exhibits List**

**EXHIBIT A - Legal Description**

**EXHIBIT B - Index and Location Maps**

**EXHIBIT C - Pre-Mining and Mining Plan Maps 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 the Weld County Clerk and Recorder**

**EXHIBIT S - Permanent Man-Made Structures**

**EXHIBIT T - Proof of mailing notices of permit application;**

**ADDENDUM 1 - Notice Requirements:**

**EXHIBIT A - Legal Description**

A tract of land located in the N1/2 of the N1/2 of the E1/2, Section 12, T10N, R67W of the 6<sup>th</sup> P.M., Weld County, CO, comprising approximately 40.5 (forty and one half) acres.

The property can be accessed off the south side of Weld CR 120. The latitude and longitude of the proposed primary entrance is latitude 40.85578 N and longitude -104.83538W.

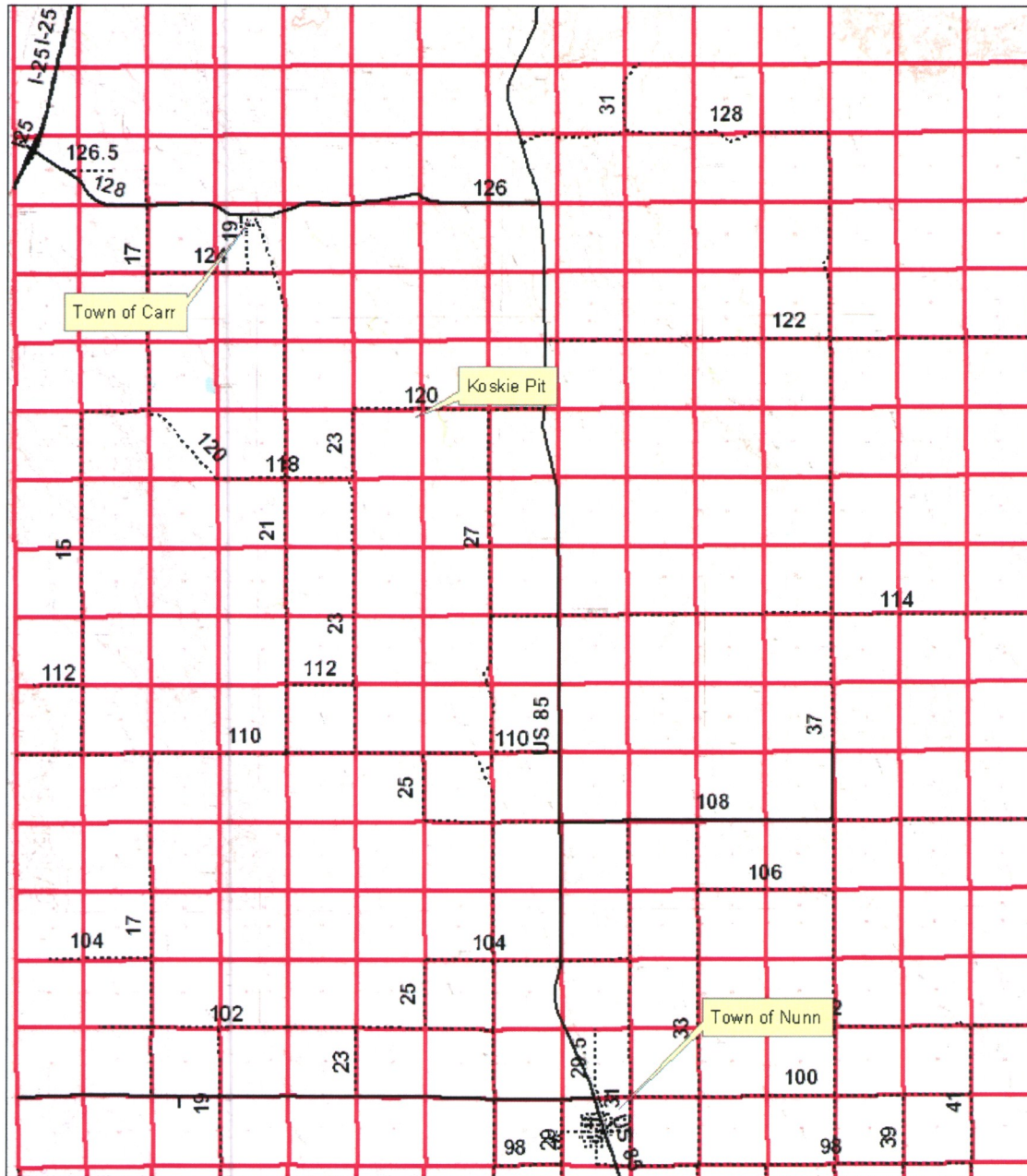
There is no street address for this property.

**LAND OWNER:**

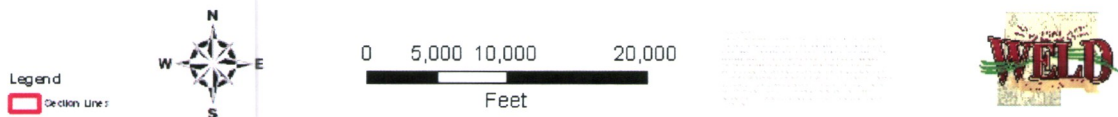
Scott Koskie  
14570 N CR 7  
Wellington, CO 80543

**EXHIBIT B - Index Map**

**Regional Index Map**

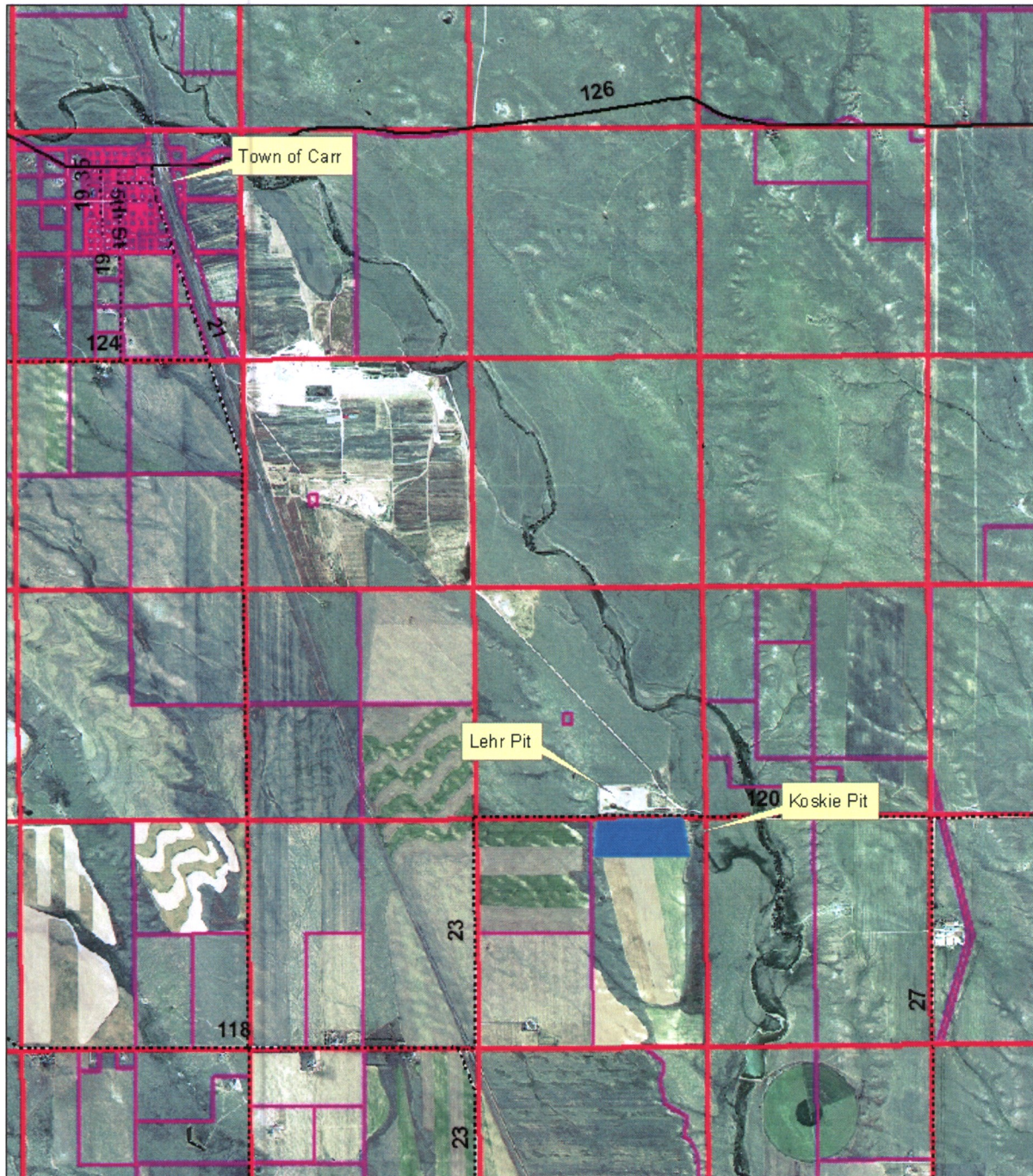


**Koskie Pit Regional Vicinity Map**





## Local Index Map



## Koskie Pit Vicinity Map

Legend



0 1,500 3,000 6,000  
Feet

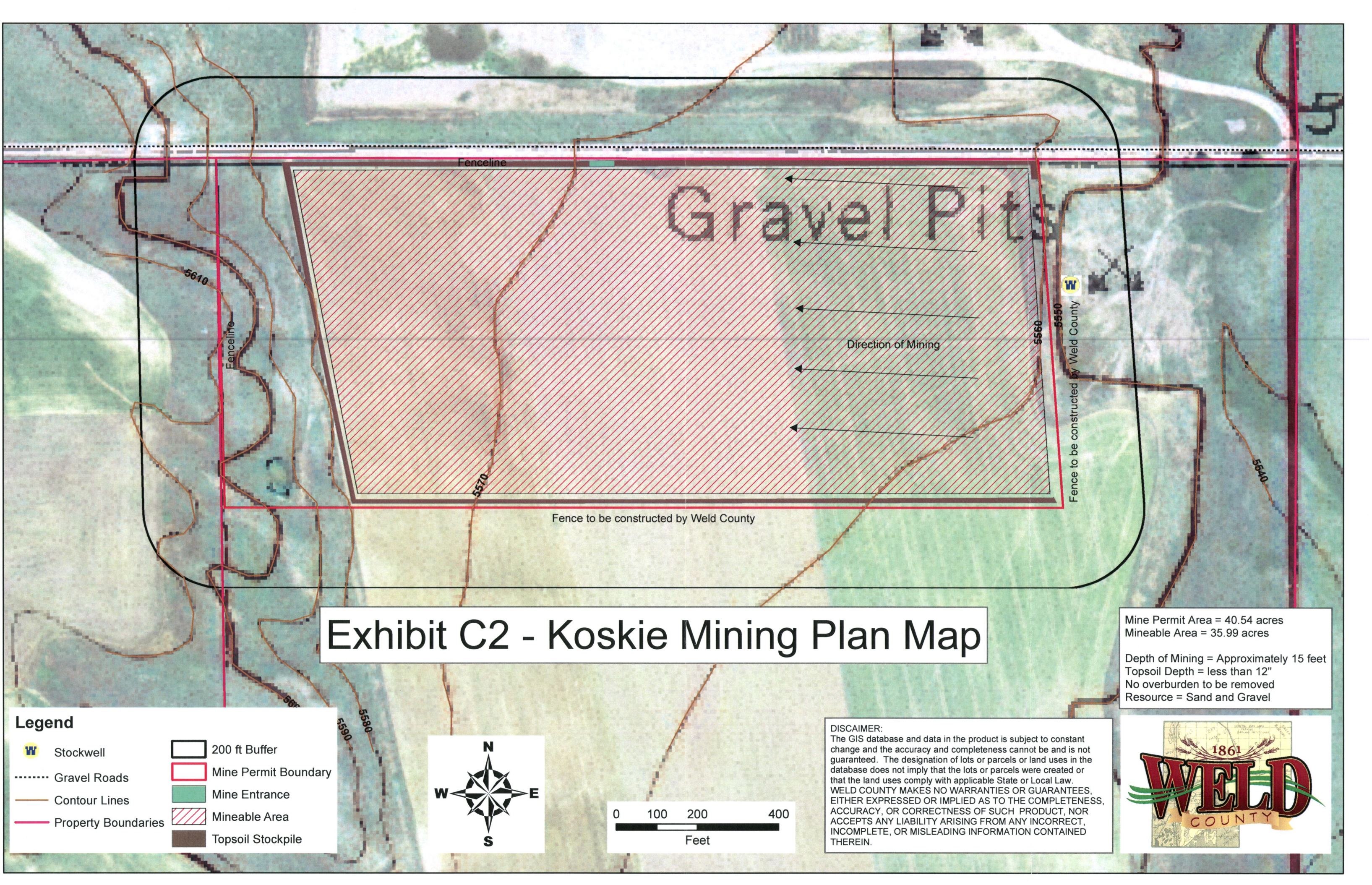
This map was prepared by the Weld County Office of Planning and Economic Development. It is not intended to be used for any purpose other than that for which it was prepared. The County Office of Planning and Economic Development is not responsible for any errors or omissions in this map. The County Office of Planning and Economic Development is not responsible for any damages or losses resulting from the use of this map. The County Office of Planning and Economic Development is not responsible for any claims or liabilities resulting from the use of this map. The County Office of Planning and Economic Development is not responsible for any claims or liabilities resulting from the use of this map.



**EXHIBIT C - Pre-Mining and Mining Plan Maps of Affected Lands**

See the enclosed Exhibit C map.





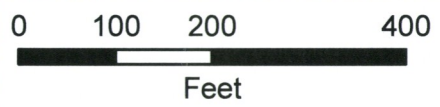
# Exhibit C2 - Koskie Mining Plan Map

Mine Permit Area = 40.54 acres  
Mineable Area = 35.99 acres

Depth of Mining = Approximately 15 feet  
Topsoil Depth = less than 12"  
No overburden to be removed  
Resource = Sand and Gravel

## Legend

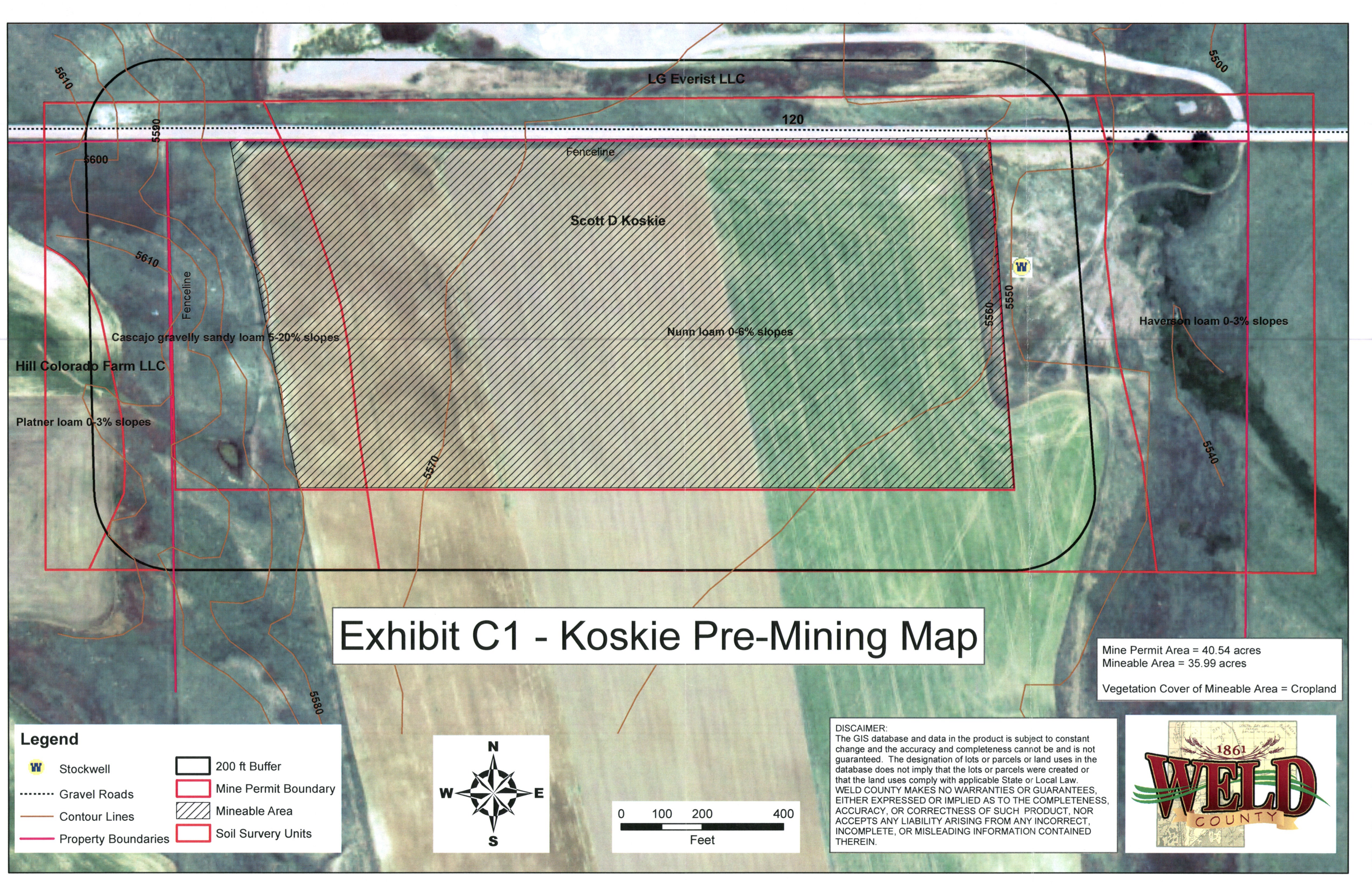
- Stockwell
- Gravel Roads
- Contour Lines
- Property Boundaries
- 200 ft Buffer
- Mine Permit Boundary
- Mine Entrance
- Mineable Area
- Topsoil Stockpile



**DISCLAIMER:**  
The GIS database and data in the product is subject to constant change and the accuracy and completeness cannot be and is not guaranteed. The designation of lots or parcels or land uses in the database does not imply that the lots or parcels were created or that the land uses comply with applicable State or Local Law. WELD COUNTY MAKES NO WARRANTIES OR GUARANTEES, EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS, ACCURACY, OR CORRECTNESS OF SUCH PRODUCT, NOR ACCEPTS ANY LIABILITY ARISING FROM ANY INCORRECT, INCOMPLETE, OR MISLEADING INFORMATION CONTAINED THEREIN.







LG Everist LLC

120

Fenceline

Scott D Koskie

Nunn loam 0-6% slopes

Haverson loam 0-3% slopes

Cascajo gravelly sandy loam 5-20% slopes

Hill Colorado Farm LLC





Platner loam 0-3% slopes

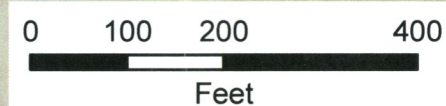
## Exhibit C1 - Koskie Pre-Mining Map

Mine Permit Area = 40.54 acres  
Mineable Area = 35.99 acres

Vegetation Cover of Mineable Area = Cropland

### Legend

- |  |  |
|--|--|
|  Stockwell            |  200 ft Buffer        |
|  Gravel Roads        |  Mine Permit Boundary |
|  Contour Lines       |  Mineable Area        |
|  Property Boundaries |  Soil Survey Units    |



### DISCLAIMER:

The GIS database and data in the product is subject to constant change and the accuracy and completeness cannot be and is not guaranteed. The designation of lots or parcels or land uses in the database does not imply that the lots or parcels were created or that the land uses comply with applicable State or Local Law. WELD COUNTY MAKES NO WARRANTIES OR GUARANTEES, EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS, ACCURACY, OR CORRECTNESS OF SUCH PRODUCT, NOR ACCEPTS ANY LIABILITY ARISING FROM ANY INCORRECT, INCOMPLETE, OR MISLEADING INFORMATION CONTAINED THEREIN.





## **EXHIBIT D - Mining Plan**

- a) It is anticipated that sand and gravel excavation, processing (rock crushing and screening), and stockpiling at the Koskie site will commence upon receipt of approval from the Colorado Division of Mining and Geology and receipt of other necessary permits. Gravel excavation and processing will be seasonal with stockpiling of gravel for later County uses depending upon the local road repair and construction needs. Excavation and stockpiling volumes are anticipated to be approximately 100,000 tons per year. The Koskie site likely has only 10 years or less of gravel and sand reserves. Approximately 30 acres (15 acres for stockpiling and processing and 15 acres for mining) will be disturbed during the initial phase of the mining operation. The area will be stripped so that the crushing and screen plants can be set up on the west end of the permitted area. Mining will start on the east end of the permitted area and progress to the west. It is anticipated that mining will be done using excavators, front end loaders, dozers, scrapers, and haul trucks.
- b) Topsoil thicknesses at the Koskie site are thin, typically less than 12 (twelve) inches. Topsoil will be stockpiled at the location shown on the mine plan map (see Exhibit C). The topsoil piles will be seeded to prevent erosion and loss of soil.
- c) The gravel deposits proposed to be mined are stream channel deposits associated with Lone Tree Creek, an ephemeral stream that is located approximately ½ mile to the east of the Koskie site. Therefore, the thickness of overburden to be removed during gravel extraction is expected to be minimal. Minimal stockpiling of overburden is anticipated. Mined soils unsuitable for construction use will be separated from the mined gravels and may be stockpiled at the site. These soil stockpiles will be utilized for excavation backfill and site reclamation.
- d) The estimated thickness of gravel-bearing zones varies from between 0 and 15 feet thick at the Koskie site. No high wall mining is anticipated.
- e) The enclosed mine plan map (Exhibit D) shows the proposed locations for the haul road, gravel processing (crusher location), soil and gravel product stockpile areas.
- f) The dimensions of any significant disturbances are shown on the mine plan map as 'limit of gravel mining area' and the gravel processing and soil stockpiling areas (see Exhibit D).
- g) Weld County Road 120 extends east-west along the north edge of the Koskie site (see Exhibit D). The gravel excavation and processing areas will be accessed from that county road.
- h) The Koskie property is located approximately ½ mile west of Lone Tree Creek which is an intermittent stream that is typically dry most months of the year. There are no irrigation structures or surface water impoundments existing or planned at the site. There is one well that is used for stock watering within 200 feet of the mine permit area. Water needs for gravel mining and processing operations are expected to be minimal; water for dust control can be obtained and hauled from existing County-owned wells that have been decreed for the appropriate uses. Water from the nearby well will not be used for any County operations. Water used in mining and crushing operations and for dust control is estimated to not exceed approximately 4000 gallons per month during those operations.
- i) Test pitting performed at the Koskie site shows that groundwater is deeper than approximately 15 feet; therefore, it is anticipated that no groundwater will be encountered at the site. In order to avoid exposing groundwater and to facilitate surface water drainage out of the pit, the pit excavation will not be deeper than approximately 15 feet which will be slightly higher than the bench terrace located directly east of and adjacent to the Koskie site. According to information obtained from the State Engineer's Office, the Koskie site is not located within a designated groundwater basin.

- j) It is anticipated that sand and gravel excavation, crushing, and stockpiling at the Koskie site will not disturb surface water or ground water quality. Erosion control measures (Best Management Practices) will be installed along the perimeter of disturbed areas and at the east margin of the site to protect the adjacent intermittent creek area from mined area runoff and sediment. A Colorado Department of Public Health and Environment Stormwater Construction Permit will be obtained prior to the start of mining operations.
- k) Any onsite generated trash will be collected in an on-site dumpster and disposed at the County landfill. No chemicals are anticipated to be utilized at the site.
- l) Best Management Practices, including berms, silt fencing, and straw bales erosion control measures will be installed along the east end of the Koskie site to protect the adjacent intermittent creek area from mined area runoff and sediment. Open excavations are not anticipated to be over 15 feet deep, MSHA approved open excavation and fall protection safety measures including fencing and berms will be installed as needed. During and following mining, side slopes to the pit will be graded for stability and will be re-vegetated as needed to meet the reclamation plan.
- m) A mobile rock crusher and screen plant will be installed in the "gravel processing" location shown on the enclosed mine plan map (Exhibit D) during intermittent crushing operations. It is anticipated that the crusher and other equipment will be re-located to other County-operated gravel processing sites for the majority of any year.
- n) No secondary commodities are anticipated to be extracted or produced at the Koskie site. No asphalt plant or concrete batch plant is planned for the Koskie site.
- o) Gravel and sand extracted from the Koskie site will be utilized by Weld County Public Works Department for repair and maintenance of local County roads and other County construction projects. Soils and mined materials unsuitable for road construction may be stockpiled at the site. These soil stockpiles may be utilized for excavation backfill and site reclamation on County-operated projects. This is a County-operated gravel pit; no commercial gravel and sand sales are anticipated.

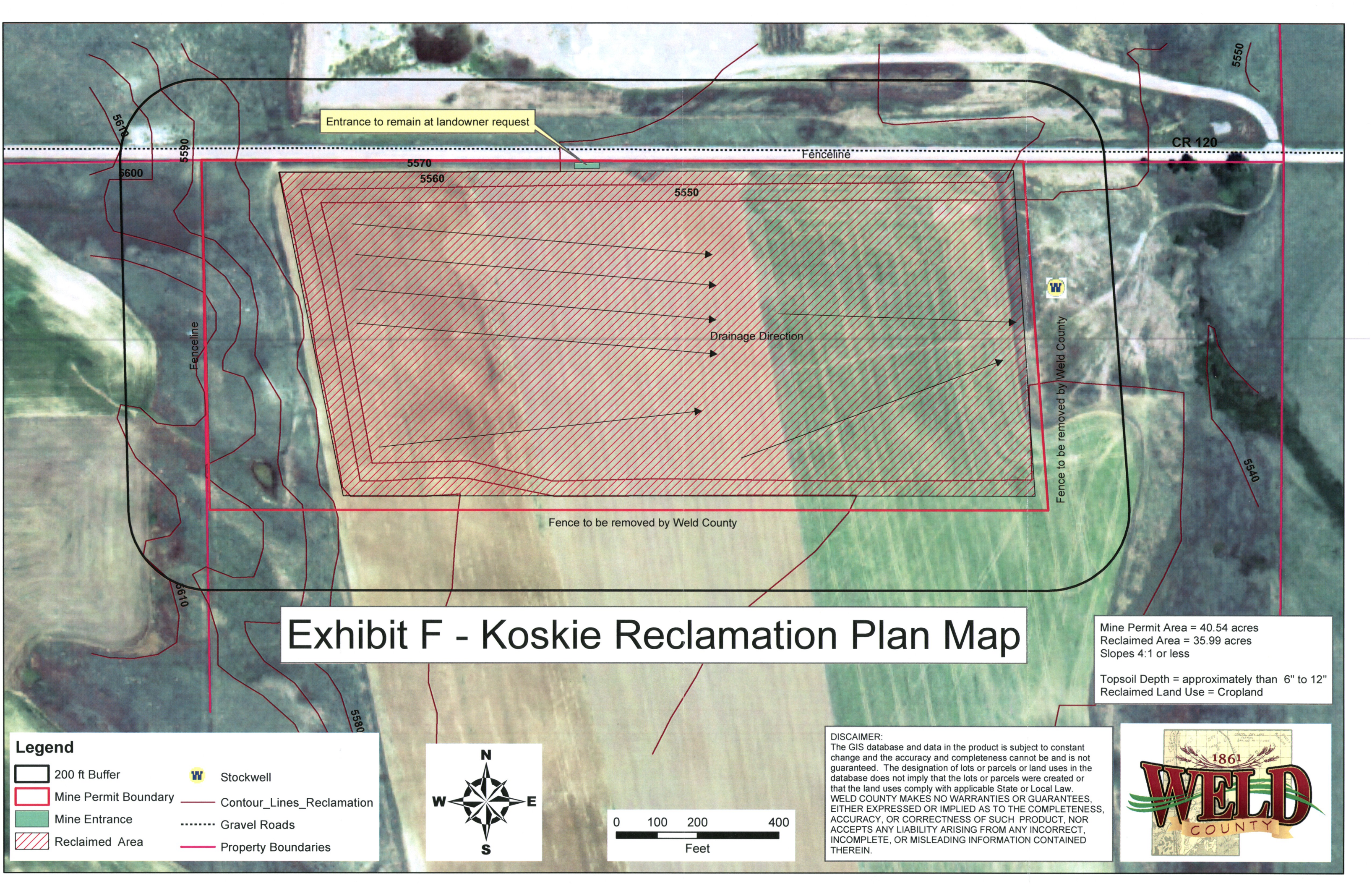
## **EXHIBIT E - Reclamation Plan**

- a) The pre-mining land use is non-irrigated cropland. The perimeter of the fields (approximately 15 feet from fence lines) can be classified as rangeland since it is vegetated with a native grasses. The landowner currently follows a rotation of planting 1/3 of the mining area with winter wheat, 1/3 of the mining area with sudan, and 1/3 of the mining area is left in summer fallow. According to crop insurance records provided by the landowner, the average yield for the period between 2004 and 2013 for winter wheat was 15 bushels/ac. The average yield for the sudan during the same period was 1 to 2 tons/ac for use as cattle feed.
- b) The post-mining land use will be non-irrigated cropland with the expectation that the owner will follow the same pre-mining crop rotation. The proposed post-mining land use is consistent with the surrounding land uses. The property to the north of the permit area has been mined and converted to rangeland, the property to the east is utilized for rangeland, the property to the west is rangeland and cropland, and the unmined portion of the property on which this permit application is submitted for is utilized as cropland.
- c) Reclaimed slopes will be graded at a maximum of four to one (4:1) horizontal to vertical. The portions of the mine permit area that are to be returned to cropland will be graded so they can be traversed with farm equipment.
- d) Site reclamation will be sequential as mined areas are completed. Sand and gravel excavation, crushing, and stockpiling at the Koskie site will commence upon receipt of approval from the Colorado Division of Minerals and Geology. Rock excavation and crushing will be seasonal with stockpiling of gravel for later uses depending upon the local road repair and construction needs. Topsoil stockpiled at the site will be utilized for reclamation following cessation of gravel excavation / mining. The pit will be graded so that any stormwater will be directed along its historical flow path towards Lone Tree Creek. See Exhibit F.
- e) Reclaimed areas will be stabilized by:
  - i) Concurrent regrading on areas of the site where excavation has been completed.
  - ii) Replacement of topsoil in thicknesses equal to or exceeding the original topsoil depths found at the site.
  - iii) Addition of organic matter to the soil as necessary to return the mined area to approximate pre-mining crop production levels.
  - iv) Disturbed areas outside of the fields will be reclaimed with a native grass mixture that is deemed appropriate by the NRCS and Weld County Weed Control requirements.
  - v) The areas reclaimed with the native grass mixture will use a seed mix and application rate to be determined in accordance with NRCS guidelines and Weld County Weed Control requirements.
  - vi) Depending on ambient conditions, the application method for those areas being seeded may be hand broadcast, hydrosseeded, or drilled and crimped. Mulch application may be concurrent with seeding. Mulch may include straw and tackifier.
  - vii) Any required seeding will be done in accordance with NRCS guidance and Weld County Weed Control requirements.
- f) The reclaimed Koskie site is not anticipated to encounter groundwater or surface water and will have no ponds. The mining area access road may be left in place following cessation of mining.
- g) Reconnaissance of the Koskie site indicates that the thickness of overburden to be removed during gravel extraction is minimal. Therefore stockpiling of overburden piles is not anticipated. Soils and waste rock unsuitable for construction materials will be separated from the gravels and may be stockpiled at the site. These soil stockpiles will be utilized for excavation backfill and site reclamation.
- h) Reclamation, backfill, and seeding estimated costs: Under \$60,000.

## **EXHIBIT F - Reclamation Plan Map**

See the attached mine reclamation map (Exhibit F) showing the proposed final re-grading of all disturbed areas.



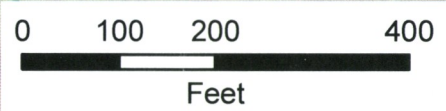


# Exhibit F - Koskie Reclamation Plan Map

Mine Permit Area = 40.54 acres  
Reclaimed Area = 35.99 acres  
Slopes 4:1 or less

Topsoil Depth = approximately than 6" to 12"  
Reclaimed Land Use = Cropland

- Legend**
- 200 ft Buffer
  - Mine Permit Boundary
  - Mine Entrance
  - Reclaimed Area
  - Stockwell
  - Contour\_Lines\_Reclamation
  - Gravel Roads
  - Property Boundaries



**DISCLAIMER:**  
The GIS database and data in the product is subject to constant change and the accuracy and completeness cannot be and is not guaranteed. The designation of lots or parcels or land uses in the database does not imply that the lots or parcels were created or that the land uses comply with applicable State or Local Law. WELD COUNTY MAKES NO WARRANTIES OR GUARANTEES, EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS, ACCURACY, OR CORRECTNESS OF SUCH PRODUCT, NOR ACCEPTS ANY LIABILITY ARISING FROM ANY INCORRECT, INCOMPLETE, OR MISLEADING INFORMATION CONTAINED THEREIN.





## **EXHIBIT G - Water Information**

- a) Test pitting performed at the Koskie site shows that groundwater is deeper than approximately 15 feet; therefore, it is anticipated that no groundwater will be encountered at the site. In order to avoid exposing groundwater and to facilitate surface water drainage out of the pit, the pit excavation will not be deeper than approximately 15 feet which will be slightly higher than the bench terrace located directly east of and adjacent to the Koskie site. According to information obtained from the State Engineer's Office, the Koskie site is not located within a designated groundwater basin.
- b) There are no FEMA-designated floodplains or floodways on the portion of the Koskie site which is proposed for mining activities.
- c) There are no existing or planned surface water impoundments at the Koskie site. Water needs for gravel mining and processing operations are expected to be minimal; water for dust control can be obtained and hauled from County-owned wells which have been permitted for such purposes. It is anticipated that less than 4,000 gallons of water per year will be necessary for dust control purposes. No water is anticipated to be used during the mining or reclamation phases.
- d) There are no irrigation structures on the Koskie property.
- e) There is one well, Well Permit No. 293366, which is located on the property but outside of the mine permit area. According to the well permit, the well is used for livestock watering and has a pumping rate of 2 gallons per minute (gpm). The well is pumped via a windmill and the water is stored in a water tank. Mining is not expected to impact the well or the water supply because groundwater will not be intercepted. Furthermore, the well and windmill will be covered under a structures agreement.
- f) Since groundwater will not be encountered, there will be no need for dewatering the site. Any stormwater that falls on the site will be directed east along its historical flow path towards Lone Tree Creek. A CDPHE Stormwater Construction permit will be obtained for this site and best management practices will prevent the migration of sediment or other pollutants off-site.

## **EXHIBIT H – Wildlife Information**

The Koskie site is currently dry-land farmed, typically for winter wheat and sudan. No trees are present to offer roost or nesting sites for birds.

As the proposed mine permit area is farmed, there are no threatened or endangered species in the mine permit area.

During the mining operation, it is anticipated that there will be no impact to wildlife habitat because there is no wildlife habitat currently within the boundaries of the proposed mine permit area. It is anticipated that the mine permit area will be used for dry-land farming after mining is completed so there will be no impact to the wildlife habitat in the future.



## **EXHIBIT I – Soils Information**

Soils at the Koskie site are described on Sheet 14 of 43 in the Soil Survey of Weld County, Colorado – Northern Part published in 1981 by the Soil Conservation Service.

Soils at the Koskie site include gravelly and loamy alluviums (Ustollic Calciorthids and Aridic Argiustolls) associated with the terrace benches of Lone Tree Creek.

The site contains approximately 8.3 acres of Cascajo gravelly sandy loam (unit 20) and 32.2 acres of Nunn loam (unit 40).

The Cascajo gravelly sandy loam is excessively drained with moderate to very high potential for water erosion and slight wind erosion potential. The Cascajo soils are suitable for rangeland pasture where livestock are managed to prevent overgrazing.

The Nunn loam is well drained with slight to moderate potential for water erosion and slight wind erosion potential. The Nunn soils are suitable for non-irrigated cropland and rangeland pasture where livestock are managed to prevent overgrazing. The main crop grown in the Nunn soils is winter wheat. Low annual precipitation is the main limitation to the crops.

The 1981 soil survey identifies the areas of Cascajo gravelly sandy loams as good for roadfill material and probable for sand and gravel deposits. The 1981 soil survey identifies the areas of Nunn loam as good for roadfill material and improbable for sand and gravel deposits although Weld County's experience at the adjacent Lehr pit in Section 12, T10N, R67W, is that sufficient larger gravel deposits do exist in the subsurface to provide suitable road base material.


Topsoil at the Koskie site is sparse and very thin, typically less than 3 inches thick for the Cascajo soils and typically less than 6 inches thick for the Nunn soils.





## MAP LEGEND

### Area of Interest (AOI)

 Area of Interest (AOI)

### Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

### Special Point Features

 Blowout

 Borrow Pit

 Clay Spot

 Closed Depression

 Gravel Pit

 Gravelly Spot

 Landfill

 Lava Flow

 Marsh or swamp

 Mine or Quarry

 Miscellaneous Water


 Perennial Water

 Rock Outcrop

 Saline Spot

 Sandy Spot

 Severely Eroded Spot


 Sinkhole


 Slide or Slip

 Sodic Spot


 Spoil Area

 Stony Spot


 Very Stony Spot

 Wet Spot

 Other

 Special Line Features

### Water Features

 Streams and Canals


### Transportation

 Rails

 Interstate Highways

 US Routes

 Major Roads

 Local Roads

### Background

 Aerial Photography

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Weld County, Colorado, Northern Part  
Survey Area Data: Version 9, Dec 23, 2013

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 22, 2011—Oct 19, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Weld County, Colorado, Northern Part (CO617)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
20	Cascajo gravelly sandy loam, 5 to 20 percent	8.3	20.0%
40	Nunn loam, 0 to 6 percent	33.4	80.0%
<b>Totals for Area of Interest</b>		<b>41.7</b>	<b>100.0%</b>

### Weld County, Colorado, Northern Part

#### 20—Cascajo gravelly sandy loam, 5 to 20 percent slopes

##### Map Unit Setting

*Elevation:* 4,000 to 5,000 feet

*Mean annual precipitation:* 11 to 13 inches

*Mean annual air temperature:* 52 to 54 degrees F

*Frost-free period:* 120 to 160 days

##### Map Unit Composition

*Cascajo and similar soils:* 85 percent

*Minor components:* 15 percent

##### Description of Cascajo

###### Setting

*Landform:* Ridges,

breaks *Down-slope*

*shape:* Linear *Across-*

*slope shape:* Linear

*Parent material:* Calcareous gravelly alluvium

###### Properties and qualities

*Slope:* 5 to 20 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Excessively drained

*Capacity of the most limiting layer to transmit water (Ksat):* High (2.00 to 6.00 in/hr)

*Depth to water table:* More than 80 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Calcium carbonate, maximum content:* 25

percent *Maximum salinity:* Nonsaline (0.0 to

2.0 mmhos/cm) *Available water capacity:* Low (about 3.9 inches)

###### Interpretive groups

*Farmland classification:* Not prime farmland

*Land capability (nonirrigated):* 7s

*Hydrologic Soil Group:* A

*Ecological site:* Gravel Breaks (R067BY063CO)

###### Typical profile

*0 to 3 inches:* Gravelly sandy loam  
*3 to 24 inches:* Very gravelly loamy sand  
*24 to 60 inches:* Very gravelly sand

#### **40—Nunn loam, 0 to 6 percent slopes**

##### **Map Unit Setting**

*Elevation:* 4,500 to 6,700 feet  
*Mean annual precipitation:* 12 to 18 inches  
*Mean annual air temperature:* 46 to 54 degrees F  
*Frost-free period:* 115 to 180 days

##### **Map Unit Composition**

*Nunn and similar soils:* 85  
percent  
*Minor components:* 15  
percent

##### **Description of Nunn**

###### **Setting**

*Landform:* Stream terraces, plains  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Calcareous loamy alluvium

###### **Properties and qualities**

*Slope:* 0 to 6 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Well drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to moderately high (0.06 to 0.20 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum content:* 15 percent  
*Maximum salinity:* Nonsaline (0.0 to 2.0 mmhos/cm)  
*Available water capacity:* Moderate (about 9.0 inches)

###### **Interpretive groups**

*Farmland classification:* Prime farmland if irrigated  
*Land capability (nonirrigated):* 4c  
*Hydrologic Soil Group:* C  
*Ecological site:* Loamy Plains (R067BY002CO)

###### **Typical profile**

*0 to 7 inches:* Loam  
*7 to 23 inches:* Clay loam  
*23 to 60 inches:* Clay loam  
*60 to 64 inches:* Sandy clay loam

### Construction Materials

Source of Reclamation Material, Roadfill, and Topsoil—Weld County, Colorado, Northern						
Map symbol and soil name	Potential as a source of		Potential as a source of roadfill		Potential as a source of topsoil	
	Rating class and limiting	Value	Rating class and limiting	Value	Rating class and limiting	Value
20—Cascajo gravelly sandy loam, 5 to 20 percent slopes						
Cascajo	Fair		Good		Poor	
	Too sandy	0.12			Rock fragments	0.00
	Low content of organic matter	0.13			Hard to reclaim (rock fragments)	0.00
	Droughty	0.20			Too sandy	0.12
	Carbonate content	0.92			Slope	0.16
					Exchange capacity	0.46
40—Nunn loam, 0 to 6 percent slopes						
Nunn	Fair		Fair		Fair	
	Low content of organic matter	0.50	Low strength	0.22	Too clayey	0.65
	Too clayey	0.79	Shrink-swell	0.71	Rock fragments	0.99
			Dusty	0.84		

Source of Sand and Gravel—Weld County, Colorado, Northern Part				
Map symbol and soil name	Potential as a source of gravel		Potential as a source of sand	
	Rating class and limiting features	Value	Rating class and limiting features	Value
20—Cascajo gravelly sandy loam, 5 to 20 percent slopes				
Cascajo	Fair		Fair	
	Bottom layer	0.13	Bottom layer	0.13
	Thickest layer	0.25	Thickest layer	0.48
40—Nunn loam, 0 to 6 percent slopes				
Nunn	Poor		Poor	
	Bottom layer	0.00	Bottom layer	0.00
	Thickest layer	0.00	Thickest layer	0.00

# Soil Physical Properties

Engineering Properties—Weld County, Colorado, Northern Part													
Map unit symbol and soil name	Hydrologic group	Depth	USDA texture	Classification		Fragments		Percentage passing sieve				Liquid limit	Plasticity index
				Unified	AASHTO	>10 inches	3-10 inches	4	10	40	200		
		<i>In</i>				<i>Pct</i>	<i>Pct</i>					<i>Pct</i>	
20—Cascajo gravelly sandy loam, 5 to 20 percent slopes													
Cascajo	A	0-3	Gravelly sandy loam	GC, GC-GM, GG	A-1, A-2	0-10	0-15	60-80	55-75	35-50	20-30	25-30	5-10
		3-24	Very gravelly sandy	GM, GP, GP-GM	A-1	0	0-15	30-50	25-50	15-30	0-20	—	NP
		24-60	Very gravelly loamy	GP, GP-GM, SP,	A-1	0	0-15	30-60	25-60	15-30	0-10	—	NP
40—Nunn loam, 0 to 6 percent slopes													
Nunn	C	0-7	Loam	CL, CL-	A-4	0	0	100	100	85-95	60-75	25-30	5-10
		7-23	Clay loam,	CH, CL	A-7	0	0-5	95-	90-100	85-95	65-75	40-60	25-40
		23-60	Clay loam, loam,	CL, SC	A-6	0	0-5	80-100	60-100	60-90	35-75	30-40	15-25
		60-64	Sandy clay loam, fine	SC, SC-SM, SM	A-2, A-4	0	0-5	80-100	75-100	50-80	25-50	15-25	NP-10



### **EXHIBIT J – Vegetation Information**

The Koskie site is dry land farmed, usually as winter wheat and sudan. The site planned for gravel excavation and processing has not been irrigated. No trees are present on the Koskie site.

### **EXHIBIT K – Climate Information**

The climate at the Koskie site is classified as semi-arid. Summers are characterized by with daily high temperatures of over 90 degrees Fahrenheit dropping to 50 degrees Fahrenheit at night. Winters are characterized by daytime temperatures near 32 degrees Fahrenheit with nighttime temperatures dropping to 10 to 20 degrees Fahrenheit. Annual precipitation is approximately 12 to 14 inches, with summer precipitation coming from localized convection cell thunderstorms. Winter precipitation comes in the form of snow and rain.

### **EXHIBIT L – Reclamation Costs**

See the attached mine reclamation map (Exhibit F) showing the proposed gradient of all disturbed slopes and the location of revegetation areas. It is anticipated that no ponds will be constructed or remain on site. It is anticipated that the average thickness of overburden is minimal; however, overburden and excavated soil materials unsuitable for road construction will be used to backfill excavated areas and for site re-grading to stable slopes. Stockpiled topsoil will be placed on re-graded areas prior to re-seeding with approved plant type seed mixes. Final site reclamation costs include the cost of native dry land grass seed and mulch application.

The mining plan includes concurrent regrading of mined areas. It is anticipated that final grading and placement of topsoils from on-site stockpiles followed by re-seeding will cost less than \$60,000.

No financial warranty is required because Weld County is a County entity. A written guarantee will be provided stating that the affected lands will be reclaimed in accordance with the terms of the permit.

## **EXHIBIT M – Other Permits and Licenses**

### **List of Other Permits:**

1. The proposed Koskie Pit Gravel Pit operation will comply with Weld County zoning regulations.
  - a. Use by Special Review (USR) permit – approved by the Weld County Board of County Commissioners,
2. Permits will be applied for from the Colorado Department of Public Health and Environment (CDPHE)
  - a. CDPHE – Water Quality Control Division (WQCD) for a storm water discharge permit and,
  - b. Air Pollution Control Division (APCD) for air pollution emission notice (APEN) permit.

Letters of Notification have been sent to the National Resources Conservation Service (NRCS), Colorado Department of Wildlife (DOW) and the Colorado State Historical Society.

**EXHIBIT N – Source of Legal Right – To - Enter**

Please see the attached Right to Enter form. The Koskie property is owned by Scott Koskie and Weld County has entered into a long term lease agreement with the land owner.



## RESOLUTION

**RE: APPROVE AGREEMENT FOR RIGHT TO ENTER TO OBTAIN SOIL AND/OR GRAVEL FOR ROAD PURPOSES AND AUTHORIZE CHAIR TO SIGN – SCOTT KOSKIE**

**WHEREAS**, the Board of County Commissioners of Weld County, Colorado, pursuant to Colorado statute and the Weld County Home Rule Charter, is vested with the authority of administering the affairs of Weld County, Colorado, and

**WHEREAS**, the Board has been presented with an Agreement for the Right to Enter to Obtain Soil and/or Gravel for Road Purposes between the County of Weld, State of Colorado, by and through the Board of County Commissioners of Weld County, on behalf of the Department of Public Works, and Scott Koskie, 14570 N. County Road 7, Wellington, Colorado 80549, with terms and conditions being as stated in said agreement, and

**WHEREAS**, after review, the Board deems it advisable to approve said agreement, a copy of which is attached hereto and incorporated herein by reference.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Weld County, Colorado, that the Agreement for the Right to Enter to Obtain Soil and/or Gravel for Road Purposes between the County of Weld, State of Colorado, by and through the Board of County Commissioners of Weld County, on behalf of the Department of Public Works, and Scott Koskie be, and hereby is, approved.

**BE IT FURTHER RESOLVED** by the Board that the Chair be, and hereby is, authorized to sign said agreement.

The above and foregoing Resolution was, on motion duly made and seconded, adopted by the following vote on the 30th day of October, A.D., 2013.

BOARD OF COUNTY COMMISSIONERS  
WELD COUNTY, COLORADO

ATTEST: Monica Daniel-Rick

Weld County Clerk to the Board

William F. Garcia  
William F. Garcia, Chair

BY: Sam Anderson  
Deputy Clerk to the Board

Douglas Rademacher  
Douglas Rademacher, Pro-Tem

APPROVED AS TO FORM:

[Signature]  
County Attorney



Sean P. Conway  
Sean P. Conway

Mike Freeman  
Mike Freeman

Barbara Kirkmeyer  
Barbara Kirkmeyer

Date of signature: NOV 15 2013

CC: PW, CA, Appl

2013-3066  
EG0068

**RIGHT TO ENTER AGREEMENT**  
**TO OBTAIN SOIL AND/OR GRAVEL**  
**FOR ROAD PURPOSES**

THIS AGREEMENT is made and entered in to this 30<sup>th</sup> day of Oct, 2013, by and between the Board of County Commissioners of the County of Weld, State of Colorado, 1150 "O" Street, Greeley, Colorado 80631, (hereinafter referred to as "County"), and Scott Koskie, 14570 N. County Road 7 Wellington, Colorado 80549, (hereinafter referred to as "Owner")

WITNESSETH:

WHEREAS, Owner is possessed of certain property located at:

East ½ of Section 12, Township 10 North, Range 67 West of the 6<sup>th</sup> P.M.,  
(hereinafter referred to as "Owner's Property"), and

WHEREAS, County intends to engage in one or more road improvements project(s) within Weld County, (hereinafter referred to as the "Project") and is in need of sand, soil, and/or gravel in order to complete said Project, and

WHEREAS, Owner's Property contains sand, soil and/or gravel which County deems appropriate for use in the Project and which Owner desires to sell to County, and

WHEREAS, Owner and County desire to enter into a Lease Agreement to permit County to enter onto a designated portion Owner's Property (hereinafter referred to as the "Leased Area") for the purpose of extracting the soil/gravel.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, County and Owner agree as follows:

1. **Property Description:** Owner's Property which is subject to the terms of this Agreement is the real property described and shown in the attached Exhibit "A", which consists of a legal description, photographs, and maps. The Leased Area to be mined for gravel is depicted in the attached Exhibit "B" by a diagram and photograph. (Exhibits A and B are attached hereto and made a part hereof by this reference.

2. **Term of Agreement:** The Term of this Agreement shall begin on the date of approval of the Section 112c Permit from the Colorado Division of Reclamation Mining and Safety (hereinafter "DRMS") for the mining of Owner's Property, and shall continue through and until the date of the final release of the permit by DRMS. At the time of the execution of this Agreement the parties expect that all mining and removal of soil, sand and/or gravel shall be completed within twelve (12) years of the date of the execution of this Agreement. If additional time is needed to complete the required mining activities, the parties agree that County mining activities may be extended for one additional period of up to five (5) years upon the same terms and conditions. The County shall provide 30 days written notice that the extension period will be initiated. The Owner shall acknowledge the extension notice in writing. The parties

specifically acknowledge that a temporary or permanent cessation of mining activities does not terminate the Agreement; the Agreement extends to the DRMS release of the permit.

3. **Royalty Payments:** County shall pay to Owner a royalty of [REDACTED] per ton for all soil/gravel material removed from the Leased Area described in Paragraph 1 above. Said royalty payment shall be made on or before the last day of the month following the month after which the soil, sand and/or gravel is removed.

4. **Owner's Obligations:** Owner agrees to the following terms and conditions:

- a. Owner grants to County the exclusive right to enter access and/or use the Leased Area throughout the Term of this Agreement for all purposes related to the removal, processing and crushing of soil, sand and/or gravel and to conduct reclamation activities following the cessation of mining activities.
- b. Owner grants to County the right to bring equipment onto the Leased Area which is deemed necessary by County to remove the soil, sand and/or gravel and to crush said gravel as required by County for its Project(s), and also to complete its reclamation activities after mining activities have ceased.
- c. Owner shall provide land for a haul route from a public road directly to the Leased Area; the haul route is depicted on Exhibit B and has been accepted by both parties.
- d. Owner shall not engage in any activity on the Leased Area throughout the Term of the Agreement which interferes with County's mining activities, with its efforts to secure a mining permit, or with its efforts to reclaim the property following the cessation of mining activities without the express written consent of County.
- e. Owner shall cooperate with County in its efforts to secure all required mining permits, and agrees to execute any documents required to be executed by the Owner of the mined property in relation to said permits. Any expenses associated with the permitting process shall be borne by County.

5. **County's Obligations:** County agrees to the following terms and conditions:

- a. County shall construct and maintain the haul route described in Paragraph 4.c. above in good condition and shall obliterate said haul route upon the termination of this Agreement, if requested to do so by Owner.
- b. County shall maintain accurate records of all soil, sand and/or gravel removed from the property described in Paragraph 1 above, and shall make said records available to Owner for inspection in its offices located at 1111 H Street, Greeley, Colorado, from 8:00 a.m. until 5:00 p.m., Monday through Friday, except during all holidays recognized by Weld County. Each royalty payment made to Owner shall be accompanied by a statement of the amount of gravel mined by County since the close of the previous mining period for which the previous royalty payment was made.
- c. During each year in which the County conducts crushing activities on the leased area, the County agrees to provide up to one hundred (100) tons of gravel on or before the 31st day of December to Owner for its exclusive use, commencing upon the first year of operation by County. The parties agree that the gravel

provided to Owner shall be of the same quality and type as that removed by the County. Owner agrees that prior to the removal of the materials, the County shall be consulted to determine from which stockpile on the leased area the gravel shall be removed. If County does not conduct crushing activities during any year, no gravel shall be provided to Owner. County's responsibility to provide gravel to Owner shall cease upon County's written Notice to Owner that its mining activities have ceased and the reclamation process has commenced.

- d. County shall be responsible for obtaining all necessary State, County and Federal permits, which shall not include permits for asphalt and/or concrete batch plants. County shall pay the entire cost of necessary surveying for the mining operation. County shall consult with Owner during the permitting process and shall exercise due diligence in obtaining all required permits in a timely fashion. County shall conduct the mining and extraction activities in compliance with the terms of each permit, specifically including the permit issued by the Colorado Division of Reclamation, Mining and Safety.
- e. County shall be responsible for the construction and maintenance of any improvements required by the terms of the permit. Following cessation of its mining activities, County shall remove the improvements, unless Owner requests that such improvements remain. If County constructs a temporary entrance/exit on the leased area, said temporary entrance/exit may be left intact for Owner's use only if an access permit can be issued to Owner consistent with Weld County policy concerning such permits.
- f. County shall install a cattle guard at the access point onto CR 120. Additionally, the County shall install a gate constructed of wire fencing of sufficient width to accommodate the Owner's farming equipment. The County will coordinate with the Owner to ensure that the gate is of sufficient width. At the conclusion of mining, the cattle guard will be left in place at the request of the Owner.
- g. County shall notify Owner thirty (30) days prior to the commencement of mining activities
- h. County shall notify Owner thirty (30) days prior to the cessation of mining activities. The term of this Agreement, however, will extend to the date of the release of the permit by the DRMS.
- i. If Owner provides his social security number to the Weld County Controller, County will annually issue to Owner a 1099 to report the royalties paid and/or taken in kind pursuant to the terms of this Agreement.

**6. Notices:** All notices of Termination or other demand by Owner or by County shall be in writing and sent by Certified Mail, Return Receipt, or by E-mail with a Confirmation of Receipt as follows:

OWNER: Scott Koskie  
ADDRESS: 14570 N. County Road 7  
Wellington, Colorado 80549  
EMAIL ADDRESS: scottkoskie@aol.com

COUNTY: David Bauer, Director of Public Works  
ADDRESS: P.O. Box 758  
Greeley, Colorado 80632  
EMAIL: [dbauer@co.weld.co.us](mailto:dbauer@co.weld.co.us)

7. **Non-Assignment:** This Agreement shall not be assigned by either party without the express written consent of the other party.

8. **Recitals:** Each of the Recitals set forth in the introduction of this Agreement forms a part of and expressly is incorporated into this Agreement of the parties.

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9. **Approval by the Board of County Commissioners of Weld County:** This Agreement shall not be valid until it has been first approved by the Board of County Commissioners of Weld County, Colorado or its designee.

10. **Governmental Immunity:** No term or condition of this contract shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections or other provisions, of the Colorado Governmental Immunity Act §§24-10-101 et seq., as applicable now or hereafter amended.

11. **No Third Party Beneficiary Enforcement:** It is expressly understood and agreed that the enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the undersigned parties and nothing in this Agreement shall give or allow any claim or right of action whatsoever by any other person not included in this Agreement. It is the express intention of the undersigned parties that any entity other than the undersigned parties receiving services or benefits under this Agreement shall be an incidental beneficiary only.

12. **Entire Agreement/Modifications.** This Agreement contains the entire agreement between the parties hereto and supersedes any other agreements concerning the subject matter addressed in this Agreement. No modifications, amendments, novations, renewals or other alteration of or to this Agreement shall be deemed valid or of any force or effect whatsoever, unless mutually agreed upon in writing by the parties to this Agreement. This Agreement may be changed or supplemented only by a written instrument signed by both parties.

---

13. **Acceptance not Waiver.** No breach of any term, provision or clause of this Agreement shall be deemed waived or excused, unless a waiver or consent shall be in writing and signed by the party claimed to have waived or consented to the breach. Any consent by any party hereto, or waiver of, a breach by the other party, whether express or implied, shall not constitute a consent to, waiver of, or excuse for any other different or subsequent breach.

---

14. **Interruptions.** Neither party to this Agreement shall be liable to the other for delays in delivery or failure to deliver or otherwise to perform any obligation under this Agreement, where such failure is due to any cause beyond its reasonable control, including but not limited to Acts of God, fires, strikes, war, flood, earthquakes or Governmental actions.



15. **No Conflict.** During the term of this Agreement, no employee of Owner nor any member of Owner's family shall serve on a County Board, committee or hold any such position which either by rule, practice or action nominates, recommends, or supervises County's activities of Owner's property.

16. **Severability.** If any term or condition of this Agreement shall be held to be invalid, illegal, or unenforceable, this Agreement shall be construed and enforced without such provision, to the extent that this Agreement is then capable of execution within the original intent of the parties.

17. **Attorneys Fees/Legal Costs:** In the event of a dispute between County and Owner, concerning this Agreement, the parties agree that County shall not be liable to or responsible for the payment of attorney fees and/or legal costs incurred by or on behalf of Owner.

18. **Fund Availability:** Financial obligations of the County payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted and otherwise made available. By execution of this Agreement, County does not warrant that funds will be available to fund this Agreement beyond the current fiscal year. No portion of this Agreement shall be deemed to create an obligation on the part of County to expend funds not otherwise appropriated or budgeted for. County will not engage in mining and/or crushing activities unless funds for such activities have been appropriated, budgeted or otherwise been made available for such activities.

IN WITNESS WHEREOF, the parties have duly executed this Agreement as of the date first stated above.

Owner Signature: Scott D Koskie  
Printed Name: Scott Koskie

Date: 17 September 2013

SCOTT KOSKIE

BOARD OF COUNTY COMMISSIONERS  
WELD COUNTY, COLORADO

ATTEST:

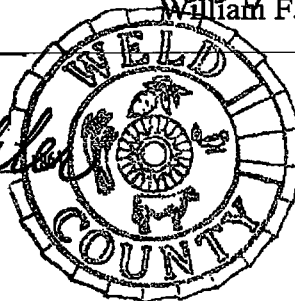
Mona Daniel-Rick

William F. Garcia, Chair

OCT 30 2013

Weld County Clerk to the Board

BY: Donna J. Seckler  
Deputy Clerk to the Board



## EXHIBIT A

746

### SPECIAL WARRANTY DEED

THIS DEED, Made this 21<sup>st</sup> day of October, 2010, between Scott D. Koskie, 14570 N. County Road 7, Wellington, Colorado 80549 and Peggy J. Koskie, 2212 Creststone Court, Fort Collins, Colorado 80525 of County of Larimer, State of Colorado, GRANTORS and Scott D. Koskie, whose legal address is 14570 N. County Road 7, Wellington, Colorado 80549, of County of Larimer, State of Colorado, GRANTEE.

WITNESSETH, That the GRANTOR for and in consideration of the parties' separation agreement in their divorce and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey, and conform, unto the GRANTEE(s) his heirs and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Weld and State of Colorado, described as follows:

The E1/2 of Section 12, Township 10 North, Range 67 West of the 6<sup>th</sup> P.M., County of Weld, State of Colorado

Scott D. Koskie does hereby reserve an undivided one-quarter interest in and to all of the coal, oil, gas, and other minerals in and under, and what may be produced from the above described lands; and, the Grantors have by Mineral Deed, conveyed an equal one quarter interest to Peggy J. Koskie per the parties' agreement.

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in any wise 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(s), 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(s), his heirs and assigns forever. And the GRANTOR(s), for themselves their heirs and personal representatives or successors, do covenant and agree that they shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the GRANTOR(s) his heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by through or under the GRANTOR(s).

IN WITNESS WHEREOF, the GRANTOR(s) have executed this deed on the dates set forth above.

Scott D. Koskie  
Scott D. Koskie

Peggy J. Koskie  
Peggy J. Koskie

After Recording Return To:  
Law Office of Craig Stirn  
343 West Drake Road, Suite 105  
Fort Collins, Colorado 80526

3727746 10/25/2010 04:24P Weld County, CO  
1 of 2 R 16.00 D 0.00 Steve Moreno Clerk & Recorder

STATE OF COLORADO )  
 ) ss.  
COUNTY OF LARIMER )

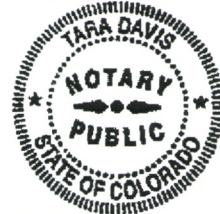
3727746 10/25/2010 04:24P Weld County, CO  
2 of 2 R 16.00 D 0.00 Steve Moreno Clerk & Recorder

The foregoing instrument was acknowledged before me in the County of Larimer, State of Colorado, this 19<sup>th</sup> day of October, 2010, by Scott D. Koskie.

Witness my hand and official seal.

My commission expires: 11-14-2012

Tara Davis  
Notary Public



My Commission Expires  
11-14-2012

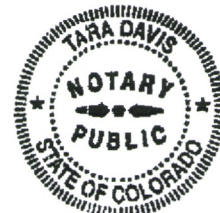
STATE OF COLORADO )  
 ) ss.  
COUNTY OF LARIMER )

The foregoing instrument was acknowledged before me in the County of Larimer, State of Colorado, this 2<sup>nd</sup> day of October, 2010, by Peggy J. Koskie.

Witness my hand and official seal.

My commission expires: 11-14-2012

Tara Davis  
Notary Public



My Commission Expires  
11-14-2012





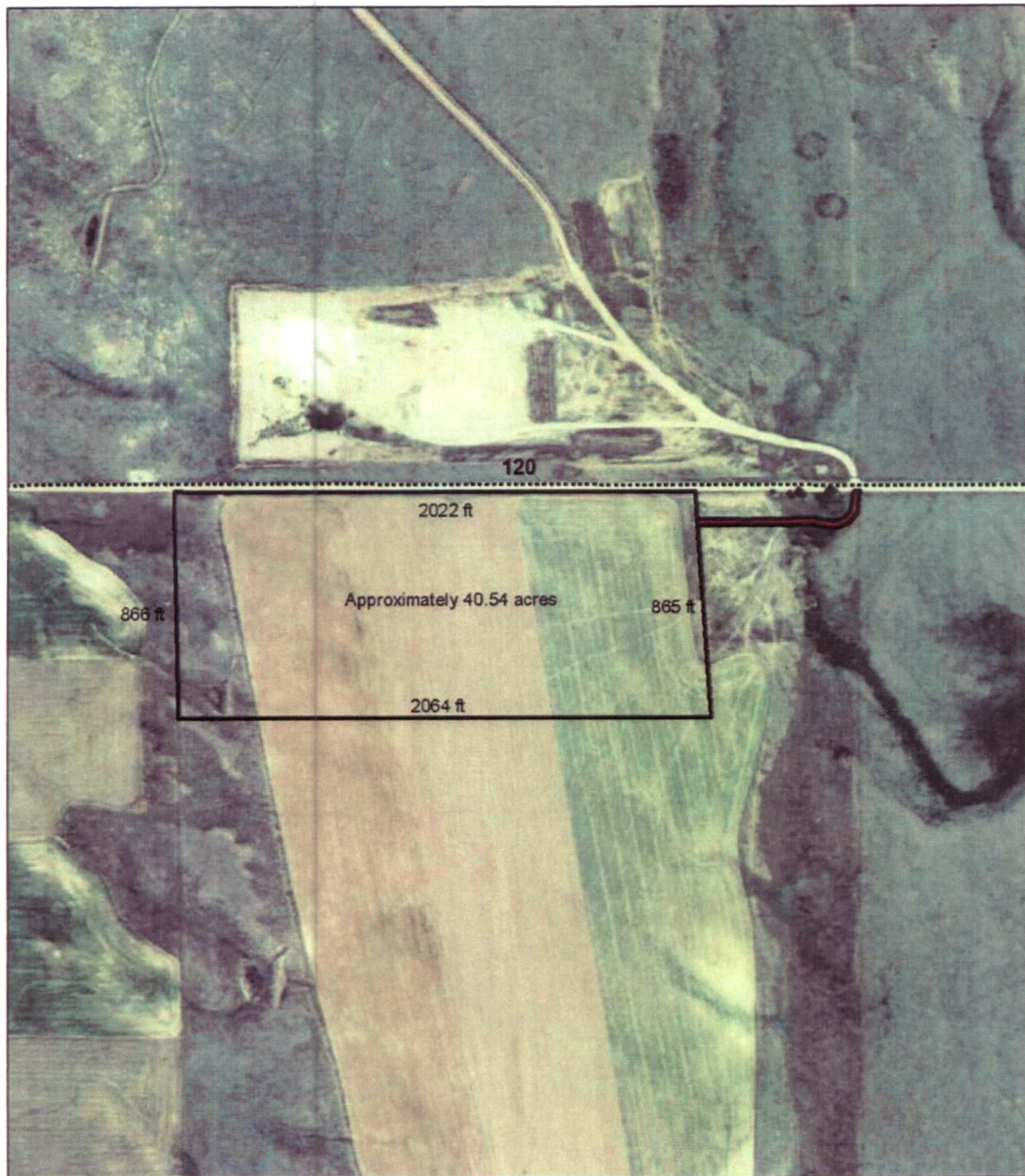
Photo 1: View of Property looking West



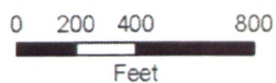
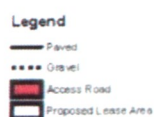
Photo 2: View of Property Looking East



## EXHIBIT B



## Koskie Lease Area Map

[illegible]

**EXHIBIT O – Owners of Record of Affected Land (Surface Area) and Owners of Substance to be Mined**

The land owner of the Koskie site is: Scott Koskie

The owner of the sand and gravel under the Koskie site is: Scott Koskie

### **EXHIBIT P – Municipalities within Two Miles**

The proposed Koskie site lies in unincorporated Weld County. There are no municipalities within a 2 mile radius of the proposed Koskie gravel mine site. The unincorporated town of Carr is approximately 3.3 miles to the northwest. The town of Nunn is approximately 10 miles south and east of the Koskie site. The adjacent CR 120 gravel road is owned and maintained by Weld County Government. .

**EXHIBIT Q – Proof of Mailing of Notices to County Commissioners and Conservation District**

Please see the attached.



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

Weld County Public Works (the "Applicant/Operator") has applied for a Regular (112) reclamation permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct the extraction of construction materials operations in 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 Division of Reclamation, Mining, and Safety (the "Division") and the local county clerk and recorder.

The applicant/operator proposes to reclaim the affected land to use. Pursuant to Section 34-32.5-116(4)(m), C.R.S., the Board may confer with the local Board of County Commissioners before approving of 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 on the application within twenty (20) days of the date of last publication of 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 the Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567.

You may also contact the applicant directly at the number below.

Weld County Public Works  
Attention: Clay Kimmi  
970-304-6496 x 3741

**Hand Delivered**

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

NOTICE TO THE BOARD OF SUPERVISORS  
OF THE LOCAL CONSERVATION DISTRICT  
WEST GREELEY CONSERVATION DISTRICT

Weld County Public Works (the "Applicant/Operator") has applied for a Regular (112) reclamation permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct the extraction of construction materials operations in 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 Division of Reclamation, Mining, and Safety (the "Division") and the local county clerk and recorder.

The applicant/operator proposes to reclaim the affected land to use. Pursuant to Section 34-32.5-116(4)(m), C.R.S., the Board may confer with the local Board of County Commissioners before approving of 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 on the application within twenty (20) days of the date of last publication of 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 the Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567.

You may also contact the applicant directly at the number below.

Weld County Public Works  
Attention: Clay Kimmi  
970-304-6496 x 3741

7011 2970 0002 2017 1671

<b>U.S. Postal Service™</b>	
<b>CERTIFIED MAIL™ RECEIPT</b>	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a> ®	
SENT 4-14-2014	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Postmark Here	
Sent To WEST GREELEY CONSERVATION DISTRICT	
Street, Apt. No., or PO Box No. 4302 W 9th ST RD	
City, State, ZIP+4 GREELEY CO 80634	
PS Form 3800, August 2006 See Reverse for Instructions	

**EXHIBIT R – Proof of Filing with the Weld County Clerk and Recorder**

Please see the attached.



**PUBLIC WORKS DEPARTMENT**  
1111 H STREET, P.O. BOX 758  
GREELEY, COLORADO 80632  
WEBSITE: [WWW.CO.WELD.CO.US](http://WWW.CO.WELD.CO.US)  
PHONE: (970) 304-9496  
FAX: (970) 304-6497

April 14, 2014

Weld County Clerk to the Board  
Weld County Board of County Commissioners  
1150 O St  
Greeley, CO 80631

Re: Koskie Pit DRMS Application

Dear Sir/Madam,

We are delivering to you herewith, an application for a Division of Reclamation, Mining, and Safety (DRMS) mine permit at the Koskie Pit to be operated by Weld County Public Works. Two copies of the application are on file with the DRMS.

This copy of the application is delivered to you pursuant to 34-32.5-112(9)(a), C.R.S. 1995, as amended, which states in part:

"... the application 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."

The attached application must be kept for public review until the permit has been approved by the DRMS. We will contact you once the permit is approved and make arrangements to pickup this copy.

Please acknowledge receipt of the copy of the permit application by signing in the appropriate space provided below and returning one copy of this letter to the person delivering the application. This letter will be submitted to the DRMS to prove the application was delivered to your office.

Sincerely,

Clay Kimmi, P.E., CFM  
**Weld County Public Works**  
**Senior Engineer/Project Manager**

Enclosure:

**RECEIVED**

**APR 14 2014**

**WELD COUNTY  
COMMISSIONERS**

RECEIVED THIS 14<sup>th</sup> DAY OF April, 2014, on copy of  
the application packet for the above referenced mine.

**WELD COUNTY CLERK TO THE BOARD**

BY:

### **EXHIBIT S – Permanent Man-Made Structures**

Weld County Road 120, a County-maintained graded gravel road extends east-west along the north property line of the Koskie site. Visual reconnaissance of the proposed gravel excavation and gravel processing areas shows one livestock water well and windmill, a fence on the north side of the site, and a fence on the east side of the property. The livestock water well and fences are owned by Scott Koskie. Weld County owns and maintains CR 120.

A Structure Agreement with Scott Koskie will be provided.

Since CR 120 is owned and maintained by Weld County, a structure agreement is not needed.





BOARD OF COUNTY COMMISSIONERS  
1150 O STREET  
P.O. BOX 758  
GREELEY, COLORADO 80632  
PHONE: 970-336-7204  
FAX: 970-352-0242

March 27, 2014

Scott Koskie  
14570 N. County Road  
Wellington, Colorado 80549

Re: Agreement for Compensation for Damage to Structures within 200 Feet of Mining Activities

Dear Mr. Koskie:

On October 30, 2013, the Board of County Commissioners of Weld County approved and authorized the Chairman's signature on a document entitled, "Right to Enter Agreement to Obtain Soil and/or Gravel for Road Purposes," with you being listed as the "Owner" in the Agreement. The property is: East ½ of Section 12, Township 10 North, Range 67 West of the 6<sup>th</sup> P.M., Weld County, Colorado ("the Property"). Weld County is currently applying for a permit from the State of Colorado, Division of Reclamation, Mining, and Safety ("DRMS"), to mine the property. The DRMS permit application requires the submittal of an agreement between the prospective permit holder and owners of structures located within 200 feet of the proposed area to be mined, agreeing to provide compensation to the owners if the mining causes any damages to the structures.

Clay Kimmi, Senior Engineer for Weld County, has informed me that the County's mining operations on the Property will come within approximately 30 feet of the fence lines on the north and west sides of the mine permit area, and within approximately 50 feet of your windmill and livestock water well. Mr. Kimmi reports that: "Slope stability will not be an issue because we will not mine to a high wall (vertical wall) condition and the reclamation slopes will have to be shallow enough to allow farm implements to traverse it. The well sits at an elevation that is about 15 feet lower than the current land surface. We will mine about 15 feet of material. Therefore, in the vicinity of the well, the final land surface will be about the same elevation as the well so there are no slope stability issues."

The purpose of this letter is to request your authorization to conduct mining and reclamation activities within 200 feet of these structures. In return for such authorization, Weld County agrees to provide you with fair compensation if, in the course of conducting the mining and reclamation activities, the structures are damaged as a direct result of the activities.

Letter Agreement, Koskie

March 27, 2014

Page 2

Your acknowledged signature below grants permission for Weld County to conduct mining and reclamation activities within 200 feet of the following structures: the fence lines on the north and west sides of the mine permit area, and the windmill and livestock water well located adjacent to the mine permit area.

If you have any questions, please feel free to call Bruce T. Barker, Weld County Attorney, at (970) 356-4000, ext. 4390, or Mr. Kimmi at (970) 356-4000, ext. 3750.

Sincerely,

Douglas Rademacher, Chairman  
Board of County Commissioners of Weld County

Please sign below, have your signature acknowledged in the space provided, and send this document to: Bruce T. Barker, Weld County Attorney, P.O. Box 758, 1150 O Street, Greeley, Colorado 80632.

\_\_\_\_\_  
Scott Koskie

STATE OF \_\_\_\_\_ )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_.

Witness my hand and official seal.

\_\_\_\_\_  
Notary Public

My Commission Expires:

pc: Clay Kimmi, Senior Engineer

**EXHIBIT T.** - Proof of mailing notices of permit application

Please see the attached.

### **ADDENDUM 1 – Notice Requirements:**

✓ Board of County Commissioners

✓ Soil Conservation District

Colorado Historical Society

Adjacent landowners within 500 feet of the site boundaries

Notice in newspaper – published once within 10 days of date of application is considered; submitted to

DMG; also mail notice to landowners

Notice posted at site.

AN EXAMPLE PUBLIC NOTICE WHICH MEETS THE REQUIREMENTS OF THE STATUTES IS SHOWN BELOW. THE BLANKS WHICH REQUIRE DATES WILL NEED TO BE FILLED IN ACCORDING TO THE FOLLOWING INSTRUCTIONS. PLEASE READ CAREFULLY.

**PUBLICATION INSTRUCTIONS:**

Date of commencement and date of completion should represent the dates which you feel most accurately describe the life of the operation.

For all Regular (112) types of operations, this notice must be published once a week for four (4) consecutive weeks, starting within ten (10) days of the date the application is considered to be submitted to the Division. The final date for receiving comments is the 20th day after the fourth publication or the next regular business day.

All notices must be published in a newspaper of general circulation in the locality of the proposed mining operation and mailed to the landowners as set forth in the Colorado Mined Land Reclamation Rules and Regulations. Since the date for consideration of your application may change, DO NOT include it in this notice.

For a complete discussion of the notice procedures and objections, please refer to C.R.S. 34-32.5-112(10), 114 and 115.

\*\*\*\*\*  
\*\*\*\*\*

**PUBLIC NOTICE**

(Operator Name) Weld County Public Works; (Address and Phone Number) PO Box 758, Greeley, CO, 80632, 970-304-6496, has filed an application for a Regular (112) Construction Materials Operation Reclamation Permit with the Colorado Mined Land Reclamation Board under provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials. The proposed mine is known as the (Name of the Mine) Koskie Pit, and is located at or near Section 12, Township 10, Range 67, 6th Prime Meridian.

The proposed date of commencement is August 1, 2014, and the proposed date of completion is August 1, 2026. The proposed future use of the land is (Future Landuse) non-irrigated cropland. Additional information and tentative decision date may be obtained from the Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567, or at the (County Name) Weld County Clerk and Recorder's office; (Clerk and Recorder's Address) 1150 O St, Greeley, CO 80632, or the above-named applicant.

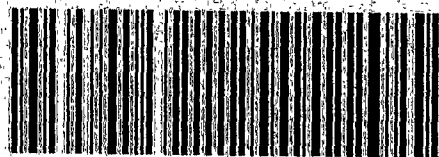
Comments must be in writing and must be received by the Division of Reclamation, Mining, and Safety by 4:00 p.m. on (Final Date for Comments) \_\_\_\_\_.

*Please note that under the provisions of C.R.S. 34-32.5-101 et seq. 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, and Safety or the Mined Land Reclamation Board.*



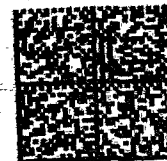
ELD COUNTY PUBLIC WORKS DEPT  
111 H STREET  
O BOX 758  
REELEY CO 80632

**CERTIFIED MAIL™**

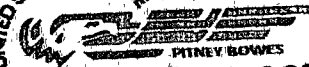


7011 2970 0002 2017 1701

Priority Mail  
ComBazPrice



UNITED STATES POSTAGE



**\$ 11.32<sup>0</sup>**

02 1R

0002011513

APR 18 2014

MAILED FROM ZIP CODE 80631

DIVISION OF RECLAMATION  
MINING & SAFETY  
1313 SHERMAN ST ROOM 215  
DENVER CO 80203-2273

Division of Reclamation, Mining, and Safety

Fee Receipt for M2014024

Weld County Public Works

000000000

Receipt #: 17255

Date: 04/21/2014

Permit: M2014024

Payment Method	Revenue Code	Fee Description/Notes	Amount
3292611 msr	4300-02	Minerals Application Fees M2014-024 paid by Weld County	\$2,696.00
Receipt Total:			\$2,696.00