

# **EASTERN COLORADO AGGREGATES, L.L.L.P.**

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

February 27, 2015

Attention: Amy Eschberger

Reference: **Midwestern Farms, DRMS Permit No. M-1993-059**  
**Request for a Technical Revision**

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DIVISION OF RECLAMATION  
MINING AND SAFETY

Dear Ms. Eschberger,

On April 24, 2014 you conducted an inspection of the Midwest Farms LLP gravel pit and documented several items that were in conflict with the approved mining and reclamation plans for the permitted site. One of the items in the report was an increase the required surety amount to \$1,583,000.00, an increase of \$864,248.00, which is more than a 100% increase. The Bond increase was posted on August 8, 2014. This letter is a Request for a Technical Revision to the reclamation plan to address the issues of the Colorado Parks & Wildlife recreation area, and the overall disturbed area. The following revisions are all part of this request.

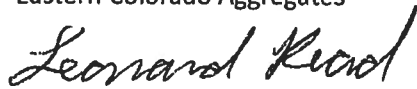
1. On May 1, 2008, Midwestern Farms entered into an agreement with the State of Colorado through the Department of Natural Resources for the use of the Division of Wildlife and Wildlife Commission, giving an easement to Department of Wildlife for access to the pond created by the mining operation for fishing and hunting. This agreement covers the ponds along the western and southern edges of the gravel pit in Phase 2, and the land between the pond and the southern border of the property for a distance of about 3/8 of a mile to allow hunting access to the riparian area along the Arkansas River. I have attached a copy of the executed agreement. Midwestern Farms requests that the postmining land use for this area be changed to recreational on the reclamation plan.
2. The original plan stated that a maximum of 141.8 acres would be disturbed at any one time. Currently there are 64.2 acres that have been reclaimed with a pending request for release from the permitted area once it is farmed, there are 90.1 acres of pond, and there are 232.7 acres of land which has been used for plants, stockpiles, and has been filled in with material that was not sold. The total of all of these areas is 387 acres. Therefor Midwestern Farms request that the maximum disturbed area be increased to 390 acres.

Currently there are no plans to continue mining the permitted site. The material in the stockpile will be removed by the contractor contracted with CDOT to construct the new railroad overpass on Hwy 50. Since there are no plans to continue mining the attached map only shows the requested revisions for the total disturbed area of 387 acres and the Colorado Parks & Wildlife pond, it also indicates the 64.2 acres to be released as it is farmed and reclassified as Dryland Farming.

As you are aware the owners of the land, the Colorado Division of Parks & Wildlife and Eastern Colorado Aggregates are in negotiations regarding the sale of part of the permitted area and the final reclamation plan which will work best for all parties involved. Once these negotiations have been finalized there will be an amended reclamation plan submitted to the DRMS which will take into account the items mentioned in this request along with fact that the majority of the permitted area was never disturbed. The amended plan will also take into account some of the needs of the Colorado Parks & Wildlife to help make the area, a friendlier habitat, for the wildlife.

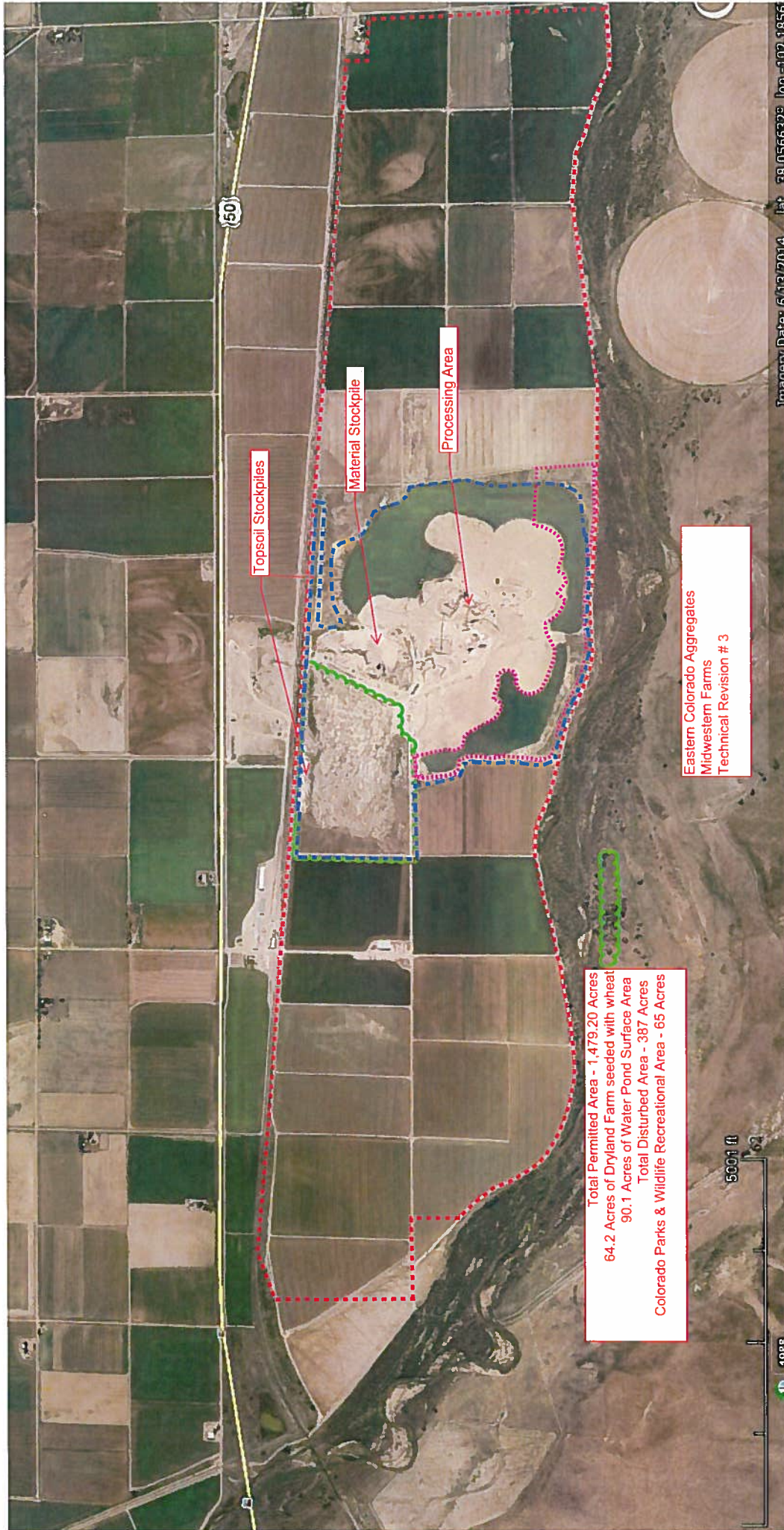
Thank you for your consideration of this request.

Eastern Colorado Aggregates



Leonard Read





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