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WHE



COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY

1313 Sherman Street, Room 215, Denver, Colorado 80203 ph(303) 866-3567

REQUEST FOR FULL OR PARTIAL RELEASE OF PERMIT AREA

Please indicate if you are requesting:

FULL/FINAL RELEASE OF ENTIRE PERMITTED AREA ☒

ACREAGE REDUCTION (PARTIAL RELEASE) ☐

SLP1

If you are requesting an acreage reduction, you will need to specify how many acres you wish to remove from the existing permit under this revision. I wish to release _____ acres at this time. You will also need to submit updated mining and reclamation plan maps that accurately depict both the proposed acreage to be released from the current permit area, and the resulting new permit boundary.

File No.: M- 1977-163-SG Site Name: FISHER PIT

County: LINCOLN

RECEIVED

Permittee: LINCOLN COUNTY

JUN 25 2015

Operator (If Other than Permittee): SAME

**DIVISION OF RECLAMATION
MINING AND SAFETY**

Permittee Representative: JOHN DEWITT

Certified Mail# 7008 1140 0000 4865 7261

In accordance with Rule 4.17.1(2) the Operator shall include the names, addresses and phone numbers of all owners of record to the affected land. Please attach additional sheets for this information if required.

SHRINERS HOSPITALS FOR CHILDREN

PO BOX 31356

TAMPA, FL 33631-3356

Attn: TOM GUTHRIE

813-281-0300

√ AF & Report
√ No Violations

NOTE: THE ACCESS ROAD THRU THE FISHER TO THE HOFFMAN PIT WILL REMAIN.

In accordance with Rule 4.17.1(4) the Operator or their agent MUST sign that they have complied with the following statement: "All applicable portions of the Reclamation Plan requirements have been satisfied in accordance with these Rules and all applicable requirements under the Act."

John DeWitt

Digitally signed by John DeWitt
DN: cn=John DeWitt, o=Lincoln County, ou=Land Use / OEM,
email=clanduse@lincolncountyco.us, c=US
Date: 2015.06.22 14:02:26 -0600

JUNE 23, 2015

Signature of Permittee, Operator or their authorized agent

Date

Important: In accordance with Rule 4.17.1(3) This release request must be submitted to the Division via certified mail and separate from any other correspondence to the Division.

**Lincoln County
Land Use Office
P.O. Box 39
Hugo, Colorado 80821**

**Ph. 719-743-2337
Fax 719-743-2815**

June 22, 2015

Division of Reclamation, Mining and Safety
c/o Amy Eschberger
1313 Sherman Street, Room 215
Denver, Colorado 80203

Re: Fisher Pit (M-1977-163-SG) Reclamation Release Request

Ms. Eschberger:

Lincoln County would like to request reclamation release for the Fisher Pit. We had attempted this about 2 years ago, but had a few places that still had not been adequately revegetated. We feel that with the rains we've had, and the resulting growth, that we are now ready. Lincoln County still wishes to retain the access road to the Hoffman Pit, and will continue to pay the access fee agreed to between Lincoln County and Shriner's Hospital. Please see the enclosed request letter to ask for continuation for right to enter, and to retain the access road. Hopefully, you find our reclamation efforts adequate. Thank you.

Respectfully,

A handwritten signature in black ink, appearing to read "John DeWitt", with a long, sweeping horizontal line extending to the right.

John DeWitt
Lincoln County
Land Use Administrator

ACCESS AGREEMENT

Re: Fisher Pit (M-1977-163-SG)

This Access Agreement, made this 10th day of December, 2012 by and between **SHRINERS HOSPITALS FOR CHILDREN**, hereinafter called the Owner, and **LINCOLN COUNTY**, hereinafter called the Grantee. The said Owner is the owner of the following described real property located in the County of Lincoln, State of Colorado:

Access road (ranch road) located on property owned by the Owner located in the S/4 of the West ½ of Section 10, Township 9 South, Range 55 West of the 6th PM in Lincoln County, Colorado.

The right to enter will allow reasonable egress and ingress solely for access of Lincoln County personnel and their contractors (hereinafter referred to as "Permitted Users") to the Hoffman Pit, a gravel pit leased by Lincoln County, located on adjoining property in Section 10, Township 9 South. This access shall be granted to Lincoln County for the purpose of gravel removal activities, reclamation, and supervision and oversight of such activities.

Grantee agrees to pay a sum of \$400 (four hundred dollars) yearly due and payable the First day of July, beginning July 1, 2013 and ending July 1st of the year the Hoffman pit is fully reclaimed and released by the Colorado Division of Reclamation Mining and Safety, and the access road is fully restored to its original state.

Grantee shall indemnify, defend and save Owner harmless from any and all liability, loss, damage, cost, obligation and expense resulting from any injury to person or damage to property, or which arises out of or results from any negligent act, whether of commission or omission, of Grantee, their agents, employees, contractors, subcontractors, licensees or other invitees by, through or under Grantee, including the Permitted Users, occurring in, on or about the Owner Parcel whether in the exercise of Grantee's rights hereunder or in the breach or excess thereof.

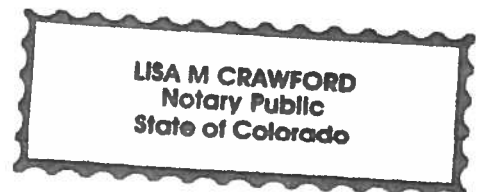
Grantee: Lincoln County Colorado

By: [Signature]

Title: Landuse Administrator

Lisa M Crawford
Notary Public

My Commission Expires: May 7 - 2016.



Owner: Shriners Hospitals for Children

By: [Signature]
John P. McCabe

Title: Executive Vice President

Paula L DeSantis
Notary Public



PAULA L. DESANTIS
MY COMMISSION # EE 091851

Lincoln County
Land Use Office
P.O. Box 39
Hugo, Colorado 80821
lclanduse@lincolncountyco.us

Ph. 719-743-2337
Fax 719-743-2815

October 12, 2012

SHRINER'S HOSPITAL FOR CHILDREN
Attn: TOM GUTHRIE
PO BOX 31356
TAMPA, FL 33631-3356

Re: Fisher Pit Access

Mr. Guthrie,

Lincoln County is in the process of reclaiming the Fisher Gravel Pit so that we can gain a release by the State of Colorado. As you may be aware, the road going through the Fisher Pit is the only access the County has to another gravel pit (Hoffman Pit). For obvious reasons, we would like to maintain that access through the Fisher Pit. I have discussed this matter with Michael Cunningham of the Colorado Division of Reclamation, Mining and Safety. He stated that we can reclaim the pit, and maintain access if we file written approval from you giving us permission for this access. Please find the permission statement enclosed. If the terms are acceptable to you, please sign the lease agreement before a notary, and return the original to me at the above address. The \$400 / yr. fee Lincoln County pays to Shriner's Hospital for access through this pit will continue as long as that access is permitted.
Thank you.

Sincerely yours,



John DeWitt
Land Use Administrator
Lincoln County

cc: File
Enclosures

USE



7008 1140 0000 4865 7261



80203 - USPS

DIVISION OF RECLAMATION
MINING AND SAFETY
Attn: AMY ESCHBERGER
1313 SHERMAN ST.
ROOM: 215
DENVER, COLORADO
80203