

6.3.1 EXHIBIT A – Legal Description and Location Map

Mining activity at this pit is anticipated to occur each year but not for more than 180 days per year. We request this pit be granted intermittent status.

1.
 - a. a tract of land located in part of the SWSW ¼ of Sec 19, T29S, R55W and the NWNW ¼ of Sec 30, T29S, R55W of the 6th P.M., County of Las Animas, State of Colorado
 - b. main entrance location UTM NAD 1983 Zone 13N 621472e, 4150847n
 - c. UTM NAD 1983 Zone 13N boundary location as follows
From the point of beginning located at 621472e 4150844n

To a point located at	621528.29	4150936.89
To a point located at	621562.74	4150921.37
To a point located at	621626.98	4150910.14
To a point located at	621642.50	4150893.35
To a point located at	621645.08	4150830.05
To a point located at	621607.21	4150797.65
To a point located at	621651.84	4150693.63
To a point located at	621601.43	4150597.58
To a point located at	621571.04	4150627.54
To a point located at	621543.10	4150661.83
To a point located at	621531.04	4150694.48
To a point located at	621538.99	4150758.03

To the point of beginning

Containing 8.5 acres more or less

2. main entrance to mine site is UTM NAD 1983 Zone 13N 621472e, 4150847n;
main entrance and nearest County Road intersection is 621472e, 4150847n
3. See Exhibit A (3) a map containing the required information.

6.3.2 EXHIBIT B – Site Description

- a. Description of vegetation – see Exhibit B a 1, 2 & 3 a letter from the Colorado Department of Wildlife. See Exhibit B a 4, 5 and 6 soil information.
- b. There are fences located within 200’ of the northern, eastern and southern boundaries owned by Mesa De Maya Ranch and one jointly owned between Mesa De Maya Ranch and Daniel Peacock near the eastern pit boundary. All are shown on Exhibit E 2 – Mining Plan Map.
- c. There are no live water resources in the area. If a storm event happens such that water flows, Plum Creek may receive drainage from the affected area that then flows into the Chacuaco Creek.
- d. Wildlife statement – see Exhibit B a 1, 2 & 3

6.3.3 EXHIBIT C – Mining Plan

There will be periods that this pit will be idle since Las Animas County’s processing equipment is used/moved throughout the County to various pits dependent upon the

County road segments that need base material, but the pit will remain active during these idle periods.

- a. Mining will commence in the spring of 2014 once all permits and other requirements are approved and a means of producing road base materials is secured. This operation will be active annually but less than 180 days per year and will be in intermittent status.
- b. Estimated depth of soil suitable as a plant growth medium is ~~2" to 4"~~ app 6". ~~If soil suitable for plant growth is stockpiled, the stockpiles may be created by the use of loaders and/or trucks and/or conveyors. To stabilize salvaged soil stockpiles, they will be seeded in accordance Exhibit B a 1, 2 & 3 with the same grass seed blend as recommended for reclaimed topsoil as shown in Exhibit B a 1, 2 & 3, that being buffalo and blue gramma grasses at an application described elsewhere in these exhibits.~~
- c. There is minimal overburden, app 1" to 12", in this area and it is anticipated it will be mixed into the material that is fed the processing equipment.
- d. The deposit thickness is approximately 10 feet.
- e. The pit's western boundary is in close proximity to County Road 165.4. There is an existing ranch road from 165.4 to the pit that will be utilized for accessing the pit. Processing facilities may include, crushers, screening plants, loaders, trucks, dozers, backhoes and motor graders.
- f. The dimension of any significant disturbances such as pit excavations is potentially the entire permitted area. No mine benches or impoundments are anticipated. Stockpile dimension will vary but should not be of significant size.
- g. Existing County Road 165.4 is approximately 18' wide. No improvements are anticipated for this road except the placement of road base produced at this pit. The existing ranch road is approximately 10' wide and 20' long. Improvements will include using a motor grader to smooth the surface. No other improvements are anticipated.
- h. No water will be used in conjunction with the operation.
- i. There will be no significant effect on the hydrology and water quality in the area. ~~There is no evidence of ground water that will be affected by the operation.~~ Ground water will not be encountered by this operation. The site generates minimal runoff. If necessary, diversion ditches, berms and/or sediment basins will be constructed to control surface runoff all in accordance with this pit's storm water permit.
- j. No injury to existing water rights is anticipated.
- k. If refuse and acid or toxic producing materials are exposed, excavation operations will immediately cease. Exposed areas will, without delay, be buried and covered with other excavated material and compacted.
- l. After reclamation, slopes will not be steeper than 3:1. The bottom of the pit should be relatively level. Revegetation of reclaimed areas will be done in accordance Exhibit B a 1, 2 & 3. The pure live seed mixture of buffalo and blue gramma grasses will be placed at a rate of app 1000 lb/acres blended at 40% buffalo and 60% gramma. This mixture will also be used for top soil stockpile stabilization if needed as documented elsewhere in these exhibits.
- m. The deposit will be processed on site. A dozer, loader and/or trucks will be used to push, load and haul topsoil to the topsoil stockpile. After the topsoil is relocated, the dozer and loader will commence to excavate material (pit run). The

- loader will dump the pit run into a hopper which feeds a portable crusher and/or screen, dumping onto the flat belt(s) that dumps onto the stacking conveyor that dumps the processed material on to the processed material stockpile. The initial extraction will start in the western area of the pit and progress toward the southern and eastern portions of it. After some duration, the processing equipment will be relocated to another pit. During these periods of idleness, this pit needs to stay active in intermittent status. When processing renews, the processing equipment will be at different location (dependent upon deposits mined and available) within the pit.
- n. Road base is the primary commodity. Secondary commodities may be large rocks that may be used as rip rap to mitigate County Road right of way erosion problems.
 - o. No incidental products are anticipated.
 - p. No explosives will be used in conjunction with mining or reclamation of this pit.

6.3.4 EXHIBIT D – Reclamation Plan

- (1)
 - a. Preliminary surveys indicate there is minimal overburden. If significant quantities are encountered overburden may be replaced in extraction areas once these areas are of sufficient size to allow for its efficient and safe placement. The depth of replacement will depend on the amount of overburden encountered. Overburden may also be added to the final product during the production process and/or used on County Road ROWs.
 - b. Maximum reclaimed gradients will be no steeper than 3:1.
 - c. Revegetation of the site may include the screening of the top soil, dependent upon the amount of large rock in the topsoil.
 - i. The thickness of the medium to be replaced is estimated to be between 2² and 4² app 6².
 - ii. Seeding is anticipated to be completed after all the excavation and overburden and topsoil placement has been completed. Seed type will be as per Exhibit B a 1, 2 & 3. If surface compaction conditions warrant, a harrow or disk will be used to “loosen” the surface prior to the seed being placed. A grass drill may also be used.
 - iii. Grass species will be in accordance with the Exhibit B a 1, 2 & 3. The pure live seed mixture of buffalo and blue gramma grasses will be placed at a rate of app 1000 lb/acres blended at 40% buffalo and 60% gramma. This mixture will also be used for top soil stockpile stabilization if needed as documented elsewhere in these exhibits. If placement of the grass seed is by broadcasting, the rate of placement will be increased to 2000 lb/acre at the same percentages. No shrubs, trees or any other vegetation will be planted/placed as part of the reclamation process. ~~Any other vegetation being used during reclamation isn't anticipated.~~ There are existing cottonwood trees at the eastern and western boundaries of the proposed pit. Efforts will be made to not disturb the trees that are near the boundaries.

- iv. Anticipated methods for applying seed are by drill but may include broadcasting. ~~If broadcasting is used, twice the seed application rate will be used.~~
 - v. If mulch is needed, application method will be ~~to crimp straw into the soil utilizing a piece of tracked equipment (ex. dozer) or disc. The rate of application will be 2 tons per acre. in accordance with Exhibit B a 1, 2 & 3.~~
 - vi. The use of trees or shrubs is not anticipated. ~~Only grasses will be planted for the reclamation of this site.~~
 - d. No ponds, streams, roads and building will remain after reclamation except the existing ranch road.
 - e. Waste rock encountered may be used for various purposes within the County's road's right of way. Reclamation treatment of rock will be to bury it below the top soil prior to seeding. No other features are anticipated to be encountered.
- (2) Unit of County government

6.3.5 EXHIBIT E - Map

- (1) See below
- (2) Exhibit E 2 Mining Plan Map
- (3) Exhibit E 3 Reclamation Plan Map

6.3.6 EXHIBIT F – List of Other Permits and Licenses Required

- (1) Stormwater Permit and possible APEN notice from the Colorado Dept of Health
- (2) Las Animas County Special Use Permit

6.3.7 EXHIBIT G – Source of Legal Right-to-Enter

See “CONTACT FOR REMOVAL OF GRAVEL” (5 pages)

6.3.8 EXHIBIT H – Municipalities Within a Two-mile Radius

No municipalities exist within a two-mile radius

6.3.9 EXHIBIT I – Proof of Filing with County Clerk

See Exhibit I proof of delivery to the Las Animas County Clerk

6.3.10 EXHIBIT J – Proof of Mailing of Notices to Board of Commissioners and Soil Conservation District

See Exhibit J 1 proof of delivery to the Las Animas County Board of County Commissioners

See Exhibit J 2 proof of delivery to the local Soil Conservation District

6.3.11 EXHIBIT K – Terms of Governmental Contract

Mesa De Maya Pit Exhibits

Not applicable

6.3.12 EXHIBIT L – Permanent Man – Made Structures

See Exhibit L 1 pgs 1-3 agreement with Mesa De Maya

See Exhibit L 2 pgs 1-3 agreement with Daniel Peacock

Exhibit B a 1



COLORADO PARKS & WILDLIFE

2500 South Main Street • Lamar, Colorado 81052
Phone (719) 336-6600 • FAX (719) 336-6623
cpw.state.co.us

December 29th, 2013

Phil Dorenkamp
Las Animas County Road & Bridge
2000 N. Linden Ave.
Trinidad, CO 81082

Re:

Dear Mr. Dorenkamp,

Thank you for providing the opportunity to comment on the proposed Las Animas County Mesa De Maya pit located on both the Daugherty and Peacock properties and further described by the following legal description; SWSW 1/4 Section 19, Township 29S, Range 55W, Las Animas County, Colorado.

As requested we have reviewed the proposed development of the Las Animas Mesa De Maya Pit and understand that the area to be utilized encompasses a total of 8.5 acres. The 8.5 acres within the permitted area will be used by Las Animas County to mine road base material and rip-rap. We understand that these materials will be used for county road maintenance, fill material, and erosion control.

A site visit for the proposed Las Animas County Mesa De Maya pit was conducted by District Wildlife Manager Mike Brown. Colorado Parks & Wildlife terrestrial and conservation biologists were also consulted on the project.

The proposed 8.5 acre Mesa De Maya pit is located within a small dry wash arroyo along an intermittent stream otherwise known as plum creek. The creek only holds or contains water during extreme run off or major flooding events, ultimately draining into Chacuaco creek. The proposed site location contains numerous old growth cottonwood trees at both the eastern and western borders of the proposed pit location. The overall arroyo contains large amounts of sandy soil in addition to numerous sized rocks. The site lacks any substantial vegetative cover but some short grass prairie can be found above the wash or flood plain of plum creek.

STATE OF COLORADO

John W. Hickenlooper, Governor • Mike King, Executive Director, Department of Natural Resources
Bob D. Broscheid, Director, Colorado Parks and Wildlife
Parks and Wildlife Commission: Robert W. Bray • Chris Castilian, Secretary • Jeanne Home
Bill Kane, Chair • Gaspar Perricone • James Pribyl • John Singletary
Mark Smith, Vice-Chair • James Vigil • Dean Wingfield • Michelle Zimmerman
Ex Officio Members: Mike King and John Salazar

Exhibit B a 2

The proposed pit location is located in an area with a high degree of wildlife diversity. The following list of species may be found throughout the area.

Elk, Mule Deer, Bighorn Sheep, White Tailed Deer, Swift Fox, Coyote, Bobcat, Mountain Lion, Black Bear, Mountain Cottontail, Jack Rabbit, Scaled Quail, Merriam's Turkey, Greater Roadrunner, Bald Eagle, Northern Harrier, Red-Tailed Hawk, Ferruginous Hawk, American Kestrel, Mountain Blue-bird, Plateau Lizard, Great Plains Skink, Western Rattlesnake, Massasauga Rattlesnake, Night Snake, Texas Blind Snake, and Texas Horned Lizard. This list of wildlife species is not exhaustive.

Agency GIS species maps indicated that a bald eagle nesting and foraging corridor is located approximately 3-5 miles west of the proposed pit location. During the site visit no bald eagle nests were observed in any of the adjacent old growth cottonwood trees, nor were any eagles observed.

The impacts from the Las Animas Mesa De Maya pit as proposed and properly mitigated may be characterized as minimal with no significant impacts. To our knowledge there are no known Threatened or endangered species in the exact area of the proposed 8.5 acre pit location. Additionally, the project will not affect any aquatic species or wetlands.

The gravel pits impacts to wildlife are likely to be minimal. The pits surface acreage is small. The proposed Las Animas Mesa De Maya pit will likely result in a small amount of habitat loss to the above mentioned species, however small modifications to the mining plan and reclamation work may be done to help mitigate this loss and actually improve the overall value of wildlife habitat throughout the area.

The greatest impacts to wildlife may be from the increase in human activity. The area will see increased vehicle traffic. The noise and disturbance from vehicles, heavy machinery, and people may cause some species of wildlife to avoid the area temporarily. This will be especially true during the day.

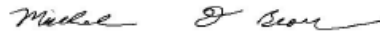
The greatest habitat loss would be the destruction and or removal of any of the old growth cottonwood trees within the proposed pit location. Additional habitat loss to the area would include the destruction of native bunchgrass. From a reclamation standpoint, buffalo grass, and blue gramma may be re-planted or re-established throughout the site. Every effort should be made to keep from removing any of the cottonwood trees within the area. Pit excavations could be focused near and or around these trees as they provide wildlife habitat for most if not all of the mentioned species that occupy the area. Turkeys and raptors will heavily use the trees as a roost and or perch while other species might use cottonwoods for shade and cover. It would be impossible to replace these trees and the benefits they provide for wildlife in the event they are removed.

Exhibit B a 3

Additionally, skunk brush, bitterbrush, sand hill plums, and sumac may be planted in random fashion throughout the area. These shrubs do quite well within the foothills, mountain slopes and mesas on all aspects. These shrubs usually have a high degree of drought tolerance and can be planted in elevations that range from 3,000 to 10,000 ft. All of these shrubs provide excellent cover for wildlife species in addition to being an important browse or food source.

Once again, thank you for the opportunity to comment on this issue. We appreciate your consideration of our comments for the proposed Las Animas Mesa De Maya pit. If you have any questions regarding this letter, please feel free to contact the Lamar Service Center (719-336-6600), or District Wildlife Manager, Michael Brown (719-980-0025).

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael D Brown".

Michael D Brown
District Wildlife Manager
Colorado Parks and Wildlife
P.O. Box 101
Kim, CO 81049
(719)-980-0025

Mesa De Maya Pit Exhibits

Exhibit B a 4

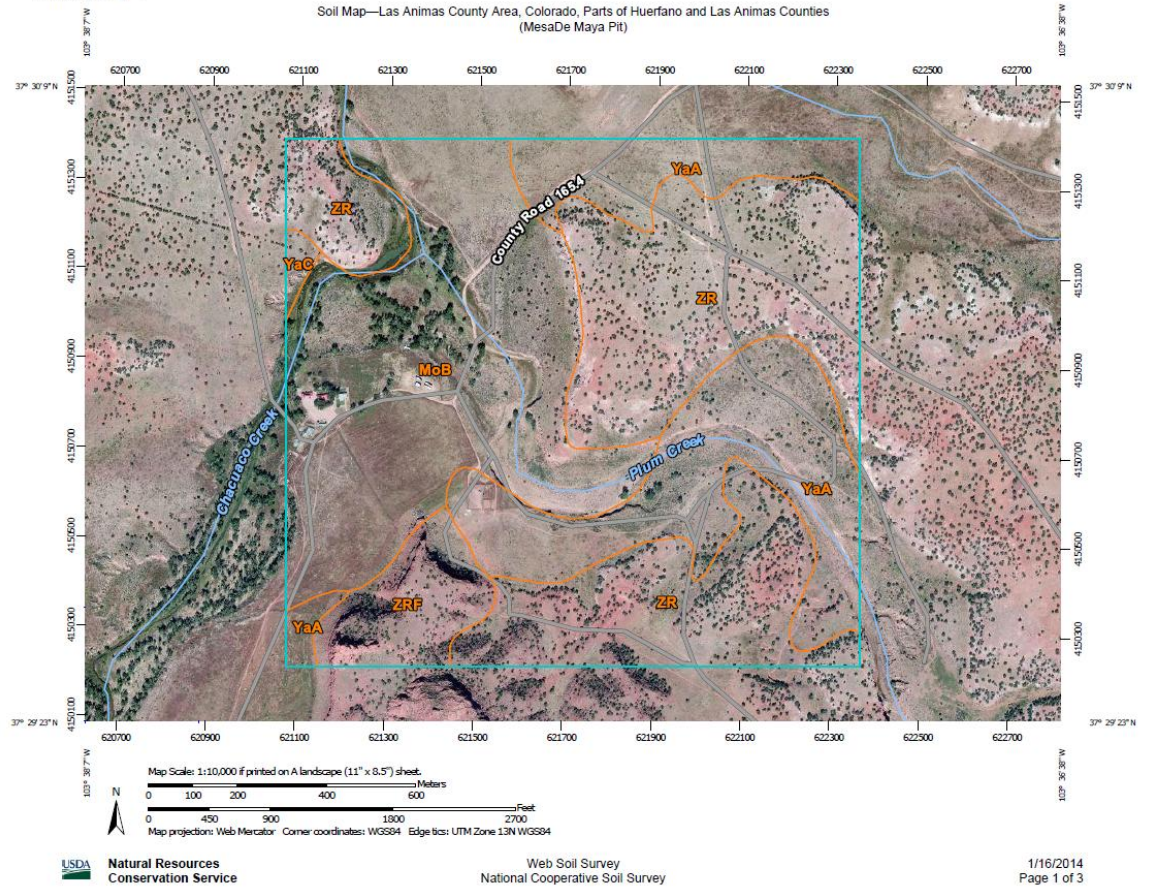


Exhibit B a 6

Soil Map—Las Animas County Area, Colorado, Parts of Huerfano and Las Animas Counties

MesaDe Maya Pit

Map Unit Legend

Las Animas County Area, Colorado, Parts of Huerfano and Las Animas Counties (C0628)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
MoB	Mauricanyon loam, 0 to 2 percent slopes, dry	125.2	33.2%
YaA	Yattle fine sandy loam, 0 to 1 percent slopes	88.8	23.5%
YaC	Yattle fine sandy loam, 1 to 6 percent slopes	2.2	0.6%
ZR	Rizozo-Rock outcrop complex, 3 to 20 percent slopes	140.0	37.1%
ZRF	Rizozo-Rock outcrop complex, 20 to 50 percent slopes	21.2	5.6%
Totals for Area of Interest		377.4	100.0%