

EXHIBIT M

Garfield County representatives were contacted concerning local Government approval. A Special Use Permit will be required. This approval is attached. The operation plan submitted to the Bureau of Land Management is attached as the Federal Government has jurisdiction on the land.

STATE OF COLORADO

County of Garfield

Recorded at 8:02

Reception No. 352521

A M. MAY 22 1984

MILDRED ALSDORF, RECORDER
GARFIELD COUNTY, COLORADO

At a regular meeting of the Board of County Commissioners for Garfield County, Colorado,
held at the Court House in Glenwood Springs on Monday, the 21st day of
May, A. D. 1984, there were present:

Larry Velasquez, Commissioner Chairman
Eugene "Jim" Drinkhouse, Commissioner
Flaven J. Cerise (absent), Commissioner
Earl Rhodes, County Attorney
Mildred Alsdorf, Clerk of the Board

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when the following proceedings, among others were had and done, to-wit:

RESOLUTION NO. 84-95

AMENDED RESOLUTION CONCERNED WITH THE CONDITIONAL APPROVAL OF
AN APPLICATION FOR A CONDITIONAL USE PERMIT BY COLORADO LIEN
COMPANY

WHEREAS, this Board of County Commissioners adopted
Resolution No. 83-166 on July 25, 1983, which Resolution is
affirmed, except as to Approval Condition Nos. 2 and 8;

WHEREAS, Colorado Lien Company filed suit against
Garfield County in Civil Action No. 83CV269 for relief pursuant
to Rule 106, C.R.C.P.; and

WHEREAS, the parties are desirous of resolving this
matter and, to this end, this Board of County Commissioners is
adopting this Amended Resolution Concerned with the Conditional
Approval of an Application for a Conditional Use Permit by
Colorado Lien Company.

NOW, THEREFORE, BE IT RESOLVED that the conditional use
permit application of the Colorado Lien Company be and hereby
is approved and authorized to be issued, and effective upon and
during compliance with the following conditions:

1. That Condition Nos. 1, 3-7 and 9, except Condition
Nos. 2 and 8, of Resolution No. 83-166, and all findings
pertaining thereto in said Resolution, are in full force and
effect.

2. That Condition No. 2 of Resolution No. 83-166 is
hereby repealed.

3. That Condition No. 8 is hereby modified so that it
reads as follows:

8. The applicant's activities in regards to the
use of State Highway 325 as a haul road shall be
restricted as follows:

a. The applicant shall promote public safety
by means of restricting its truck traffic in a
manner in which a reasonably prudent person would do
under similar circumstances, and adopt the following
measures which are included by way of example, but
not limitation:

i. The applicant shall coordinate with
the RE-2 School District to insure that truck
traffic will not oppose school bus traffic;

ii. All trucks shall be equipped with
Jake brakes;

iii. The length of vehicles shall be limited to thirty-eight (38) feet;

iv. All safety requirements of the Safety Department of Transportation shall be implemented;

v. Tacographs will be installed in all vehicles to monitor vehicle speed and engine r.p.m. to provide additional checks on vehicle safety and speed on highway;

vi. Drivers shall be paid on a per hour basis rather than on a per load hauled basis in order to reduce incentive for high speed;

vii. The applicant shall make available to Garfield County the following information:

1. Number of citations issued to individual drivers, if any;
2. Number of motor vehicle accidents involving Colorado Lien drivers, if any;
3. Number of deer killed, if any;
4. Number of loads hauled per week;
5. Number of workers employed;
6. Monthly quarry output;
7. Other information to show compliance with State Regulations;

b. Truck traffic will be limited to the hours between 7:00 a.m. and 5:00 p.m. during summer months, and daylight hours in the winter. No loads will be hauled after 3:00 p.m. Friday, on weekends or on State or National holidays;

c. That, in accordance with the terms of the letter agreement of April 30, 1984, a copy of which is marked Exhibit "A", attached hereto and incorporated herein by reference, the Colorado Lien Company shall perform such work as is provided for in said letter as an ongoing condition of said Company's conditional use permit. That the Colorado Lien Company shall not be required, as a condition of said conditional use permit, to do any other work than as is provided for in the April 30, 1984 letter, and only upon the conditions as set forth therein.

Upon motion duly made and seconded, the foregoing Resolution was adopted by the following vote:

Larry Velasquez , Aye
Eugene "Jim" Drinkhouse , Aye
Flaven J. Cerise (absent) , Aye
Commissioners

ATTEST:

Margaret Lister
Clerk of the Board

BOARD OF COUNTY COMMISSIONERS
OF GARFIELD COUNTY, COLORADO

By: Larry Velasquez
Chairman

STATE OF COLORADO

DEPARTMENT OF HIGHWAYS
222 South Sixth Street, P.O. Box 2107
Grand Junction, Colorado 81501
(303) 248-7208

April 30, 1984



BOOK 650 PAGE 150

Mr. Earl G. Rhodes
Garfield County Attorney
P. O. Box 640
Glenwood Springs, CO 81602

RE: State Highway 325

Dear Mr. Rhodes:

We are writing this letter to advise you of the understanding reached by Colorado Lien Company and the Colorado Department of Highways regarding the cooperative effort of the two entities to accomplish the improvements to State Highway 325 referenced in paragraph 8 (c) of Resolution No. 38-166 of the Board of County Commissioners of Garfield County.

Colorado Lien Company has agreed to provide the necessary men and equipment to drill and shoot three rocky points along Highway 325 for the purpose of improving alignment and sight distance. The three points will be identified by Highway Department personnel. Counsel for Colorado Lien Company will assist in determining the status of the highway right-of-way at the three specified locations. At this time, however, the Highway Department has no funds available for purchase of right-of-way so if it is determined the additional right-of-way will be necessary to accomplish the removal of the three rocky points, the work will have to be postponed until funds become available and the right-of-way can be acquired.

Colorado Lien has also agreed to provide the necessary manpower to reduce vegetation along Highway 325 upon the Highway Department's designation of the location it wants such vegetative reduction. Again, this work may be restricted to a degree by highway right-of-way limitation but we anticipate that some vegetation can and will be reduced without acquisition of additional right-of-way.

The Colorado Department of Highways does not desire any participation by Colorado Lien Company in making improvements to State Highway 325 beyond that stated in this letter. Any additional improvements to Highway 325 shall be the responsibility of the Highway Department and will be made as funds become available and such improvements become necessary.

Very truly yours,

R. L. CLEVINGER
CHIEF ENGINEER

BY R. P. Moston
R. P. MOSTON, DISTRICT ENGINEER

DELANEY & BALCOMB, P. C.

BY Lawrence R. Green
LAWRENCE R. GREEN, ATTORNEY FOR COLORADO
LIEN COMPANY

RPM: Lmw

XC: Capron, Hahn, file

RECEIVED JUL 13 1984

PUBLIC NOTICE

Take Notice that Colorado Lion Company has applied to the Board of County Commissioners, Garfield County, State of Colorado, to grant a Special Use Permit in connection with the following described property situated in the County of Garfield, State of Colorado, to-wit:

Legal Description: Lot 7, Lot 8 SE 1/4, SW 1/4 of Section 15, T4S, R92W of the 6th P.M.

Tactical Description: Located approximately one half mile West of the Rifle Fish Hatchery, the above described property.

Persons affected by the proposed Special Use Permit are invited to appear and state their views, protests or objections. If you cannot appear personally at such meeting, then you are urged to state your views by letter, particularly if you have objections to such Special Use Permit, at the Board of County Commissioners will give consideration to the comments of surrounding property owners and other affected in deciding whether to grant or deny the request for special use. This Special Use Permit application may be reviewed at the office of the Planning Department located at 2014 Blake, Glenwood Springs, Colorado between the hours of 8:00 A.M. and 5:00 P.M., Monday through Friday.

That public hearing on the application for the above Special Use Permit has been set for the 22 day of September, 1980, at the hour of 10:00 A.M. at the office of the Board of County Commissioners, in the Courthouse, Glenwood Springs, Colorado.

Ray Baldwin
County Planning Director
Garfield County, Colorado

Published August 25, 1980 in the Glenwood Post

PROOF OF PUBLICATION
GLENWOOD POST

STATE OF COLORADO, }
COUNTY OF GARFIELD. } ss.

NO 11252

I, Peter W. Stauffer, General Manager, do solemnly swear that I am of the

GLENWOOD POST, that the same is a newspaper printed, in whole or in part, and published in the County of Garfield, State of Colorado and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said County of Garfield for a period of more than fifty-two consecutive weeks next prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any amendments thereof, and that said newspaper is a newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said newspaper for the period of 1 consecutive insertions; and that the first publication of said notice was in the issue of said newspaper dated August 25 A.D., 1980, and the last publication of said notice was in the issue of said newspaper dated 19 A.D.

In witness whereof I have hereunto set my hand this 27th day of August A.D., 1980
General Manager / Publisher

Subscribed and sworn to before me, a notary public in and for the County of Garfield, State of Colorado, this 27th day of August A.D., 1980
(SEAL) Notary Public

My Commission Expires 1983