

# 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



John W. Hickenlooper  
Governor

Mike King  
Executive Director

Virginia Brannon  
Director

July 1, 2014

Melanie Bounds  
Huerfano County  
401 Main Street, Suite 101  
Walsenburg, CO 81089

**Re: LONE TREE PIT, File No. M-2014-034, Receipt of 112 Construction Materials  
Reclamation Permit Application**

Dear Ms. Bounds,

On July 1, 2014, the Division of Reclamation, Mining and Safety received your 112 Construction Materials Reclamation Permit application for the LONE TREE PIT, which is located in Huerfano County. All comment and review periods began on July 1, 2014. The decision date for your application is scheduled for September 29, 2014.

Within ten (10) days after submittal, you must publish notice in a newspaper of general circulation in the locality of the proposed mining operation once a week for four (4) consecutive weeks. Immediately after the first publication, mail a copy of the notice to all owners of record of surface and mineral rights, holders of any recorded easements, and all owners of record of lands that are within 200 feet of the boundary of the affected land. Proof of notice and mailings, such as Certified Mail - Return Receipt Requested, must be submitted to the Division of Reclamation, Mining and Safety prior to the decision date. Additionally, any changes or additions to the application on file in our office must also be reflected in the public review copy, which has been placed with the Huerfano County Clerk and Recorder.

The Division is reviewing your application to determine whether it is adequate to meet the requirements of the Act. We will contact you if additional information is needed.

Please be reminded that all operators must contact the Colorado Department of Health, Water Quality Control Division regarding storm water permits.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Tyler V. O'Donnell/sms".

Tyler V. O'Donnell  
Environmental Protection Specialist

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Virginia Brannon  
Director

July 1, 2014

Scott King  
Huerfano County Commissioners- District- 2  
Chairman  
401 Main St, Ste. 201  
Walsenburg, CO 81089

**RE: Notice of 112 Construction Materials Reclamation Permit Application Consideration  
Huerfano County, LONE TREE PIT, File No. M-2014-034**

Dear Mr. King,

Please be advised that on July 1, 2014, Huerfano County, whose address and telephone number are 401 Main Street, Suite 101, Walsenburg, CO 81089; (719) 738-3000, filed an application to conduct Surface extraction of construction materials and reclamation, at or near Section 24, Township 27S, Range 66W, 06th Principal Meridian, in Huerfano County. Please be advised that the permit area may be located in more than one Section, Township, and Range. The application decision is scheduled for September 29, 2014.

A copy of the application is available for review at the Huerfano County Clerk & Recorder's office and at the office of the Division of Reclamation, Mining and Safety, Room 215, 1313 Sherman Street, Denver, Colorado 80203.

If you desire to make comments or objections, they must be submitted within twenty (20) days of the date of the last newspaper public notice to be considered in the application review process by the Division. You should contact the applicant for the newspaper publication date. If we do not receive your comments or any objection by the end of the public comment period, the Office will assume you have no objection or comment to the proposed activity.

If you have any questions, please contact me.

Sincerely,

Tyler V. O'Donnell  
Environmental Protection Specialist

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John W. Hickenlooper  
Governor

Mike King  
Executive Director

Virginia Brannon  
Director

July 1, 2014

Steve B. Channel  
Huerfano County Planning Department  
Planning Director  
401 Main St, Ste 101  
Walsenburg, CO 81089

**RE: Notice of 112 Construction Materials Reclamation Permit Application Consideration  
Huerfano County, LONE TREE PIT, File No. M-2014-034**

Dear Mr. Channel,

Please be advised that on July 1, 2014, Huerfano County, whose address and telephone number are 401 Main Street, Suite 101, Walsenburg, CO 81089; (719) 738-3000, filed an application to conduct Surface extraction of construction materials and reclamation, at or near Section 24, Township 27S, Range 66W, 06th Principal Meridian, in Huerfano County. Please be advised that the permit area may be located in more than one Section, Township, and Range. The application decision is scheduled for September 29, 2014.

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Sincerely,

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Environmental Protection Specialist

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Governor

Mike King  
Executive Director

Virginia Brannon  
Director

July 1, 2014

Jennifer Lopez  
Board of Supervisors - Soil Conservation Dist  
Upper Huerfano Conservation District  
711 Walsen Ave., Ste. A  
Walsenburg, CO 81089

**RE: Notice of 112 Construction Materials Reclamation Permit Application Consideration  
Huerfano County, LONE TREE PIT, File No. M-2014-034**

Dear Ms. Lopez,

Please be advised that on July 1, 2014, Huerfano County, whose address and telephone number are 401 Main Street, Suite 101, Walsenburg, CO 81089; (719) 738-3000, filed an application to conduct Surface extraction of construction materials and reclamation, at or near Section 24, Township 27S, Range 66W, 06th Principal Meridian, in Huerfano County. Please be advised that the permit area may be located in more than one Section, Township, and Range. The application decision is scheduled for September 29, 2014.

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Sincerely,

*Tyler V. O'Donnell/sms*

Tyler V. O'Donnell  
Environmental Protection Specialist

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Virginia Brannon  
Director

July 1, 2014

Dan Prenzlowl  
Colorado Parks and Wildlife  
Southeast Region Manager  
SE Region Administrative Office  
4255 Sinton Rd.  
Colorado Springs, CO 80907-4233

**RE: Notice of 112 Construction Materials Reclamation Permit Application Consideration  
Huerfano County, LONE TREE PIT, File No. M-2014-034**

Dear Mr. Prenzlowl,

Please be advised that on July 1, 2014, Huerfano County, whose address and telephone number are 401 Main Street, Suite 101, Walsenburg, CO 81089; (719) 738-3000, filed an application to conduct Surface extraction of construction materials and reclamation, at or near Section 24, Township 27S, Range 66W, 06th Principal Meridian, in Huerfano County. Please be advised that the permit area may be located in more than one Section, Township, and Range. The application decision is scheduled for September 29, 2014.

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Sincerely,

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Environmental Protection Specialist

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Governor

Mike King  
Executive Director

Virginia Brannon  
Director

July 1, 2014

Van Truan  
U.S. Army Corps of Engineers  
Southern Regulatory Office  
200 S Santa Fe Ave Ste 301  
Pueblo, CO 81003

**RE: Notice of 112 Construction Materials Reclamation Permit Application Consideration  
Huerfano County, LONE TREE PIT, File No. M-2014-034**

Dear Mr. Truan,

Please be advised that on July 1, 2014, Huerfano County, whose address and telephone number are 401 Main Street, Suite 101, Walsenburg, CO 81089; (719) 738-3000, filed an application to conduct Surface extraction of construction materials and reclamation, at or near Section 24, Township 27S, Range 66W, 06th Principal Meridian, in Huerfano County. Please be advised that the permit area may be located in more than one Section, Township, and Range. The application decision is scheduled for September 29, 2014.

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Tyler V. O'Donnell  
Environmental Protection Specialist

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John W. Hickenlooper  
Governor

Mike King  
Executive Director

Virginia Brannon  
Director

July 1, 2014

Arch Crouse  
Air Pollution Control Division  
Colorado Dept of Public Health/ Environment  
4300 Cherry Creek Drive South  
Denver, CO 80246-1530

**RE: Notice of 112 Construction Materials Reclamation Permit Application Consideration  
Huerfano County, LONE TREE PIT, File No. M-2014-034**

Dear Mr. Crouse,

Please be advised that on July 1, 2014, Huerfano County, whose address and telephone number are 401 Main Street, Suite 101, Walsenburg, CO 81089; (719) 738-3000, filed an application to conduct Surface extraction of construction materials and reclamation, at or near Section 24, Township 27S, Range 66W, 06th Principal Meridian, in Huerfano County. Please be advised that the permit area may be located in more than one Section, Township, and Range. The application decision is scheduled for September 29, 2014.

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Sincerely,

*Tyler V. O'Donnell/sms*

Tyler V. O'Donnell  
Environmental Protection Specialist

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Governor

Mike King  
Executive Director

Virginia Brannon  
Director

July 1, 2014

Mark Tobias  
Office of Archaeology & Historic Preservation  
History Colorado Center  
1200 Broadway  
Denver, CO 80203

**RE: Notice of 112 Construction Materials Reclamation Permit Application Consideration  
Huerfano County, LONE TREE PIT, File No. M-2014-034**

Dear Mr. Tobias,

Please be advised that on July 1, 2014, Huerfano County, whose address and telephone number are 401 Main Street, Suite 101, Walsenburg, CO 81089; (719) 738-3000, filed an application to conduct Surface extraction of construction materials and reclamation, at or near Section 24, Township 27S, Range 66W, 06th Principal Meridian, in Huerfano County. Please be advised that the permit area may be located in more than one Section, Township, and Range. The application decision is scheduled for September 29, 2014.

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Tyler V. O'Donnell  
Environmental Protection Specialist



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John W. Hickenlooper  
Governor

Mike King  
Executive Director

Virginia Brannon  
Director

July 1, 2014

Peter Milonas  
State Board of Land Commissioners  
Department of Natural Resources  
1127 Sherman Street, Suite 300  
Denver, CO 80203-2206

**RE: Notice of 112 Construction Materials Reclamation Permit Application Consideration  
Huerfano County, LONE TREE PIT, File No. M-2014-034**

Dear Mr. Milonas,

Please be advised that on July 1, 2014, Huerfano County, whose address and telephone number are 401 Main Street, Suite 101, Walsenburg, CO 81089; (719) 738-3000, filed an application to conduct Surface extraction of construction materials and reclamation, at or near Section 24, Township 27S, Range 66W, 06th Principal Meridian, in Huerfano County. Please be advised that the permit area may be located in more than one Section, Township, and Range. The application decision is scheduled for September 29, 2014.

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*Tyler V. O'Donnell/sms*

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Environmental Protection Specialist

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Mike King  
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Virginia Brannon  
Director

July 1, 2014

Shannon V. Johnson  
Division of Water Resources  
Department of Natural Resources  
1313 Sherman Street, Room 818  
Denver, CO 80203

**RE: Notice of 112 Construction Materials Reclamation Permit Application Consideration  
Huerfano County, LONE TREE PIT, File No. M-2014-034**

Dear Ms. Johnson,

Please be advised that on July 1, 2014, Huerfano County, whose address and telephone number are 401 Main Street, Suite 101, Walsenburg, CO 81089; (719) 738-3000, filed an application to conduct Surface extraction of construction materials and reclamation, at or near Section 24, Township 27S, Range 66W, 06th Principal Meridian, in Huerfano County. Please be advised that the permit area may be located in more than one Section, Township, and Range. The application decision is scheduled for September 29, 2014.

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Environmental Protection Specialist

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John W. Hickenlooper  
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Mike King  
Executive Director

Virginia Brannon  
Director

July 1, 2014

Janet Kieler  
Colo Dept of Public Health and Environment  
Water Quality Control Division Permit Section  
4300 Cherry Creek Drive South  
Denver, CO 80246-1530

**RE: Notice of 112 Construction Materials Reclamation Permit Application Consideration  
Huerfano County, LONE TREE PIT, File No. M-2014-034**

Dear Ms. Kieler,

Please be advised that on July 1, 2014, Huerfano County, whose address and telephone number are 401 Main Street, Suite 101, Walsenburg, CO 81089; (719) 738-3000, filed an application to conduct Surface extraction of construction materials and reclamation, at or near Section 24, Township 27S, Range 66W, 06th Principal Meridian, in Huerfano County. Please be advised that the permit area may be located in more than one Section, Township, and Range. The application decision is scheduled for September 29, 2014.

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Sincerely,

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Tyler V. O'Donnell  
Environmental Protection Specialist

TAK TOB

# STATE OF COLORADO

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

RECEIVED

JUN 27 2014

DIVISION OF RECLAMATION  
MINING AND SAFETY

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

Permit # M 2014 034 (Please reference the file number currently assigned to this operation)

X 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): HUERFANO COUNTY GOVERNMENT
  - 1.1 Type of organization (corporation, partnership, etc.): COLORADO COUNTY
2. Operation name (pit, mine or site name): LONE TREE PIT
3. Permitted acreage (new or existing site): 56 permitted acres
  - 3.1 Change in acreage (+)        acres
  - 3.2 Total acreage in Permit area 56 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 ROAD BASE BORROW
  - 5.1 Incidental commodity(ies) to be mined:
 

1. <u>0</u>	-	lbs/Tons/yr	2. <u>0</u>	/	lbs/Tons/yr
3. <u>      </u>	/	lbs/Tons/yr	4. <u>0</u>	/	lbs/Tons/yr
5. <u>0</u>	/	lbs/Tons/yr			
  - 5.2 Anticipated end use of primary commodity(ies) to be mined: HUERFANO COUNTY ROADS
  - 5.3 Anticipated end use of incidental commodity(ies) to be mined: N/A

6. **Name of owner of subsurface rights of affected land:** CITY OF WALSENBURG, COLORADO  
If 2 or more owners, "refer to Exhibit O".

7. **Name of owner of surface of affected land:** CITY OF WALSENBURG, COLORADO

8. **Type of mining operation:** X Surface        Underground

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

COUNTY: HUERFANO

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

SECTION (write number): S 24

TOWNSHIP (write number and check direction): T 27        North X South

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

QUARTER SECTION (check one):        NE        NW        SE X SW

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

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

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)                    (5 decimal places)

Longitude(W)                    (5 decimal places)

OR

Universal Transverse Mercator (UTM)

Example: 201336.3 E NAD27 Zone 13  
4398351.2 N

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

Easting 523825

Northing 4169599

11. Correspondence Information:

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

Contact's Name: MELANIE BOUNDS Title: Public Works Coordinator  
Company: HUERFANO COUNTY GOVERNMENT  
Street/P.O. Box: 401 MAIN STREET, SUITE 105  
City: WASLENBURG  
State: COLORADO Zip Code: 81089  
Telephone Number: ( 719 ) - 738-3000 ext. 105  
Fax Number: ( 719 ) - 738-3996

PERMITTING CONTACT (if different from applicant/operator above)

Contact's Name: JOE GAGLIANO Title: CONSULTANT  
Company: GAGLIANO ENGINEERING  
Street/P.O. Box: 1740 EAGLERIDGE BLVD P.O. BOX 2520  
City: PUEBLO  
State: COLORADO Zip Code: 81008  
Telephone Number: ( 719 ) - 547-7073  
Fax Number: ( 719 ) - 547-7073

INSPECTION CONTACT

Contact's Name: MELANIE BOUNDS Title: Public Works Coordinator  
Company: HUERFANO COUNTY GOVERNMENT  
Street/P.O. Box: 401 MAIN STREET, SUITE 105  
City: WALSLENBURG  
State: COLORADO Zip Code: 81008  
Telephone Number: ( 719 ) - 738-3000 ext. 105  
Fax Number: ( 719 ) - 738-3996

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 type="checkbox"/> Cropland(CR)	<input type="checkbox"/> Pastureland(PL)	<input type="checkbox"/> General Agriculture(GA)
<input checked="" 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 type="checkbox"/> Cropland(CR)	<input type="checkbox"/> Pastureland(PL)	<input type="checkbox"/> General Agriculture(GA)
<input checked="" 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): OPEN PIT MINE: USING CAT D6R

DOZER, CAT 970F WHEEL LOADER, CAT 143H GRADER, JD5420 TRACTOR

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

13.1 Briefly explain mining method (e.g. truck/shovel): DOZER AND WHEEL LOADER EXCAVATING  
WHEEL LOADER TO FEED THE CRUSHER SPREAD, BELT CONVEYORS TO STOCKPILES

List any designated chemicals or acid-producing materials to be used or stored within permit area: NONE USED

16. **Description of Amendment or Conversion:**

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

NEW PIT & SET-UP ON THIS PIT

**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.

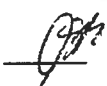
With each of the two (2) signed application forms, you must submit a corresponding set of the maps and exhibits as described in the following references to Rule 6.4, 6.5, and 1.6.2(1)(b):

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;



192

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;

193

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;

194

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;

195

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

196

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.

197

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.

198

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.

199

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.

N/A

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 2nd day of April, 2014.

**Huerfano County Government**

Applicant/Operator or Company Name

If Corporation Attest (Seal)

Signed: [Signature]

Title: Chairman

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

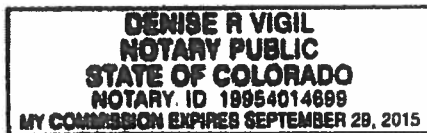
Corporate Secretary or Equivalent

Town/City/County Clerk

State of Colorado )

County of Huerfano ) ss.

The foregoing instrument was acknowledged before me this 2nd day of April, 2014 by Art J. Rebian as Chairman of Huerfano County



[Signature]  
Notary Public

My Commission expires: 9/29/15

**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

# Certified Mail Receipt

SUBJECT: NRCS

PROJECT: Lone Tree Gravel Pit

DATE: April 1, 2014

REMARKS: \_\_\_\_\_

7010 0780 0002 1052 7774

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

WALSENBURG CO 81089

Postage	\$	\$1.19
Certified Fee		\$3.30
Return Receipt Fee (Endorsement Required)		\$2.70
Restricted Delivery Fee (Endorsement Required)		\$0.00
Total Postage & Fees	\$	\$7.19

Postmark Here  
04/01/2014

Sent To: Tony Arnhold  
District Conservationist  
NRCS FIELD OFFICE  
Street, Apt. No. or PO Box No.: 711 Walsen Ave., Suite A  
City, State, ZIP+4: Walsenburg CO 81089

PS Form 3800, August 2006 See Reverse for Instructions

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Tony Arnhold  
District Conservationist  
NRCS FIELD OFFICE  
711 Walsen Ave., Suite A  
Walsenburg, CO 81089

Lone Tree

2. Article Number  
(Transfer from service label)

7010 0780 0002 1052 7774

PS Form 3811, February 2004

Domestic Return Receipt

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Tony W. Arnhold

☐ Agent

☒ Addressee

B. Received by (Printed Name)

Tony W. Arnhold

C. Date of Delivery

4-3-24

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

102595-02-M-1540

# Certified Mail Receipt

SUBJECT: Wildlife Exhibit

PROJECT: Lone Tree Gravel Pit

DATE: April 1, 2014

REMARKS: \_\_\_\_\_

7010 0780 0002 1052 7767

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information, visit our website at [www.usps.com](http://www.usps.com).

PUERTO CO 81005

Postage	\$ 1.19	0976
Certified Fee	\$3.00	02
Return Receipt (Endorsement Required)	\$2.70	00
Restricted Delivery (Endorsement Required)	\$0.00	00
Total Postage & Fee	\$ 7.19	04/01/2014

Sent to: MICHAEL TRUJILLO  
Area II Manager  
Division of Wildlife  
600 Pueblo Reservoir Rd  
Pueblo, CO 81005

PS Form 3800, August 2005 See Reverse for Instructions

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Michael Trujillo  
Area II Manager  
Division of Wildlife  
600 Pueblo Reservoir Rd.  
Pueblo, CO 81005

Lone Tree

2. Article Number  
 (Transfer from service label)

7010 0780 0002 1052 7767

PS Form 3811, February 2004

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

[Signature]

☐ Agent  
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

Domestic Return Receipt

102595-02-M-1540

## **NOTICE**

This site is the location of a proposed construction materials operation. (Name of the Applicant/Operator) HUERFANO COUNTY GOVERNMENT, whose address and phone number is (Address and Phone Number of the Applicant/Operator) Huerfano County Courthouse 401 Main St. Ste. 201 Walsenburg, CO 81089-2045 Phone: 719-738-3000 Fax: 719-738-3996, 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) HUERFANO County Clerk and Recorder's Office, (Clerk and Recorder's Office Address) 401 Main St. Ste. 204, Walsenburg, Colorado 81089, 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, \_\_\_\_\_, hereby certify that I posted a sign containing the above notice for the proposed permit area known as the (Name of Operation) LONE TREE GRAVEL PIT, on (Date Posted), \_\_\_\_\_, \_\_\_\_\_.

**SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_

LONETREE GRAVEL PIT  
HUERFANO COUNTY GOVERNMENT

PERMIT STATUS REGARDING TEMPORARY CESSATION

34-32.5-103. Definitions

(11) "Life of the mine" means, with respect to a permit granted pursuant to section 34-32.5-110, 34-32.5-111, or 34-32.5-112, a period lasting as long as:

- (b) Construction material reserves are shown by the operator to remain in the operation and the operator plans to, or does, temporarily cease production for one hundred eighty days or more if such operator files a notice with the board stating the reasons for nonproduction, a plan for the resumption of production, and the measures taken to comply with reclamation and other necessary activities as established by the board to maintain the operation in a nonproducing state. The requirement of a notice of temporary cessation shall not apply to operators who resume operating within one year and have included in their permit applications a statement that the affected lands are to be used for less than one hundred eighty days per year.

1.13.5 Notice by Operator

(1) If the Operator plans to, or does, temporarily cease production of the mining operation for one hundred eighty (180) days or more, the Operator must file a Notice of Temporary Cessation in writing, to the Office.

In an attempt to comply with the above referenced portions of the Colorado Land Reclamation Act for the Extraction of Construction Materials ("Act") and the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials ("Rules"). The applicant/operator states for the record that this operation may cease production of mining operations for one hundred eighty (180) days or more from time to time. This operation is not a commercial operation but rather a Colorado County Gravel Pit (Huerfano County); they use the product to maintain regional county roads. This operation will be mined intermittently depending upon the requirements of the road maintenance scheduled by the Huerfano Board of County Commissioners and the Huerfano Roads and Bridge Department.

The operators understands that to maintain their IS and/or TC standing, they must report their status to the Board through their Annual Reports. The operator will abide by the required rules as stated in the Colorado Land Reclamation Act for the Extraction of Construction Materials ("Act") and the Mineral Rules and Regulations of the Colorado Mined Land reclamation Board for the Extraction of Construction Materials ("Rules").

**EXHIBIT "A"**

**LEGAL DESCRIPTION OF PERMIT BOUNDARY**



## INGRESS / EGRESS LEGAL DESCRIPTION - HUERFANO COUNTY

A parcel of land located within a portion of the South  $\frac{1}{2}$  of Section 24, the Northwest  $\frac{1}{4}$  of Section 25, the East  $\frac{1}{2}$  of Section 26, the East  $\frac{1}{2}$  of Section 35 and the Southwest  $\frac{1}{4}$  of Section 36, Township 27 South, Range 66 West of the Sixth Principal Meridian, County of Huerfano, State of Colorado, being more particularly described as follows:

An easement for the purpose of ingress and egress being 50.00 feet wide and 25.00 feet on each side of the following described centerline:

**BEGINNING** at a point from which NGS Secondary Control Point 4V1C bears N  $59^{\circ}15'24''$ W (bearings based on the NGS Secondary Control monumentation for the Spanish Peaks Airfield, monumented on the east end (4V1C) with a 3.5 inch aluminum cap in 3' diameter concrete cylinder and on the west end (4V1A) monumented with a 3.5 inch aluminum cap in 3' diameter concrete cylinder to bear S  $86^{\circ}10'20''$ E Colorado State Plane Coordinate South Zone.) a distance of 15,230.19 feet, thence S  $36^{\circ}14'27''$  W a distance of 293.55 feet; thence S  $50^{\circ}16'25''$  W a distance of 2,312.82 feet; thence S  $25^{\circ}30'50''$  W a distance of 463.72 feet; thence S  $21^{\circ}48'22''$  W a distance of 769.97 feet; thence S  $21^{\circ}53'53''$  W a distance of 118.16 feet; thence S  $56^{\circ}33'24''$  W a distance of 357.20 feet; thence S  $54^{\circ}11'26''$  W a distance of 205.21 feet; thence S  $48^{\circ}40'31''$  W a distance of 121.65 feet; thence S  $58^{\circ}32'17''$  W a distance of 569.05 feet; thence S  $58^{\circ}15'34''$  W a distance of 404.42 feet; thence S  $28^{\circ}59'01''$  W a distance of 537.45 feet; thence S  $01^{\circ}52'58''$  W a distance of 904.41 feet; thence S  $12^{\circ}47'06''$  W a distance of 318.95 feet; thence S  $14^{\circ}35'24''$  W a distance of 1,382.82 feet; thence S  $41^{\circ}27'13''$  E a distance of 99.24 feet; thence S  $54^{\circ}59'31''$  E a distance of 260.31 feet; thence S  $32^{\circ}32'54''$  E a distance of 1,011.91 feet; thence S  $79^{\circ}51'36''$  E a distance of 455.43 feet; thence along an arc of a curve to the right having a central angle of  $101^{\circ}04'40''$  a radius of 50.00 feet and a distance of 88.21 feet; thence S  $21^{\circ}13'05''$  W a distance of 84.06 feet; thence along an arc of a curve to the right having a central angle of  $08^{\circ}02'49''$  a radius of 1500.00 feet and a distance of 210.67 feet; thence S  $29^{\circ}15'54''$  W a distance of 126.21 feet; thence along an arc of a curve to the left having a central angle of  $112^{\circ}44'05''$  a radius of 375.00 feet and a distance of 737.85 feet; thence S  $83^{\circ}28'11''$  E a distance of 683.47 feet; thence along an arc of a curve to the right having a central angle of  $94^{\circ}17'19''$  a radius of 450.00 feet and a distance of 740.54 feet; thence S  $10^{\circ}49'08''$  W a distance of 65.88 feet; thence along an arc of a curve to the left having a central angle of  $106^{\circ}33'42''$  a radius of 302.00 feet and a distance of 561.68 feet; thence N  $84^{\circ}15'26''$  E a distance of 10.99 feet; thence along an arc of a curve to the right having a central angle of  $64^{\circ}27'57''$  a radius of 55.00 feet and a distance of 61.88 feet; thence S  $31^{\circ}16'37''$  E a distance of 3.96 feet more or less to a point on the northerly right-of-way line of U.S. Hwy No. 10 and also being the **POINT OF TERMINUS**.

It being understood that the sidelines of said easement extend or shorten as necessary to intersect the preceding and following course and the sidelines of said easement extend or shorten as necessary to intersect the lease line and Hwy Right-of-Way lines that the **POINT OF BEGINNING AND POINT OF TERMINUS** are a part of.

Ingress / Egress parcel contains 16.02 acres more or less.

## LONE TREE GRAVEL PIT LEASE DESCRIPTION - HUERFANO COUNTY

A parcel of land located within a portion of the South ½ of Section 24, Township 27 South, Range 66 West of the Sixth Principal Meridian, County of Huerfano, State of Colorado, being more particularly described as follows:

**BEGINNING** at a point from which NGS Secondary Control Point 4V1C bears N 61°53'01"W (bearings based on the NGS Secondary Control monumentation for the Spanish Peaks Airfield, monumented on the east end (4V1C) with a 3.5 inch aluminum cap in 3' diameter concrete cylinder and on the west end (4V1A) monumented with a 3.5 inch aluminum cap in 3' diameter concrete cylinder to bear S 86°10'20"E Colorado State Plane Coordinate South Zone.) a distance of 14,284.28 feet; thence N 60°30'55" E a distance of 728.98 feet; thence S 10°28'50" E a distance of 563.08 feet; thence N 64°31'54" E a distance of 1,171.96 feet; thence S 25°31'37" W a distance of 1,260.14 feet; thence S 67°33'01" W a distance of 575.87 feet; thence S 88°31'10" W a distance of 542.02 feet; thence N 59°12'51" W a distance of 676.75 feet; thence N 41°33'52" E a distance of 514.57 feet; thence N 10°37'39" E a distance of 336.36 feet to the **POINT OF BEGINNING**.

Lease parcel contains 39.54 acres more or less.

**EXHIBIT “B”**

**INDEX MAP**

MAP ON NEXT PAGE

INGRESS / EGRESS LEGAL DESCRIPTION - HUERFANO COUNTY

A parcel of land located within a portion of the South 1/2 of Section 24, the Northwest 1/4 of Section 25, the East 1/2 of Section 28, the East 1/2 of Section 35 and the Southwest 1/4 of Section 36, Township 27 South, Range 66 West of the Sixth Principal Meridian, County of Huerfano, State of Colorado, being more particularly described as follows:

An easement for the purpose of ingress and egress being 50.00 feet wide and 25.00 feet on each side of the following described containing:

**BEGINNING** at a point from which NGS Secondary Control Point 4V1C bears N 59°15'24" W (bearings based on the NGS Secondary Control monumentation for the Spanish Peaks Aerial, monumented on the east end (4V1C) with a 3.5 inch aluminum cap in 3 diameter concrete cylinder and on the west end (4V1A) monumented with a 3.5 inch aluminum cap in 3 diameter concrete cylinder to bear S 86°10'20" E Colorado State Plane Coordinate South Zone ) a distance of 15,230.19 feet, thence S 36°14'27" W a distance of 293.55 feet, thence S 50°16'25" W a distance of 2,312.82 feet, thence S 25°30'50" W a distance of 463.72 feet, thence S 21°48'22" W a distance of 769.97 feet, thence S 21°53'53" W a distance of 118.16 feet, thence S 56°33'24" W a distance of 357.20 feet, thence S 54°11'26" W a distance of 205.21 feet, thence S 48°40'31" W a distance of 121.65 feet, thence S 58°32'17" W a distance of 569.05 feet, thence S 58°15'34" W a distance of 404.42 feet, thence S 28°59'01" W a distance of 537.45 feet, thence S 01°52'58" W a distance of 904.41 feet, thence S 12°47'08" W a distance of 318.95 feet, thence S 14°35'24" W a distance of 1,362.02 feet, thence S 41°27'13" E a distance of 89.24 feet, thence S 54°59'31" E a distance of 260.31 feet, thence S 32°32'54" E a distance of 1,011.91 feet, thence S 79°51'36" E a distance of 455.43 feet, thence along an arc of a curve to the right having a central angle of 101°04'40" a radius of 50.00 feet and a distance of 88.21 feet, thence S 21°13'05" W a distance of 84.06 feet, thence along an arc of a curve to the right having a central angle of 08°02'49" a radius of 1500.00 feet and a distance of 210.67 feet, thence S 29°15'54" W a distance of 126.21 feet, thence along an arc of a curve to the left having a central angle of 112°44'05" a radius of 375.00 feet and a distance of 737.85 feet, thence S 83°28'11" E a distance of 883.47 feet, thence along an arc of a curve to the right having a central angle of 94°17'19" a radius of 450.00 feet and a distance of 740.54 feet, thence S 10°49'08" W a distance of 65.88 feet, thence along an arc of a curve to the left having a central angle of 106°33'42" a radius of 302.00 feet and a distance of 561.68 feet, thence N 64°15'26" E a distance of 10.89 feet, thence along an arc of a curve to the right having a central angle of 64°27'57" a radius of 55.00 feet and a distance of 61.88 feet, thence S 31°16'37" E a distance of 3.96 feet more or less to a point on the northern right-of-way line of U.S. Hwy No. 10 and also being the **POINT OF TERMINUS**.

It being understood that the easements of said easement extend or shorten as necessary to intersect the preceding and following course and the sidelines of said easement extend or shorten as necessary to intersect the lease line and Hwy Right-of-Way lines that the **POINT OF BEGINNING AND POINT OF TERMINUS** are a part of

Ingress / Egress parcel contains 16.02 acres more or less.

LONE TREE GRAVEL PIT LEASE DESCRIPTION - HUERFANO COUNTY

A parcel of land located within a portion of the South 1/2 of Section 24, Township 27 South, Range 66 West of the Sixth Principal Meridian, County of Huerfano, State of Colorado, being more particularly described as follows:

**BEGINNING** at a point from which NGS Secondary Control Point 4V1C bears N 61°53'01" W (bearings based on the NGS Secondary Control monumentation for the Spanish Peaks Aerial, monumented on the east end (4V1C) with a 3.5 inch aluminum cap in 3 diameter concrete cylinder and on the west end (4V1A) monumented with a 3.5 inch aluminum cap in 3 diameter concrete cylinder to bear S 86°10'20" E Colorado State Plane Coordinate South Zone ) a distance of 14,284.28 feet, thence N 60°30'55" E a distance of 728.98 feet, thence S 10°28'50" E a distance of 563.08 feet, thence N 64°31'54" E a distance of 1,171.66 feet, thence S 25°31'37" W a distance of 1,260.14 feet, thence S 67°33'01" W a distance of 575.87 feet, thence S 86°31'10" W a distance of 542.02 feet, thence N 59°12'51" W a distance of 676.75 feet, thence N 41°33'52" E a distance of 514.57 feet, thence N 10°37'39" E a distance of 336.36 feet to the **POINT OF BEGINNING**.

Lease parcel contains 39.54 acres more or less.

APPROXIMATE COORDINATES  
AT ENTRY GATE

37° 40' 23.8" N LAT
104° 43' 47.4" W LONG
UTM ZONE 13, NAD83
523,825 mE
4,169,589 mN

NOT TO SCALE

LONE TREE GRAVEL PIT	
CLIENT: HUERFANO COUNTY GOVERNMENT	
CONSULTANT: GAGLIANO ENGINEERING, INC.	
DRMS FILE NO.	PREPARED BY: J.V. GAGLIANO
EXHIBIT B	INDEX MAP
DATE: 02/05/14	