

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



November 24, 2014

Sandy Van Cleave
VCA Aggregates LLC
4558 W Pioneer Ln
P.O. Box 336953
Greeley, CO 80633

John W. Hickenlooper
Governor

Mike King
Executive Director

Virginia Brannon
Director

Re: Van Cleave Pit, File M2014-064, Receipt of 112 Construction Materials Reclamation Permit Application

Sandy Van Cleave:

On November 24, 2014, the Division of Reclamation, Mining and Safety received your 112 Construction Materials Reclamation Permit application for the Van Cleave Pit, which is located in Weld County. All comment and review periods began on November 24, 2014. The decision date for your application is scheduled for February 22, 2015.

Within ten (10) days of the date of this letter, 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 Weld 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,



Eric C. Scott
Environmental Protection Specialist



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

November 24, 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
VCA Aggregates LLC, Van Cleave Pit, File No. M-2014-064**

Dear Mr. Crouse:

Please be advised that on November 24, 2014, VCA Aggregates LLC, whose address and telephone number are 4558 W Pioneer Ln., P.O. Box 336953, Greeley, CO 80633; (970) 218-1855, filed an application to conduct Surface extraction of construction materials and reclamation, at or near Section 8, Township 9N, Range 57W, 06th Principal Meridian, in Weld 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 February 22, 2015.

A copy of the application is available for review at the Weld 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,

Eric C. Scott
Environmental Protection Specialist





COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

November 24, 2014

Weld County Commissioners
County Commissioner
915 10th St
Greeley, CO 80631

**RE: Notice of 112 Construction Materials Reclamation Permit Application Consideration
VCA Aggregates LLC, Van Cleave Pit, File No. M-2014-064**

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Sincerely,

Eric C. Scott
Environmental Protection Specialist





COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

November 24, 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
VCA Aggregates LLC, Van Cleave Pit, File No. M-2014-064**

Dear Mr. Tobias:

Please be advised that on November 24, 2014, VCA Aggregates LLC, whose address and telephone number are 4558 W Pioneer Ln., P.O. Box 336953, Greeley, CO 80633; (970) 218-1855, filed an application to conduct Surface extraction of construction materials and reclamation, at or near Section 8, Township 9N, Range 57W, 06th Principal Meridian, in Weld 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 February 22, 2015.

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Sincerely,

Eric C. Scott
Environmental Protection Specialist





COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

November 24, 2014

Berverly Rave
Colorado State Land Board
P.O. Box 1094
Craig, CO 81625

**RE: Notice of 112 Construction Materials Reclamation Permit Application Consideration
VCA Aggregates LLC, Van Cleave Pit, File No. M-2014-064**

Dear Ms. Rave:

Please be advised that on November 24, 2014, VCA Aggregates LLC, whose address and telephone number are 4558 W Pioneer Ln., P.O. Box 336953, Greeley, CO 80633; (970) 218-1855, filed an application to conduct Surface extraction of construction materials and reclamation, at or near Section 8, Township 9N, Range 57W, 06th Principal Meridian, in Weld 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 February 22, 2015.

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Sincerely,

Eric C. Scott
Environmental Protection Specialist





COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

November 24, 2014

Monica Mika-Daniels
Weld County Planning Department
Planning Director
1555 N. 17th Ave
Greeley, CO 80631-9117

**RE: Notice of 112 Construction Materials Reclamation Permit Application Consideration
VCA Aggregates LLC, Van Cleave Pit, File No. M-2014-064**

Dear Ms. Mika-Daniels:

Please be advised that on November 24, 2014, VCA Aggregates LLC, whose address and telephone number are 4558 W Pioneer Ln., P.O. Box 336953, Greeley, CO 80633; (970) 218-1855, filed an application to conduct Surface extraction of construction materials and reclamation, at or near Section 8, Township 9N, Range 57W, 06th Principal Meridian, in Weld 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 February 22, 2015.

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Sincerely,

Eric C. Scott
Environmental Protection Specialist





COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

November 24, 2014

Joyce Wallace
Board of Supervisors - Soil Conservation Dist
West Greeley Conservation District
4302 W 9th St Rd
Greeley, CO 80634

**RE: Notice of 112 Construction Materials Reclamation Permit Application Consideration
VCA Aggregates LLC, Van Cleave Pit, File No. M-2014-064**

Dear Ms. Wallace:

Please be advised that on November 24, 2014, VCA Aggregates LLC, whose address and telephone number are 4558 W Pioneer Ln., P.O. Box 336953, Greeley, CO 80633; (970) 218-1855, filed an application to conduct Surface extraction of construction materials and reclamation, at or near Section 8, Township 9N, Range 57W, 06th Principal Meridian, in Weld 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 February 22, 2015.

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If you have any questions, please contact me.

Sincerely,

Eric C. Scott
Environmental Protection Specialist





COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

November 24, 2014

Kiel Downing
U.S. Army Corps of Engineers
Denver Regulatory Office
9307 S. Wadsworth
Littleton, CO 80128

**RE: Notice of 112 Construction Materials Reclamation Permit Application Consideration
VCA Aggregates LLC, Van Cleave Pit, File No. M-2014-064**

Dear Kiel:

Please be advised that on November 24, 2014, VCA Aggregates LLC, whose address and telephone number are 4558 W Pioneer Ln., P.O. Box 336953, Greeley, CO 80633; (970) 218-1855, filed an application to conduct Surface extraction of construction materials and reclamation, at or near Section 8, Township 9N, Range 57W, 06th Principal Meridian, in Weld 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 February 22, 2015.

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If you have any questions, please contact me.

Sincerely,

Eric C. Scott
Environmental Protection Specialist





COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

November 24, 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
VCA Aggregates LLC, Van Cleave Pit, File No. M-2014-064**

Dear Ms. Kieler:

Please be advised that on November 24, 2014, VCA Aggregates LLC, whose address and telephone number are 4558 W Pioneer Ln., P.O. Box 336953, Greeley, CO 80633; (970) 218-1855, filed an application to conduct Surface extraction of construction materials and reclamation, at or near Section 8, Township 9N, Range 57W, 06th Principal Meridian, in Weld 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 February 22, 2015.

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Sincerely,

Eric C. Scott
Environmental Protection Specialist





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Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

November 24, 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
VCA Aggregates LLC, Van Cleave Pit, File No. M-2014-064**

Dear Ms. Johnson:

Please be advised that on November 24, 2014, VCA Aggregates LLC, whose address and telephone number are 4558 W Pioneer Ln., P.O. Box 336953, Greeley, CO 80633; (970) 218-1855, filed an application to conduct Surface extraction of construction materials and reclamation, at or near Section 8, Township 9N, Range 57W, 06th Principal Meridian, in Weld 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 February 22, 2015.

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Sincerely,

Eric C. Scott
Environmental Protection Specialist





COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

November 24, 2014

Steve Yamashita
Colorado Parks and Wildlife
Northeast Region Manager
NE Region Administrative Office
6060 Broadway
Denver, CO 80216

**RE: Notice of 112 Construction Materials Reclamation Permit Application Consideration
VCA Aggregates LLC, Van Cleave Pit, File No. M-2014-064**

Dear Mr. Yamashita:

Please be advised that on November 24, 2014, VCA Aggregates LLC, whose address and telephone number are 4558 W Pioneer Ln., P.O. Box 336953, Greeley, CO 80633; (970) 218-1855, filed an application to conduct Surface extraction of construction materials and reclamation, at or near Section 8, Township 9N, Range 57W, 06th Principal Meridian, in Weld 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 February 22, 2015.

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Sincerely,

Eric C. Scott
Environmental Protection Specialist



tak

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY
Department of Natural Resources

M-2014-064

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



CONSTRUCTION MATERIALS REGULAR (112) OPERATION RECLAMATION PERMIT APPLICATION FORM

RECEIVED

NOV 17 2014

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

DIVISION OF RECLAMATION
MINING AND SAFETY

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

New Application (Rule 1.4.5)

Amendment Application (Rule 1.10)

ORIGINAL

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.

- Applicant/operator or company name (name to be used on permit):** VCA AGGREGATES LLC
 - Type of organization (corporation, partnership, etc.): LLC
- Operation name (pit, mine or site name):** VAN CLEAVE PIT
- Permitted acreage (new or existing site):** 103.54 permitted acres
 - Change in acreage (+) _____ acres
 - Total acreage in Permit area 103.54 acres
- 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
- Primary commodity(ies) to be mined:** SAND GRAVEL
 - Incidental commodity(ies) to be mined:

1. _____ lbs/Tons/yr	2. _____ / _____ lbs/Tons/yr
3. _____ / _____ lbs/Tons/yr	4. _____ / _____ lbs/Tons/yr
5. _____ / _____ lbs/Tons/yr	
 - Anticipated end use of primary commodity(ies) to be mined: ROAD BASE / CONSTRUCTION MATERIALS
 - Anticipated end use of incidental commodity(ies) to be mined: _____

SCANNED

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

7. **Name of owner of surface of affected land:** COLBY & SANDRA VAN CLEAVE

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 8

TOWNSHIP (write number and check direction): T 9 North South

RANGE (write number and check direction): R 57 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): 13 MILES NORTHEAST OF NEW RAYMER COLORADO 4750' 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 40 min 45 sec 23.61 (2 decimal places)
Longitude (W): deg 103 min 44 sec 44.12 (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 _____

Northing _____

11. Correspondence Information:

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

Contact's Name: SANDY VAN CLEAVE Title: MANAGER
 Company Name: VCA AGGREGATES LLC
 Street/P.O. Box: 4558 W PIONEER LN P.O. Box: 336953
 City: GREELEY
 State: COLORADO Zip Code: 80633
 Telephone Number: (970) - 218-1855
 Fax Number: (N/A) - EMAIL MAUSMUS@LIVE.COM

PERMITTING CONTACT (if different from applicant/operator above)

Contact's Name: Mike Ausmus Title: MANAGER
 Company Name: VCA Aggregates
 Street/P.O. Box: 4558 W Pioneer Ln. P.O. Box: 336953
 City: Greeley
 State: Colorado Zip Code: 80633
 Telephone Number: (719) - 250-0800
 Fax Number: () -

INSPECTION CONTACT

Contact's Name: SAME AS ABOVE 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 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 MINING

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

13.1 Briefly explain mining method (e.g. truck/shovel): _____
DIG AND MOVE VIRGIN MATERIALS TO SCREENING AND PROCESSING PLANT WITH WHEEL LOADERS AND TRUCKS. MATERIAL WILL THEN BE PLACED IN PLANT AND PROCESSED AND STOCKPILED

List any designated chemicals or acid-producing materials to be used or stored within permit area: _____
N/A

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

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

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.

- SKV 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;

- SKV 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;
- SKV 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;
- SKV 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;
- SKV 5. It is your responsibility to notify the Office of any changes in your address or phone number;
- SKV 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.
- SKV 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.
- SKV 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.
- SKV 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.
- SKV 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 day of November, 2014.

VCA Aggregates LLC
Applicant/Operator or Company Name

If Corporation Attest (Seal)

Signed: Sandra Van Cleave

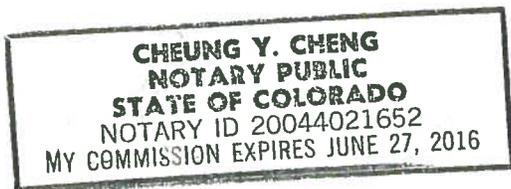
Signed: NA

Title: MANAGER

Corporate Secretary or Equivalent
Town/City/County Clerk

State of Colorado)
County of Weld) ss.

The foregoing instrument was acknowledged before me this 14th day of November, 2014, by SANDRA KAY VAN CLEAVE as Manager of VCA Aggregates LLC



Cheung Y. Cheng
Notary Public

My Commission expires: June 27, 2016

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

EXHIBIT A

VCA Aggregates

VAN CLEAVE PIT

1. (a) Legal description South $\frac{1}{2}$, section 8, Township 9N, Range 57w, 6th PM

(b) Main entrance location: 40° 45' 26.61", 103° 44' 44.12"

Landowner of Record:

Colby and Sandra Van Cleave

50982 CR 135

New Raymer, Colorado 80742

