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

COPY

M-2016-015

COLORADO DIVISION OF RECLAMATION MINING & SAFETY

RECEIVED
FEB 23 2016
DIVISION OF RECLAMATION MINING AND SAFETY

CONSTRUCTION MATERIALS

LIMITED IMPACT (110) OPERATION

RECLAMATION PERMIT APPLICATION FORM

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

Permit # M -2016015 (Please reference the file number currently assigned to this operation)

☒ **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 Limited Impact (110) Operation Reclamation Permit contains three major parts: (1) the application form; (2) Exhibits A-J, Exhibit L, Addendum 1, any sections of Exhibit 6.5 and Geotechnical Stability Exhibit, as required by the Office, and outlined in Rules 6.1, 6.2, 6.3, 6.5, and 1.6.2(1)(b); 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-J, Exhibit L, Addendum 1, and appropriate sections of 6.5 (Geotechnical Stability Exhibit), as required, and a check for the application fee described under (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 described below.

1. **Applicant/operator or company name (name to be used on permit)**: LUCKY VI QUARRY
   1.1 Type of organization (corporation, partnership, etc.): LLC
2. **Operation name (pit, mine or site name)**: Buffalo Hunter Load, Sharp Load
3. **Permitted acreage (new or existing site)**: _____ permitted acres
   3.1 Change in acreage (+) _____ acres
   3.2 Total Acreage in Permit Area 9.5 acres
4. **Fees**:
   4.1 New Application: $1258.00 application fee
   Amendment Fee (C.R.S. 34-32.5-125(II)): $827.00 application fee
5. **Primary commoditie(s) to be mined**: Road base 3/4 "Rock 1" Rock
   5.1 Incidental commoditie(s) to be mined: 1. 40/000 lbs/Tons/yr 2. / lbs/Tons/yr 3. / lbs/Tons/yr
   4. / lbs/Tons/yr 5. / lbs/Tons/yr
   5.2 Anticipated end use of primary commoditie(s) to be mined: 2041
   Anticipated end use of incidental commoditie(s) to be mined: 2041

11. **Correspondence Information**:

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

Contact's Name: Ed Lyons Title: Owner

Company Name: Lucky VI QUARRY

Street/P.O. Box: 228 Cty. Rd. 251 P.O. Box: 875

City: WestCliffe,

State: Co Zip Code: 81252

Telephone Number: (719) - 371-2136

Fax Number: (719) - 783-3535

PERMITTING CONTACT (if different from applicant/operator above)

Contact's Name: Title:

Company Name:

Street/P.O. Box: P.O. Box:

City: SAME

State: Zip Code:

Telephone Number: ( ) -

Fax Number: ( ) -

INSPECTION CONTACT

Contact's Name: Ed Lyons Title: owner

Company Name: Lucky VI QUARRY

Street/P.O. Box: 228 Cty. Rd. 251 P.O. Box: 875

City: WestCliffe,

State: Co Zip Code: 81252

Telephone Number: (719) - 371-2136

Fax Number: (719) - 783-3535

CC: STATE OR FEDERAL LANDOWNER (if any)

Agency:

Street:

City:

State: Zip Code:

Telephone Number: ( ) -

CC: STATE OR FEDERAL LANDOWNER (if any)

Agency:

Street:

City:

State: Zip Code:

Telephone Number: ( ) -

7. **Name of owner of the subsurface rights of affected land**: David Foulk, Iva Lou Bailey / Cinithia Black

8. **Name of owner of the surface of affected land**: David Foulk, Cinithia Black

9. **Type of mining operation**: [X] Surface [ ] Underground [ ] In-situ

10. **Location information**: The center of the area where the majority of mining will occur:

COUNTY: Custer

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

SECTION (write number): S 16

TOWNSHIP (write number and check direction): T 22 [ ] North [ ] South

RANGE (write number and check direction): R 72 [ ] 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): NE Silver Cliffe, CO approx elevation 8093 ft.

11. **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 38° min 08′ sec 31.2 (2 decimal places)

Longitude (W): deg 105° min 26′ sec 25.44 (2 decimal places)

OR

Example: (N) 39.73691°
(W) -104.98449°

Latitude (N) _____._____ (5 decimal places)

Longitude(W) _____._____ (5 decimal places)

OR

Universal Tranverse Mercator (UTM)

Example: 201336.3 E NAD27 Zone 13
4398351.2 N

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

Easting _____

Northing _____

12. **Primary future (Post-mining) land use (check one)**:

☐ Cropland(CR)	☐ Pastureland(PL)	☒ General Agriculture(GA)
☐ Rangeland(RL)	☐ Forestry(FR)	☐ Wildlife Habitat(WL)
☐ Residential(RS)	☐ Recreation(RC)	☐ Industrial/Commercial(IC)
☐ Developed Water Resources(WR)		☐ Solid Waste Disposal(WD)

13. **Primary present land use (check one)**:

☐ Cropland(CR)	☐ Pastureland(PL)	☒ General Agriculture(GA)
☐ Rangeland(RL)	☐ Forestry(FR)	☐ Wildlife Habitat(WL)
☐ Residential(RS)	☐ Recreation(RC)	☐ Industrial/Commercial(IC)
☐ Developed Water Resources (WR)		☐ Mining (MN)

14. If this operation will use designated chemicals, or will result, or presently has acid mine drainage - you cannot use this application form. You must submit either a 110d or 112d application form for Designated Mining Operations. In either case, you must list any acidic or toxic-forming materials, exposed or disturbed as a result of the mining operation, and whether the operation will result in or presently has acid mine drainage:

— NA —

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

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

— NA —

Maps & Exhibits:

Submit two (2) complete, unbound copies of the following application exhibits:

6.3.1	EXHIBIT A - Legal Description and Location Map
6.3.2	EXHIBIT B - Site Description
6.3.3	EXHIBIT C - Mining Plan
6.3.4	EXHIBIT D - Reclamation Plan
6.3.5	EXHIBIT E - Maps, to include the location of any recorded easements
6.3.6	EXHIBIT F - List of Other Permits and Licenses Required
6.3.7	EXHIBIT G - Source of Legal Right-to-Enter
6.3.8	EXHIBIT H - Municipalities Within a Two-mile Radius
6.3.9	EXHIBIT I - Proof of Filing with County Clerk
6.3.10	EXHIBIT J - Proof of Mailing Notices of Permit Application
6.3.12	EXHIBIT L - Permanent Man-Made Structures
1.6.2(1)(b)	ADDENDUM 1 - Notice Requirements (sample enclosed)
6.5	Geotechnical Stability Exhibit (as required)

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.

EL 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;

EL 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;

EL 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;

EL 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;

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

EL 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.

EL 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;

EL 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 Mineral Rules and Regulations in effect at the time the permit is issued.

EL 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.

EL 10. For joint venture/partnership permittee: the signing representative is authorized to sign when 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 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. All necessary approvals from local government have been applied for (Section 34-32.5-110(1)(a)(VIII).

2. 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.). (NOTE: For 110 operations, the affected area includes all lands delineated by the permit boundary.)

3. 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.).

4. As the applicant/operator, I do not have any mining/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.).

5. 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. 1984.

This form has been approved by the Mined Land Reclamation Board pursuant to section 34-32.5-110,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 27 day of Jan., 2016.

ED Lyons
Applicant/Operator

Signed: [signature]

Title: President

If Corporation Attest (Seal)

Signed: [signature]
Corporate Secretary or Equivalent
Town/City/County Clerk

State of Colorado)
) ss.
County of Custer)

The foregoing instrument was acknowledged before me this 27th day of January 2016,
, by Ed Lyons as President of Lucky VI Quarry

LORI LOUISE BISTODEAU
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20144020415
MY COMMISSION EXPIRES MAY 20, 2018

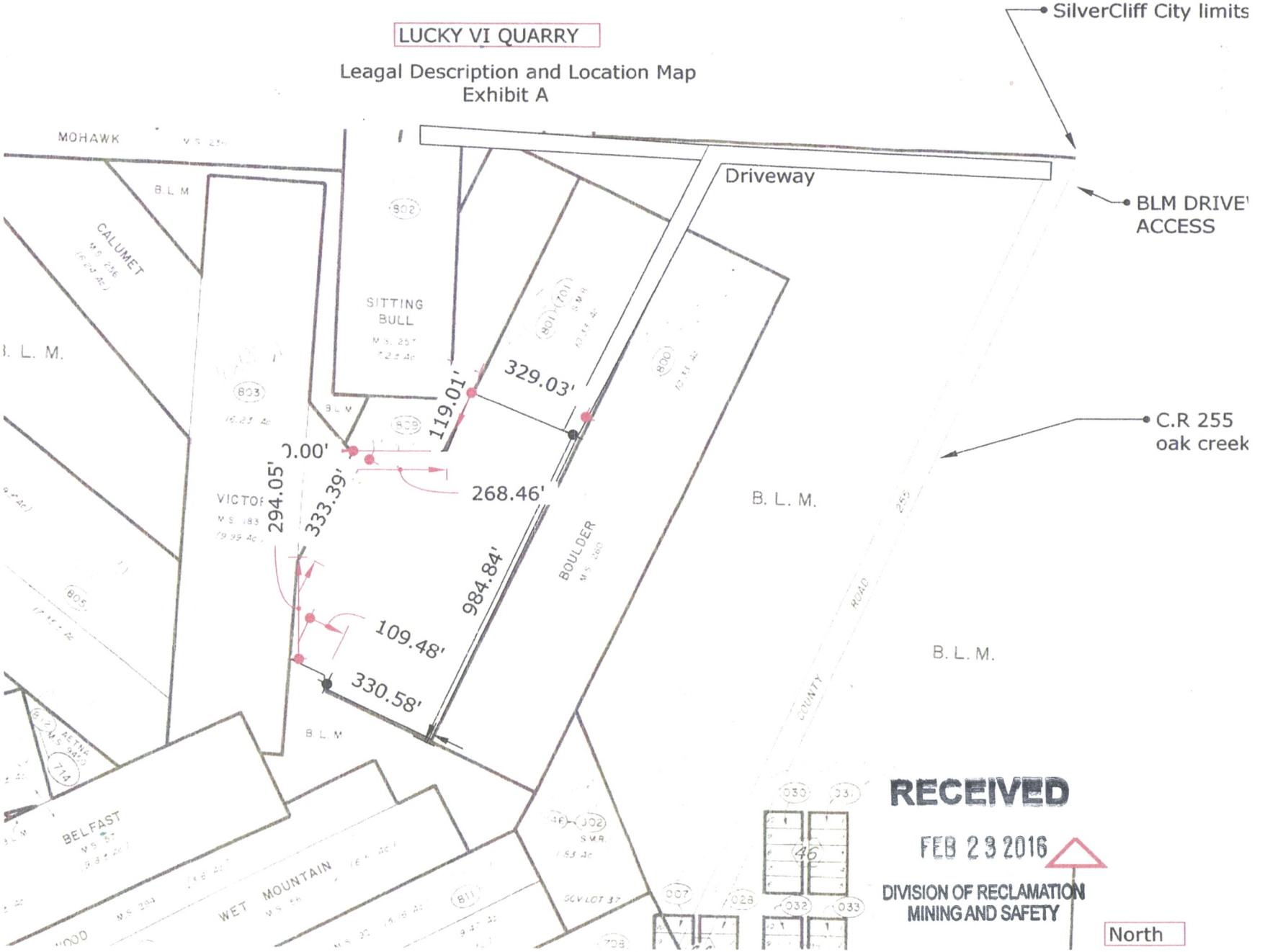
[signature]
Notary Public

My Commission expires: May 20 2018

SIGNATURES MUST BE IN BLUE INK

LUCKY VI QUARRY

Leagal Description and Location Map
Exhibit A



165' = 1/2"

330' =1"

Buffalo Hunter Load MS #259 Sec16 Township 22 Range72
Sharp Load MS#258 Sec16 Township 22 Range 72
Laditude(N)deg38min08sec31.2/ Longitude(W)deg105min26sec25.44
1445 CTY RD 255 Siver Cliff, Co.81252
Ed Lyons 1/26/16

LUCKY VI QUARRY

SITE DESCRIPTION

Exhibit B

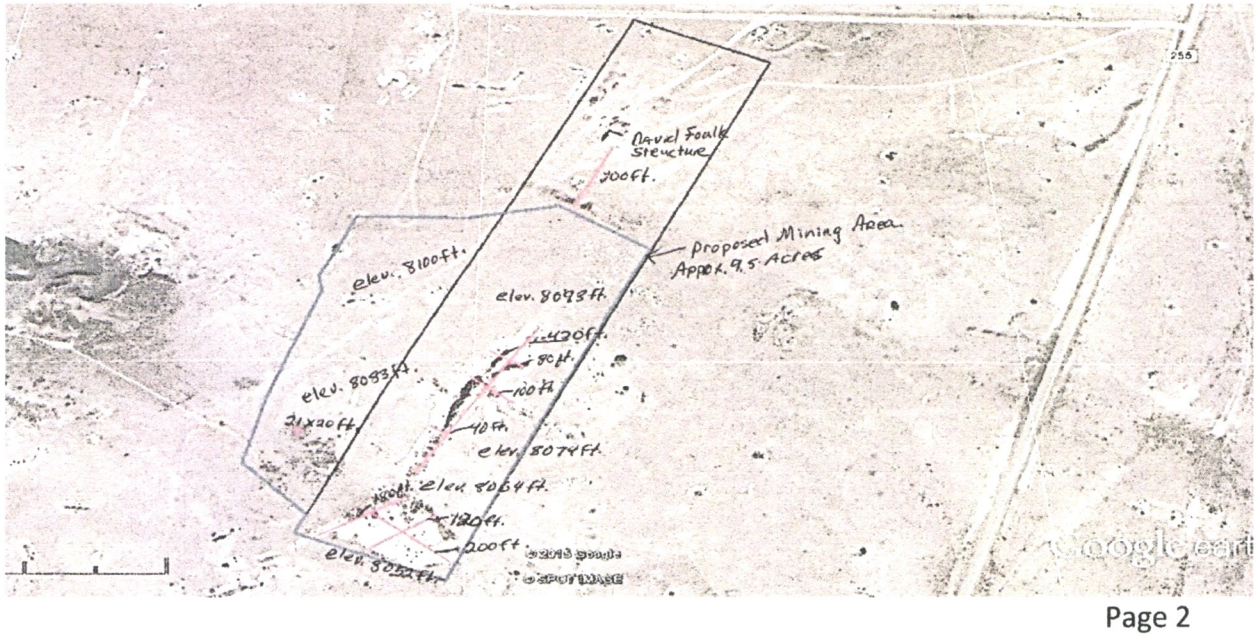
Buffalo Hunter Load M.S. #259 Section 16 Township 22 Range 72 (10.33 acres). Mining area proposed appox. 7 acres.

Sharp Load M.S. #258 Section 16 Township 22 Range 72 (6 acres). Mining area proposed appox. 3 acres.

Buffalo Hunter Load has a mining cut that has been reclaimed back in 1995.
It still has an approx. 420ft. long X 40 ft. wide X 33ft. deep cut and tailing piles that are approx. 200 ft. long X 120 ft. wide X 12ft. height. Top elevation is 8093ft. Lower elevation is 8052ft. There is 41ft difference in elevation.

Sharp Load has an approx. 20ft. wide by 21ft. high cut in bank.

Drainage is sufficient, no standing water, on either site.
There are No water resources, on either site.
No well, No power on either site.
Buffalo Hunter Load and Sharp Load are both range land grass.
Topsoil depth ranges from 2" – 8", few shrubs, few trees.
There are no fences on either parcels, neighboring parcels have fences, barbed wire.
There is a metal round top building owned by property owner David Foulk on Buffalo Hunter Load property. The structure is approx. 200ft away from mining property line.



LUCKY VI QUARRY

MINING PLAN

Exhibit C

Lucky VI Quarry lease of properties Buffalo Hunter Load and Sharp Load will commence February 2016, and end February 2041.

Mining on the Buffalo Hunter Load and Sharp Load is expected to start spring of 2016 and end in the spring of 2041.

The mining operation of the Lucky VI Quarry will be an intermittent operation. Also we will begin reclamation of site from the start of the operation and continuously keep up reclamation throughout entire process. We proposed to crush material once a year after working material to make it worthwhile, working material and screening will be processed as necessary, and stockpiled for use and hauling out as needed.

Topsoil is approx. 2" – 8", suitable for plant growth and will be salvaged and stockpiled at the edge of mining site for reuse for reclamation. Topsoil will be seeded with a seed mix recommended by Custer County Conservation Office as needed for stability, erosion control and dust control.

Lucky VI Quarry Phase I of mining on the Buffalo Hunter Load and Sharp Load
Remove topsoil 2" – 8" from mining site and store in berms at edge of property for reclamation and hand seed for stability, and erosion control.

Excavate cut/slopes on Buffalo Hunter Load for safety and a workable area. Push up tailing piles and crush into material to create processing area for screening and crushing.

Gravel entire disturbed area to keep dust down and a decent area to work.

Sharp Load will be leveled up for storage for materials. It will take care of the existing cut in the side of the bank.

Fence the entire mining area for safety if required, No Trespassing. Silt fence for erosion control.

Bring in a portable office trailer. Will have portable bathroom facility (Required by MSHA)

Driveway- BLM access, cut ditches and gravel, culvert, maintained for the entire 25 year lease.

Water truck will be used to maintain dust control (Required by MSHA). We will be getting water from Round Mountain Water as needed.

Drainage is sufficient and will be maintained throughout process, with ditches, rip raff, culvert, and slopes for proper drainage. We will not be detaining water or diverting any water, will maintain a natural flow.

PHASE II

Excavate and continue to improve the slope of the Buffalo Hunter Load, continuously push slope material towards processing area, downhill south of property and screen out useable material and stock pile material to crush when necessary. Usable material will be stockpiled on Sharp Load for use.
Primary material will be road base usage for driveways, housesits, ect.
Secondary material 3/4" rock – 1" rock will be used for driveways, housesits, ect.
Incidental products fines, rip raff, large boulders, stacking rocks will all stacked in storage lot for use.
Explosives are not for seen in mining or reclamation. Geotechnical stability will be applied if occurrence arises.
Reapply topsoil to areas that are reclaimed, fertilize and broadcast seed.

PHASE III
Slope banks on Buffalo Hunter Load to 3-1, where property lines will allow. Worst case slopes will be 2-1. Plant trees.

PHASE IV
Reapply topsoil and fertilize as needed and broadcast seed to disturbed areas.

LUCKY VI QUARRY

RECLAMATION PLAN

Exhibit D

Buffalo Hunter Load M.S. #259 Section 16 Township 22 Range 72 (10.33 acres). Mining area proposed appox. 7 acres.

Sharp Load M.S. #258 Section 16 Township 22 Range 72 (6 acres). Mining area proposed appox. 3 acres.

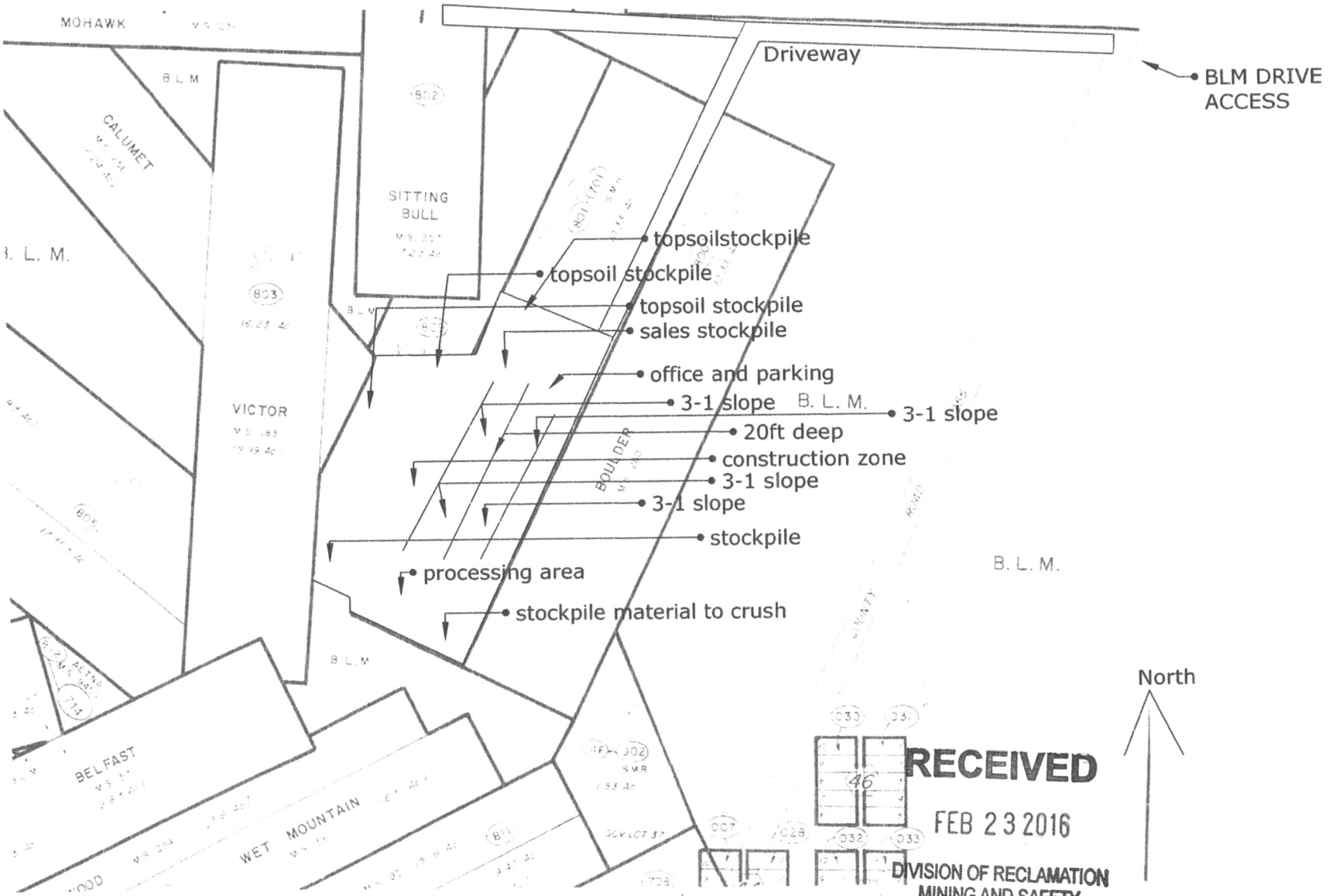
Buffalo Hunter Load has a mining cut that has been reclaimed back in 1995.
It still has an approx. 420ft. long X 40 ft. wide X 33ft. deep cut and tailing piles that are approx. 200 ft. long X 120 ft. wide X 12ft. height. Top elevation is 8093ft. Lower elevation is 8052ft. There is 41ft difference in elevation.

Sharp Load has an approx. 20ft. wide by 21ft. high cut in bank.

Drainage is sufficient, no standing water, on either site.
There are No water resources, on either site.
No well, No power on either site.
Buffalo Hunter Load and Sharp Load are both range land grass.
Topsoil depth ranges from 2" – 8", few shrubs, few trees.
There are no fences on either parcels, neighboring parcels have fences, barbed wire.

PHASE I : RECLAMATION PLAN (5 yr.)
Strip topsoil from around mining site Buffalo Hunter Load and store in berms for safety, reclamation and seed for erosion control. Strip topsoil from Sharp Load, storage site, and store in berms for safety, reclamation and seed for erosion control. Excavate the cut, Buffalo Hunter load for safety, safer slope and a workable area. Propose to be -20ft and reclaim a 3-1 slope on sides of cut. Maintain natural drainage. Build and gravel road, maintain it all seasons. Push up tailing piles and crush into material. Gravel entire working area to keep dust down.
Sharp Load will be leveled up for material storage. It will take care of the existing 20ft x 21ft cut in the bank.
Fence the entire mining area for safety and no trespassing.
We will plant seedling trees for future use as reclamation.

LUCKY VI QUARRY
5 YR. RECLAMATION PLAN
EXHIBIT D



I _____ I = 300ft.

PHASE II (10 yr.)

Continue to improve the slope of Buffalo Hunter Load and Sharp Load by pushing steep slope continuously towards processing area, downhill south of the property and process and stockpile on Sharp Load storage area.
Reapply topsoil, to areas that are reclaimed fertilize and broadcast seed, as recommended by the Custer County Conservation Office.

PHASE III (15 YR.)
Excavate slopes 3-1, Trees planted. There will be five year growth on seeded grass areas.

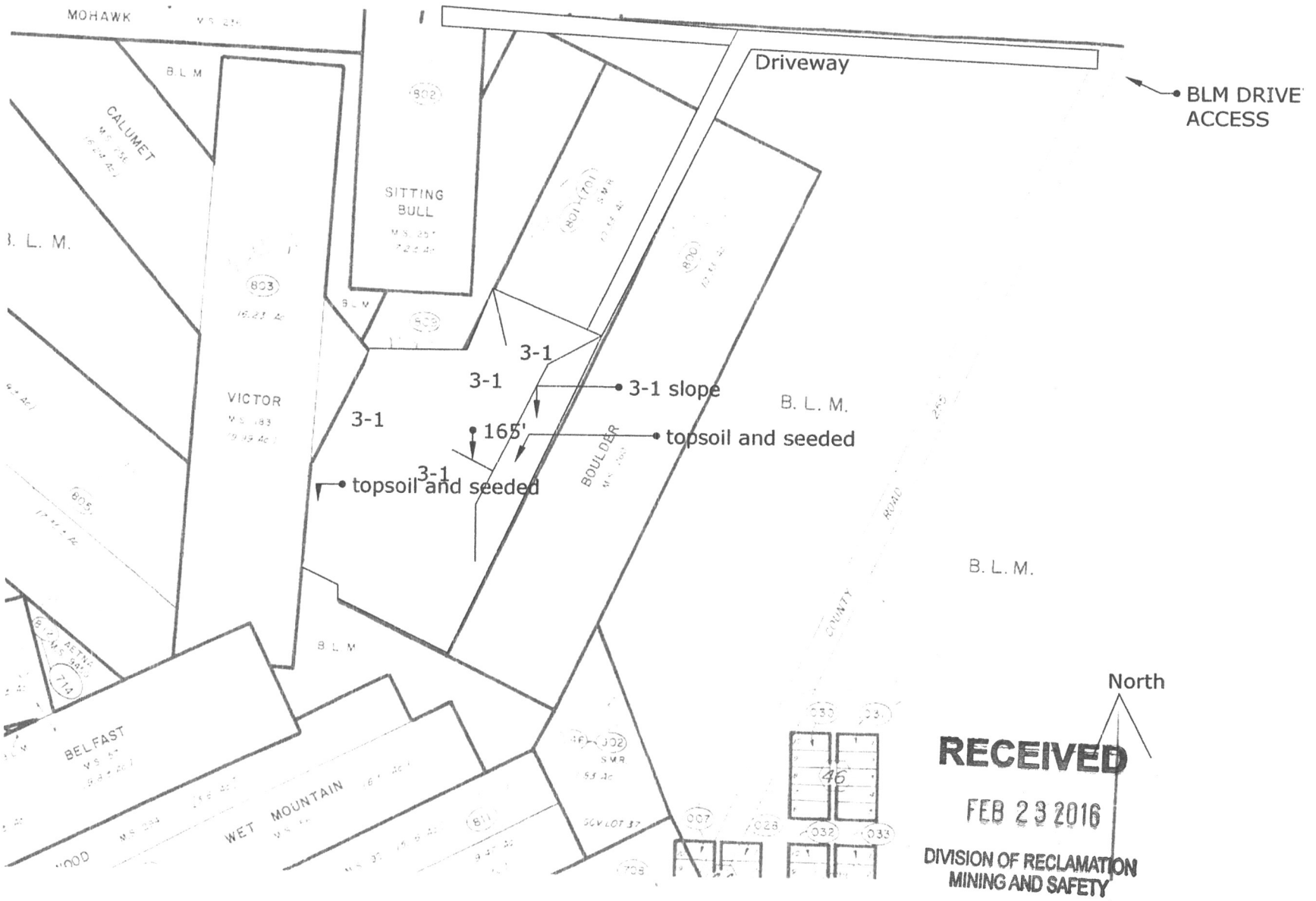
PHASE IV (20 yr.)

Ten years growth on seeded areas. Five year growth on trees planted.

Phase V (25 yr.)

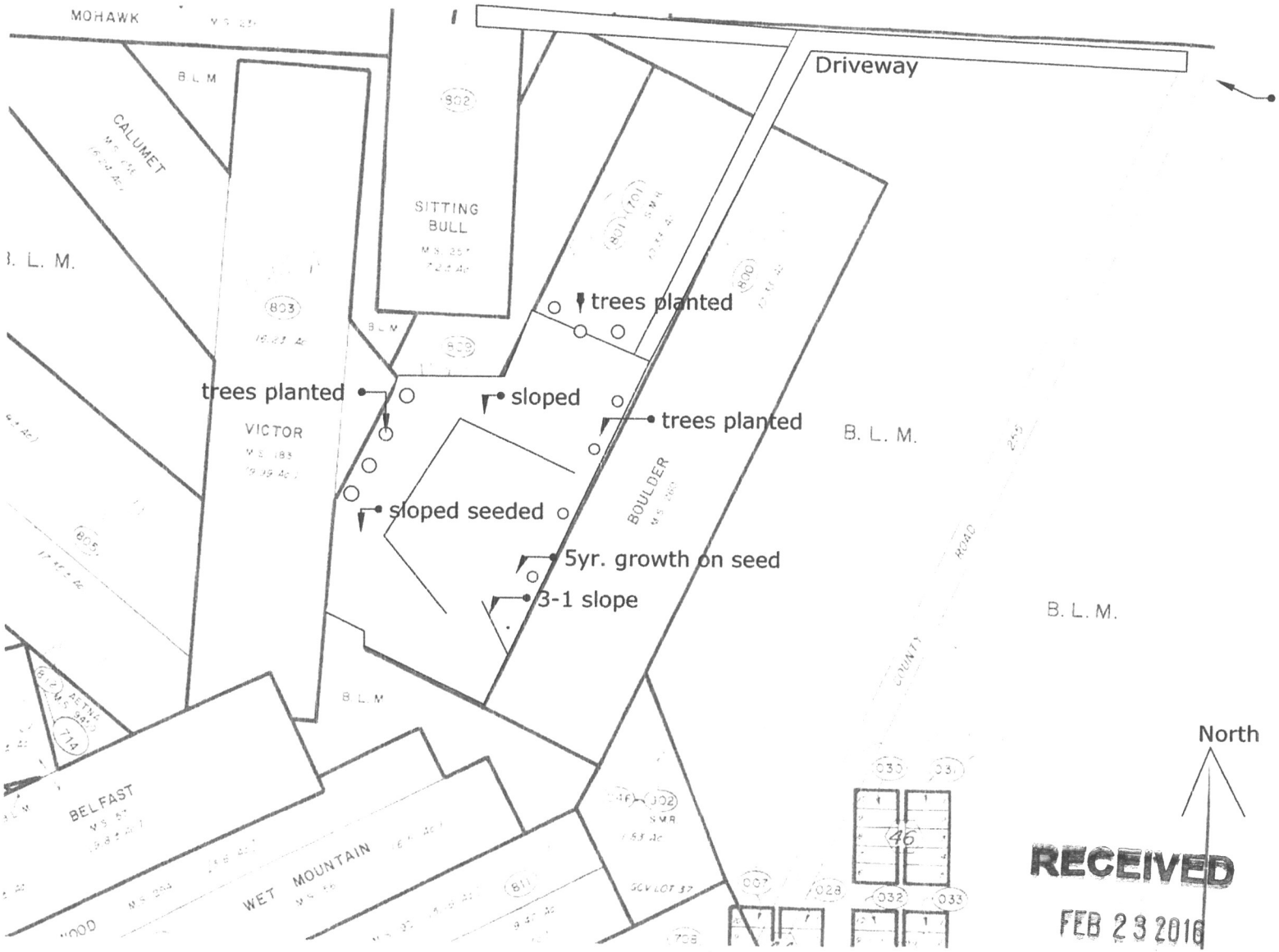
Fifteen years growth on seeded areas. Ten year growth on trees planted. 3-1 slope on all the banks. Future expansion.

LUCKY VI QUARRY
RECLAMATION 10 YR. PLAN
EXHIBIT D



I ——— I = 300ft.

LUCKY VI QUARRY
RECLAMATION 15 YR. PLAN
EXHIBIT D



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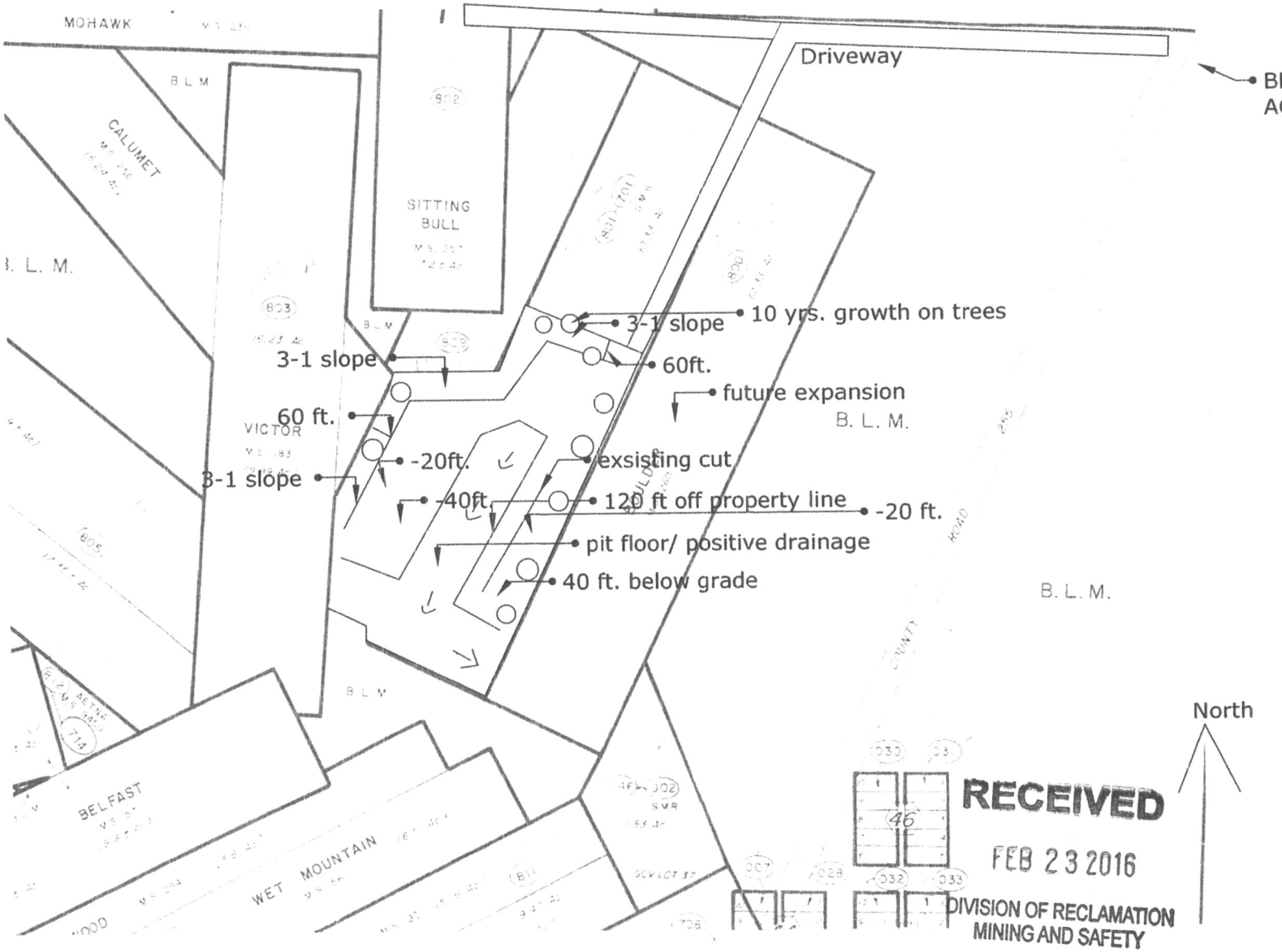
LUCKY VI QUARRY
RECLAMATION 25 YR. PLAN
EXHIBIT D



I _____ I = 300ft.

USDA NRCS
United States Department of Agriculture
Natural Resources Conservation Service

Grass Seeding Planned and Applied Worksheet

Grass Seeding PART I - Planned

Cooperator	Ed Lyons	Date	1/28/2016
Tract/Field No		Acres	10
Soil Survey Area	CO635	Map Unit (s)	5
Contract No.		CIN	

Seeding dates	10/1 - 4/30	Purpose	Other
Seedbed preparation	Limited: less than 3 tillage operations	Seed rate	Critical Area Planting broadcast (80 seeds/sq ft)
Drill type	broadcast spreader	Acres to be seeded	10.00
Planting depth-Drill spacing (in)	0.25 - 0.50		

	N	P_2O_5	K_2O
Planned fertilizer application (lb/ac)		40	

A Nutrient Management Plan is not required for the establishment of vegetative conservation practices.

Planned weed control activities	Description	Tillage + Herbicide
	Date(s)	As needed

Attach WIN-PST Soil-Pesticide Interaction Risk Report for all chemical suppression activities

Planned residue cover or mulch	Type	Cereal grain straw
	Amount (lb/ac)	4000 lbs./ac.
	Application method	Straw spreader/blower

Seed Mix Recommendation, † ‡ (PLS = Pure Live Seed)

Common name N=native, I=introduced		Genus, species	Recommended Cultivar	% of seed mix	Total Pounds PLS	Pounds PLS per acre
Grasses, forbs						
Wheatgrass, Western	N	*Pascopyrum smithii*	rosana	25.0	80.00	8.00
Fescue, Arizona	N	*Festuca arizonica*	redondo	10.0	8.40	0.84
Grama, Blue	N	*Bouteloua gracilis*	hachita, alma	15.0	7.50	0.75
Green needlegrass	N	*Nassella viridula*	lodorm	20.0	38.40	3.84
Prairie junegrass	N	*Koelaria macrantha*		5.0	0.80	0.08
Indian ricegrass - Nezpar, Rimrock	N	*Achnatherum hymenoides*		10.0	14.80	1.48
Wheatgrass, Slender	N	*Elymus trachycaulus*	san luis	15.0	32.70	3.27
				100.0		
Shrubs (add shrub seed to grass - forb seed mix)						
Winterfat	N	*Krascheninnikovia lanata*	hatch		0.40	0.04
Currant, wax (E-M bloom)	N	*Ribes cereum*			4.00	0.40
				Shrubs	4.40	
				Grasses, Forbs	182.60	
				Total lbs PLS	187.00	
				Seed Rate (Pounds PLS per acre)		18.70

† Certified Seed is required for all NRCS cost share programs

‡ Complete a Tree and Shrub Establishment 612 Job Sheet for bare-root shrub plantings

Additional Recommendations

If fertilizer is added, incorporate well into the topsoil before seeding. It is recommended that the area is left rough after final grading and then broadcast the seed and then pack the seed into the ground using a track vehicle. It is recommended that 10 pounds of triticale per acre are added to this mix as a cover crop.

Certified Planner Richard Romano, CCP 69 **Date** 1/28/2016

Grass Seeding **PART II - Applied** (Seed tags must be attached)

Cooperator	Ed Lyons	Seed rate	Critical Area Planting broadcast (80 seeds/sq ft)
Acres seeded			
Seedbed preparation		Seeding date	
Weed control		Suppression date(s)	
Residue cover or mulch type			
Residue/mulch amount (lb/ac)			

Common name		Cultivar	Bulk pounds	Percent Germination	Percent Purity	Percent PLS	Total Pounds PLS	Pounds PLS per acre
Grasses, forbs								
Shrubs								

Bulk Pounds per acre

Grasses, forbs	0.00
Shrubs	0.00
Total lbs PLS	0.00

Cost Information

Common name		lbs PLS /ac	lbs PLS/ac 100% seed rate	PLS % of seed rate	Bulk seed cost $	PLS cost $/lb	PLS cost $/ac
Grasses, forbs							
Shrubs							

Grasses, forbs	0.00	**% of seed rate**	0.00				$ -
Shrubs	0.00						$ -
Seed rate (lbs PLS/ac)	0.00	**Total cost of bulk seed**	$ -			**PLS ($/ac)**	$ -
		Max $/ac CRP	$ -			**Max $ CRP**	$ -
		Max $/ac NRCS	$ -			**Max $ NRCS**	$ -

United States Department of Agriculture

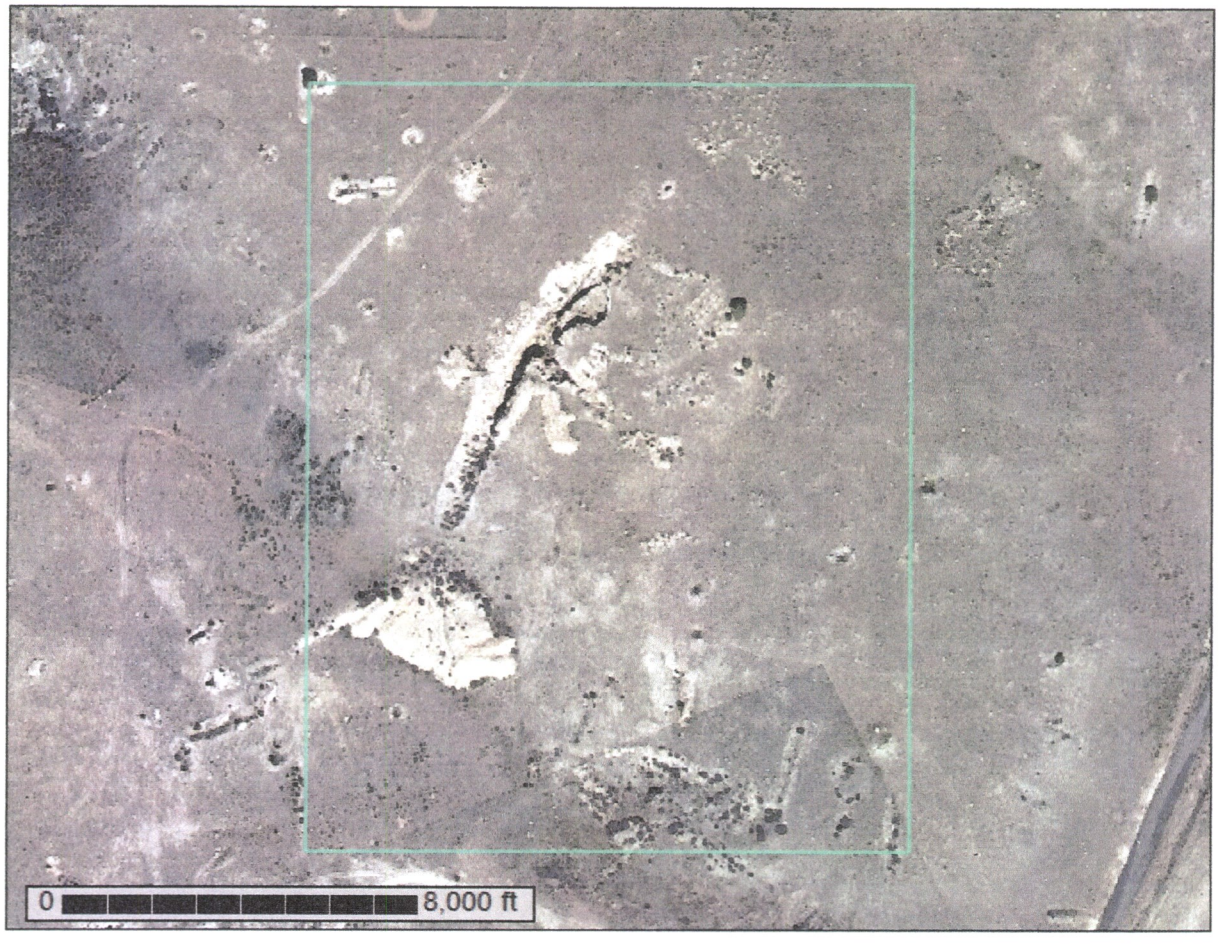
NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Custer County Area, Colorado

gravel pit



January 28, 2016

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (http://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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Contents

How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil scientists classified and named the soils in the survey area, they compared the

individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

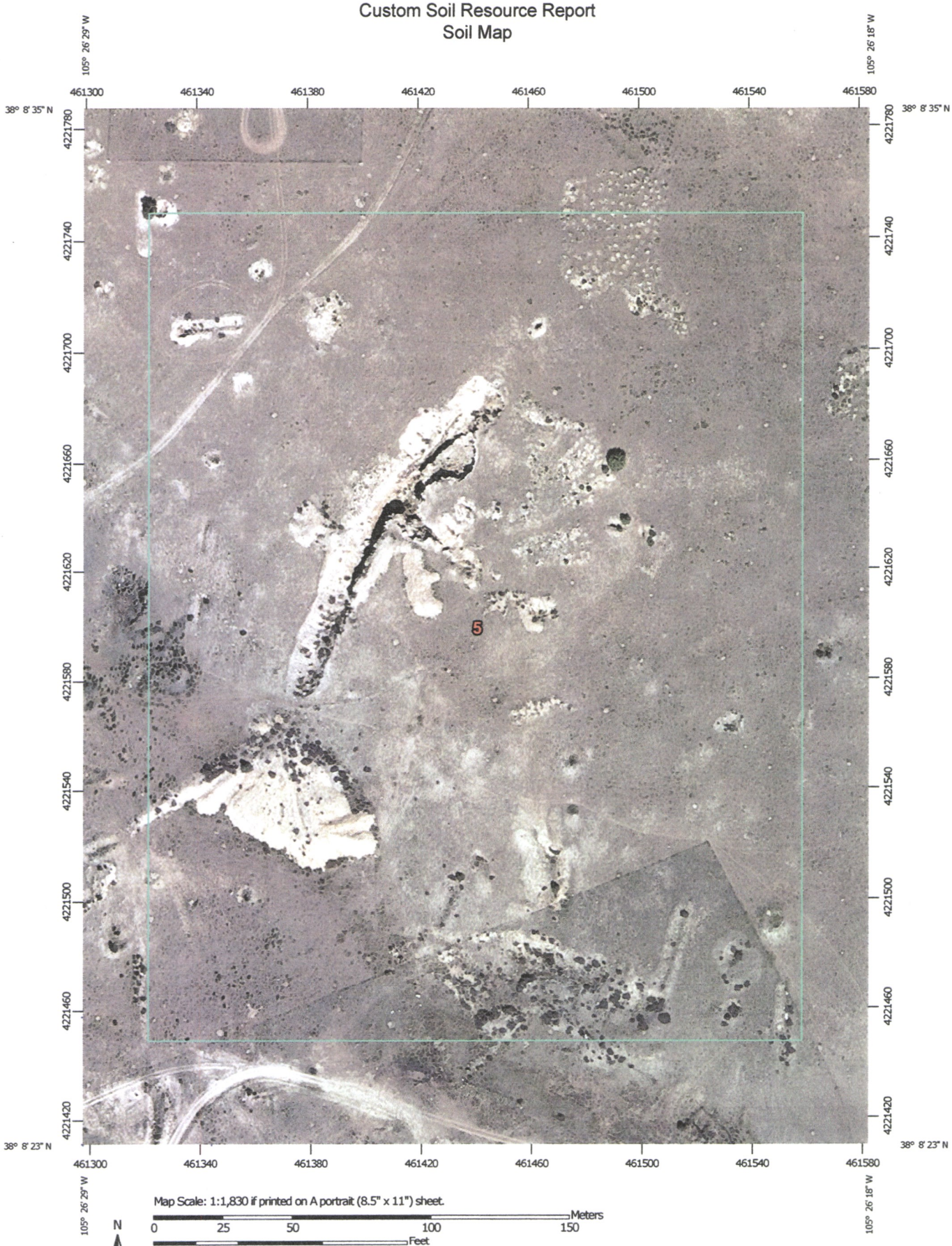
Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map



MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Custer County Area, Colorado
Survey Area Data: Version 7, Sep 30, 2014

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 11, 2010—Nov 18, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Custer County Area, Colorado (CO635)			
Map Unit Symbol	**Map Unit Name**	**Acres in AOI**	**Percent of AOI**
5	Buena Vista sandy loam, 3 to 20 percent slopes	17.7	100.0%
Totals for Area of Interest		**17.7**	**100.0%**

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Custer County Area, Colorado

5—Buena Vista sandy loam, 3 to 20 percent slopes

Map Unit Setting

National map unit symbol: jqmy
Elevation: 7,800 to 8,200 feet
Mean annual precipitation: 14 to 16 inches
Mean annual air temperature: 40 to 44 degrees F
Frost-free period: 55 to 75 days
Farmland classification: Not prime farmland

Map Unit Composition

Buena vista and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Buena Vista

Setting

Landform: Hills
Landform position (two-dimensional): Footslope, backslope, shoulder, summit
Landform position (three-dimensional): Side slope
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Residuum weathered from trachyte

Typical profile

H1 - 0 to 10 inches: sandy loam
H2 - 10 to 15 inches: extremely channery sandy loam
H3 - 15 to 19 inches: extremely channery sandy loam
H4 - 19 to 26 inches: extremely flaggy sandy loam
H5 - 26 to 30 inches: extremely channery sandy loam
H6 - 30 to 34 inches: unweathered bedrock

Properties and qualities

Slope: 3 to 20 percent
Depth to restrictive feature: 20 to 40 inches to lithic bedrock
Natural drainage class: Well drained
Runoff class: High
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum in profile: 15 percent
Available water storage in profile: Very low (about 1.9 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 7s
Hydrologic Soil Group: B
Ecological site: Mountain Loam (R048AY228CO)

Minor Components

Coutis

Percent of map unit: 15 percent

Soil Information for All Uses

Suitabilities and Limitations for Use

The Suitabilities and Limitations for Use section includes various soil interpretations displayed as thematic maps with a summary table for the soil map units in the selected area of interest. A single value or rating for each map unit is generated by aggregating the interpretive ratings of individual map unit components. This aggregation process is defined for each interpretation.

Construction Materials

Construction materials interpretations are tools designed to provide guidance to users in selecting a site for potential source of various materials. Individual soils or groups of soils may be selected as a potential source because they are close at hand, are the only source available, or they meets some or all of the physical or chemical properties required for the intended application. Example interpretations include roadfill, sand and gravel, topsoil and reclamation material.

Gravel Source (Lyons)

Gravel consists of natural aggregates (2 to 75 millimeters in diameter) suitable for commercial use with a minimum of processing. It is used in many kinds of construction. Specifications for each use vary widely. Only the probability of finding material in suitable quantity is evaluated. The suitability of the material for specific purposes is not evaluated, nor are factors that affect excavation of the material.

The properties used to evaluate the soil as a source of gravel are gradation of grain sizes (as indicated by the Unified classification of the soil), the thickness of suitable material, and the content of rock fragments. If the bottom layer of the soil contains gravel, the soil is considered a likely source regardless of thickness. The assumption is that the gravel layer below the depth of observation exceeds the minimum thickness. The ratings are for the whole soil, from the surface to a depth of about 6 feet. Coarse fragments of soft bedrock, such as shale and siltstone, are not considered to be gravel.

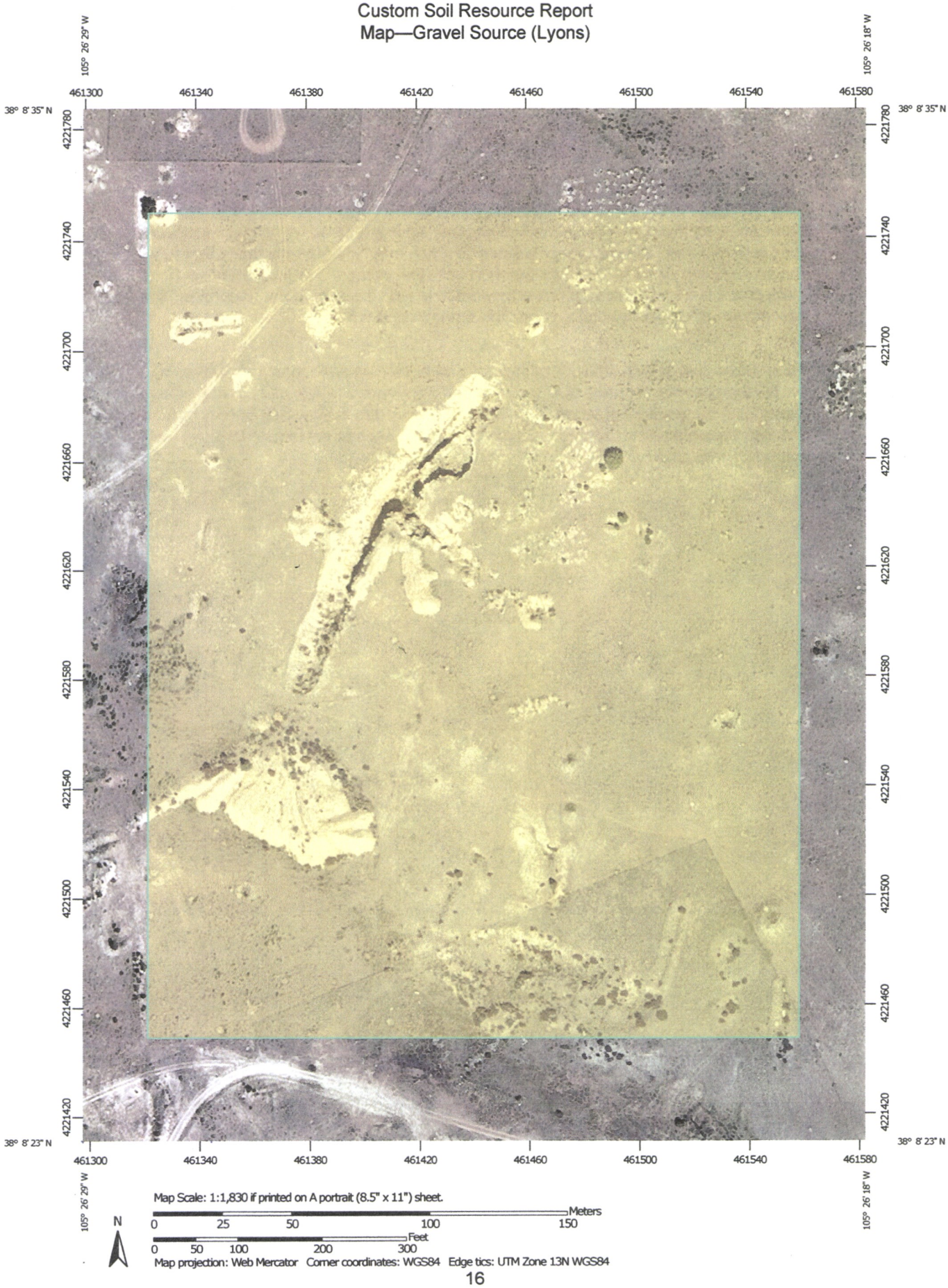
The soils are rated "good," "fair," or "poor" as potential sources of gravel. A rating of "good" or "fair" means that the source material is likely to be in or below the soil. The bottom layer and the thickest layer of the soils are assigned numerical ratings. These ratings indicate the likelihood that the layer is a source of gravel. The number 0.00

indicates that the layer is a poor source. The number 1.00 indicates that the layer is a good source. A number between 0.00 and 1.00 indicates the degree to which the layer is a likely source.

The map unit components listed for each map unit in the accompanying Summary by Map Unit table in Web Soil Survey or the Aggregation Report in Soil Data Viewer are determined by the aggregation method chosen. An aggregated rating class is shown for each map unit. The components listed for each map unit are only those that have the same rating class as listed for the map unit. The percent composition of each component in a particular map unit is presented to help the user better understand the percentage of each map unit that has the rating presented.

Other components with different ratings may be present in each map unit. The ratings for all components, regardless of the map unit aggregated rating, can be viewed by generating the equivalent report from the Soil Reports tab in Web Soil Survey or from the Soil Data Mart site. Onsite investigation may be needed to validate these interpretations and to confirm the identity of the soil on a given site.

Custom Soil Resource Report
Map—Gravel Source (Lyons)



MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils

Soil Rating Polygons
- Poor
- Fair
- Good
- Not rated or not available

Soil Rating Lines
- Poor
- Fair
- Good
- Not rated or not available

Soil Rating Points
- Poor
- Fair
- Good
- Not rated or not available

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

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Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: Web Mercator (EPSG:3857)

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Tables—Gravel Source (Lyons)

Gravel Source— Summary by Map Unit — Custer County Area, Colorado (CO635)						
Map unit symbol	**Map unit name**	**Rating**	**Component name (percent)**	**Rating reasons (numeric values)**	**Acres in AOI**	**Percent of AOI**
5	Buena Vista sandy loam, 3 to 20 percent slopes	Fair	Buena Vista (85%)	Thickest layer (0.00)	17.7	100.0%
				Bottom layer (0.63)		
Totals for Area of Interest					**17.7**	**100.0%**

Gravel Source— Summary by Rating Value		
Rating	**Acres in AOI**	**Percent of AOI**
Fair	17.7	100.0%
Totals for Area of Interest	**17.7**	**100.0%**

Rating Options—Gravel Source (Lyons)

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Lower

Soil Properties and Qualities

The Soil Properties and Qualities section includes various soil properties and qualities displayed as thematic maps with a summary table for the soil map units in the selected area of interest. A single value or rating for each map unit is generated by aggregating the interpretive ratings of individual map unit components. This aggregation process is defined for each property or quality.

Water Features

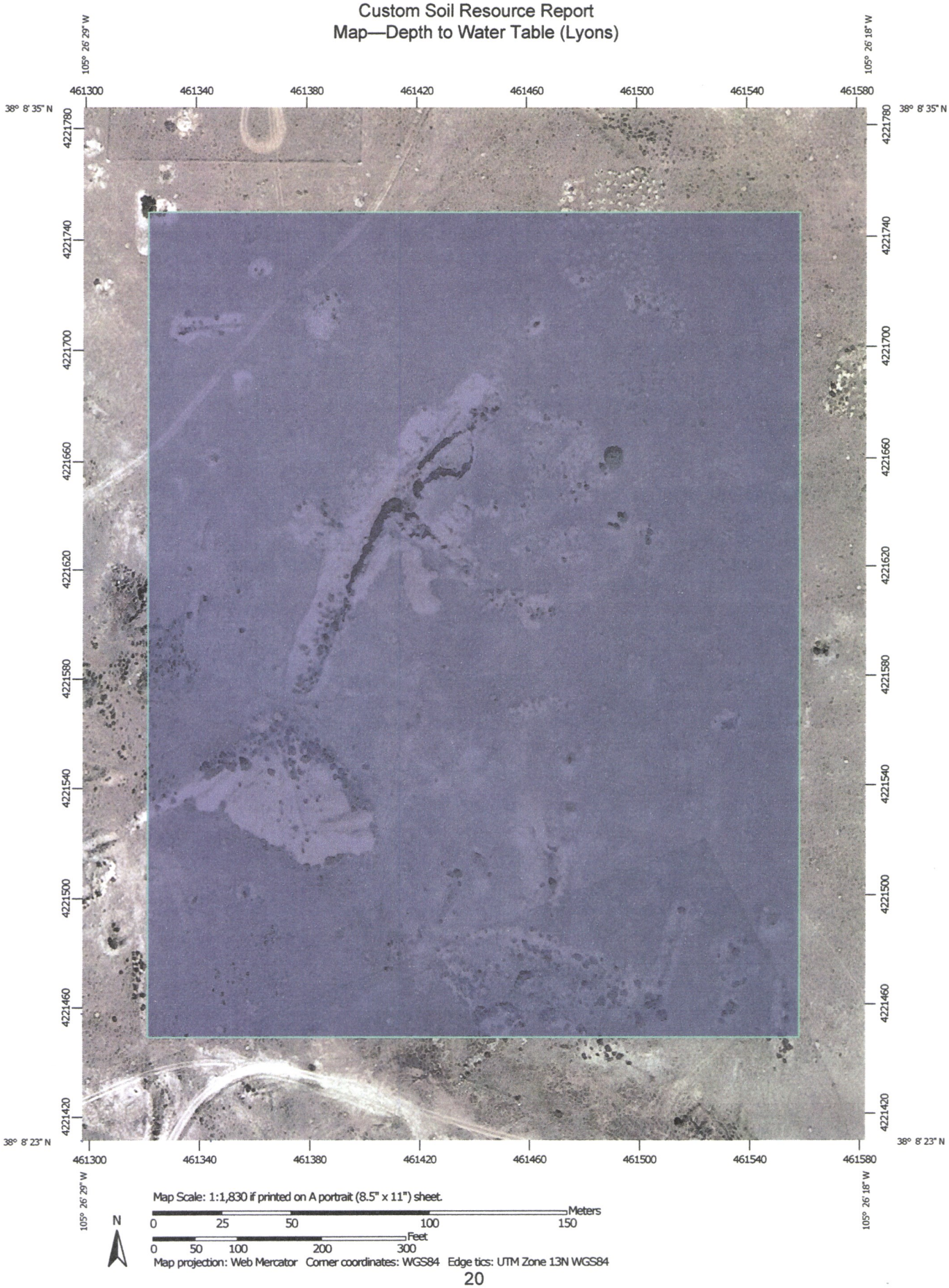
Water Features include ponding frequency, flooding frequency, and depth to water table.

Depth to Water Table (Lyons)

"Water table" refers to a saturated zone in the soil. It occurs during specified months. Estimates of the upper limit are based mainly on observations of the water table at selected sites and on evidence of a saturated zone, namely grayish colors (redoximorphic features) in the soil. A saturated zone that lasts for less than a month is not considered a water table.

This attribute is actually recorded as three separate values in the database. A low value and a high value indicate the range of this attribute for the soil component. A "representative" value indicates the expected value of this attribute for the component. For this soil property, only the representative value is used.

Custom Soil Resource Report
Map—Depth to Water Table (Lyons)



MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Rating Polygons

- 0 - 25
- 25 - 50
- 50 - 100
- 100 - 150
- 150 - 200
- > 200
- Not rated or not available

Soil Rating Lines

- 0 - 25
- 25 - 50
- 50 - 100
- 100 - 150
- 150 - 200
- > 200
- Not rated or not available

Soil Rating Points

- 0 - 25
- 25 - 50
- 50 - 100
- 100 - 150
- 150 - 200
- > 200
- Not rated or not available

Water Features

- Streams and Canals

Transportation

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background

- Aerial Photography

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Table—Depth to Water Table (Lyons)

Depth to Water Table— Summary by Map Unit — Custer County Area, Colorado (CO635)				
Map unit symbol	**Map unit name**	**Rating (centimeters)**	**Acres in AOI**	**Percent of AOI**
5	Buena Vista sandy loam, 3 to 20 percent slopes	>200	17.7	100.0%
Totals for Area of Interest			**17.7**	**100.0%**

Rating Options—Depth to Water Table (Lyons)

Units of Measure: centimeters

Aggregation Method: Dominant Component

Component Percent Cutoff: None Specified

Tie-break Rule: Lower

Interpret Nulls as Zero: No

Beginning Month: January

Ending Month: December

Soil Reports

The Soil Reports section includes various formatted tabular and narrative reports (tables) containing data for each selected soil map unit and each component of each unit. No aggregation of data has occurred as is done in reports in the Soil Properties and Qualities and Suitabilities and Limitations sections.

The reports contain soil interpretive information as well as basic soil properties and qualities. A description of each report (table) is included.

Vegetative Productivity

This folder contains a collection of tabular reports that present vegetative productivity data. The reports (tables) include all selected map units and components for each map unit. Vegetative productivity includes estimates of potential vegetative production for a variety of land uses, including cropland, forestland, hayland, pastureland, horticulture and rangeland. In the underlying database, some states maintain crop yield data by individual map unit component. Other states maintain the data at the map unit level. Attributes are included for both, although only one or the other is likely to contain data for any given geographic area. For other land uses, productivity data is shown only at the map unit component level. Examples include potential crop yields under irrigated and nonirrigated conditions, forest productivity, forest site index, and total rangeland production under of normal, favorable and unfavorable conditions.

Rangeland Productivity and Plant Composition (Lyons)

In areas that have similar climate and topography, differences in the kind and amount of rangeland or forest understory vegetation are closely related to the kind of soil. Effective management is based on the relationship between the soils and vegetation and water.

This table shows, for each soil that supports vegetation suitable for grazing, the ecological site; the total annual production of vegetation in favorable, normal, and unfavorable years; the characteristic vegetation; and the average percentage of each species. An explanation of the column headings in the table follows.

An *ecological site* is the product of all the environmental factors responsible for its development. It has characteristic soils that have developed over time throughout the soil development process; a characteristic hydrology, particularly infiltration and runoff that has developed over time; and a characteristic plant community (kind and amount of vegetation). The hydrology of the site is influenced by development of the soil and plant community. The vegetation, soils, and hydrology are all interrelated. Each is influenced by the others and influences the development of the others. The plant community on an ecological site is typified by an association of species that differs from that of other ecological sites in the kind and/or proportion of species or in total production. Descriptions of ecological sites are provided in the Field Office Technical Guide, which is available in local offices of the Natural Resources Conservation Service (NRCS).

Total dry-weight production is the amount of vegetation that can be expected to grow annually in a well managed area that is supporting the potential natural plant community. It includes all vegetation, whether or not it is palatable to grazing animals. It includes the current year's growth of leaves, twigs, and fruits of woody plants. It does not include the increase in stem diameter of trees and shrubs. It is expressed in pounds per acre of air-dry vegetation for favorable, normal, and unfavorable years. In a favorable year, the amount and distribution of precipitation and the temperatures make growing conditions substantially better than average. In a normal year, growing conditions are about average. In an unfavorable year, growing conditions are well below average, generally because of low available soil moisture. Yields are adjusted to a common percent of air-dry moisture content.

Characteristic vegetation (the grasses, forbs, and shrubs that make up most of the potential natural plant community on each soil) is listed by common name. Under *rangeland composition*, the expected percentage of the total annual production is given for each species making up the characteristic vegetation. The amount that can be used as forage depends on the kinds of grazing animals and on the grazing season.

Range management requires knowledge of the kinds of soil and of the potential natural plant community. It also requires an evaluation of the present range similarity index and rangeland trend. Range similarity index is determined by comparing the present plant community with the potential natural plant community on a particular rangeland ecological site. The more closely the existing community resembles the potential community, the higher the range similarity index. Rangeland trend is defined as the direction of change in an existing plant community relative to the potential natural plant community. Further information about the range similarity index and rangeland trend is available in the "National Range and Pasture Handbook," which is available in local offices of NRCS or on the Internet.

The objective in range management is to control grazing so that the plants growing on a site are about the same in kind and amount as the potential natural plant community for that site. Such management generally results in the optimum production of vegetation, control of undesirable brush species, conservation of water, and control of erosion. Sometimes, however, an area with a range similarity index somewhat below the potential meets grazing needs, provides wildlife habitat, and protects soil and water resources.

Reference:

United States Department of Agriculture, Natural Resources Conservation Service, National range and pasture handbook.

Rangeland Productivity and Plant Composition–Custer County Area, Colorado						
Map unit symbol and soil name	**Ecological site**	**Total dry-weight production**			**Characteristic vegetation**	**Rangeland composition**
		Favorable year	**Normal year**	**Unfavorable year**		
		Lb/ac	*Lb/ac*	*Lb/ac*		*Pct*
5—Buena Vista sandy loam, 3 to 20 percent slopes						
Buena vista	Mountain Loam	1,000	700	500	Needleandthread	30
					Western wheatgrass	20
					Arizona fescue	10
					Mountain muhly	10
					Blue grama	5
					Prairie sagewort	5
					Prairie junegrass	5
					Yellow rabbitbrush	5

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United States Department of Agriculture, Natural Resources Conservation Service. National soil survey handbook, title 430-VI. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2_054242

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MAPS TO INCLUDE THE LOCATION OF ANY RECORED EASEMENTS

Exhibit E

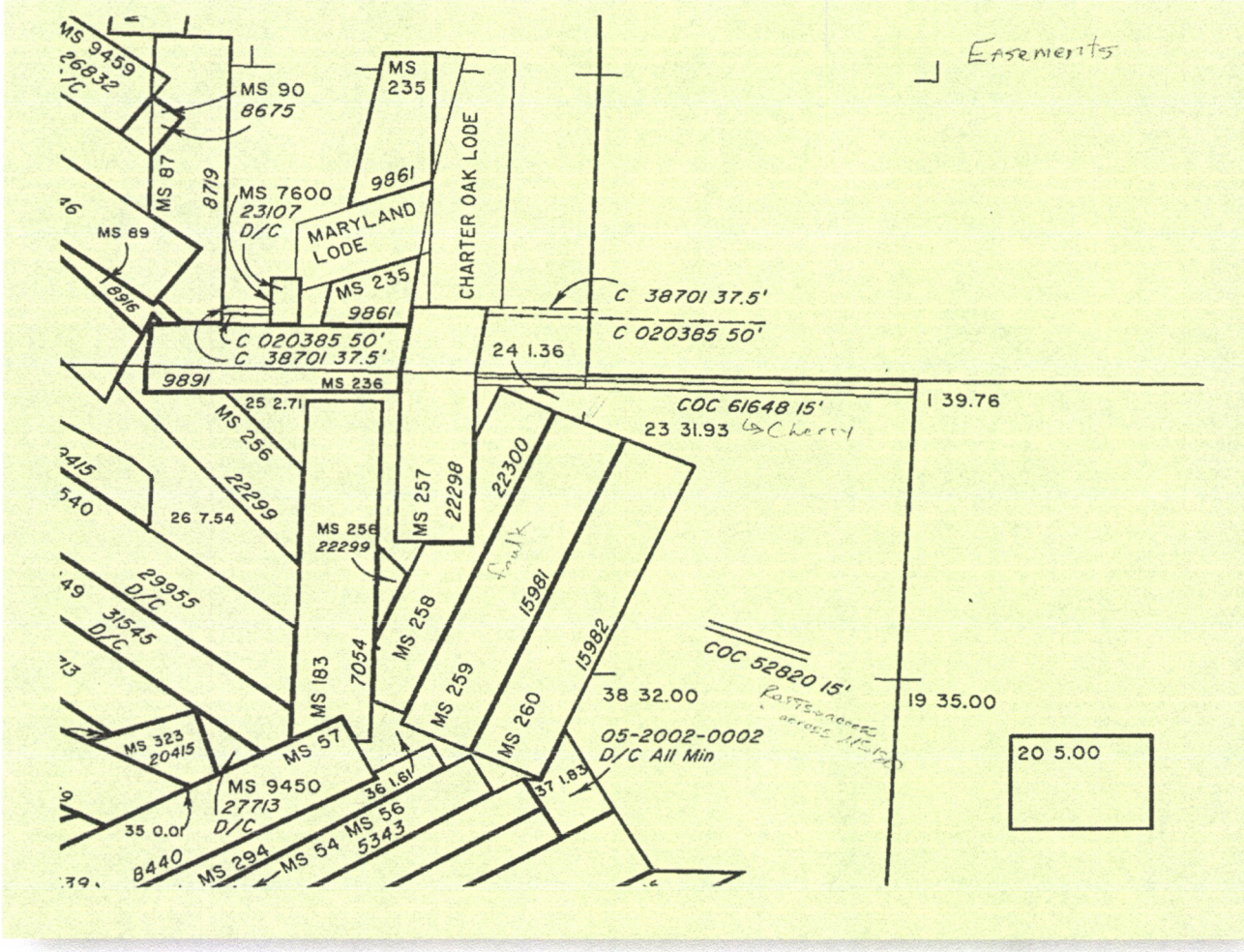

Exhibit E

BLM - CANON CITY

To Whom it May Concern

I, Danny Ray Cherry, Account # COC 061648, under the direction of Dave Hallock (BLM) viva Jamie & David Foulk, do request the addition of the Foulk's names being added to Cherry's Right of Way Access, up to the Old Water Tank Service Road, with them splitting initial costs, and all future rental fees and costs.

Danny Ray Cherry

Danny Ray Cherry

Date 9/10/04

LORALYN J. KASTENDIECK
NOTARY PUBLIC
STATE OF COLORADO

Notary

Subscribed and sworn before me this 10th day of September 2004 by Danny Ray Cherry
State of Colorado
County of Custer
Notary Public
My Commission Expires 4-08-05

Jamie Foulk

Date 9-1-04

LORALYN J. KASTENDIECK
NOTARY PUBLIC
STATE OF COLORADO

Notary

My Commission Expires 04/08/2005

Subscribed and affirmed before me this 1st day of September, 2004 by Jamie Foulk and David Foulk
State of Colorado
County of Custer
Notary Public
My commission expires 4-08-05

David Foulk

Date 9-1-04

Exhibit E

CUSTER COUNTY ROAD AND BRIDGE
213 N. 4TH STREET
P.O. BOX 1669
WESTCLIFFE, COLORADO 81252
OFF: 719-783-2281
FAX: 719-783-0391

DRIVEWAY ACCESS PERMIT

Date of Issue: 2-9-16

Name (s) of Landowner: Dave Foulk

Mailing Address: Co Rd 255 # 1445

Legal Description of Property: Sec. 16 Tw 22 Range 72

Address of Property: # 1445 Co Rd. 255

Name of Contractor: Ed Lyons 371-2136

Comments:

THIS PERMIT IS ISSUED FOR THE PURPOSE OF AUTHORIZING THE ABOVE NAMED APPLICANT TO INSTALL A DRIVEWAY APPROACH WITHIN A PUBLIC RIGHT OF WAY.

FAILURE TO OBTAIN THIS PERMIT BEFORE COMMENCING WORK MAY RESULT IN A PENALTY FEE OF $75.00 ASSESSED TO THE PROPERTY OWNER.

NOTE TO APPLICANT: C.C. R&B MUST BE NOTIFIED UPON COMPLETION

Permit Fee $ 75.00 **Penalty Fee** $ **Total Fee** $ 75.00 **Ck#** Waived

Property Owner or Contractor

Agent for C.C. R&B Dani Walden

CULVERT SIZE 15" X 60' **PERMIT #** 01-16

Revised 03/09/05

LIST OF OTHER PERMITS AND LICENSES REQUIRED

Exhibit F

Compliance with other Laws:

The Colorado State Historical Preservation Office regarding properties with historical significance including the need for an archeological survey, procedures for requesting a file search, and inventory forms to identify structures.

Colorado Division of Water Resources with regards to water rights.

Colorado Department of Health, Water Quality Control Division, with regard to the discharge of pollutants into state waters;

Colorado Department of Health, Air Pollution Control Division, with regards to the need for a fugitive dust permit;

U.S. Bureau of Land Management or the U.S. Forrest Service if the purposed operation will occur on federal lands;

U.S. Army Corps of Engineers regarding a dredge and fill permit;

The County Planning Department for the county in which proposed operation is located;

MSHA- regards to Safety Regulations;

Geotechnical Stability when required by the Division;

Posting a notice of proposed mining operation at the site when required;

Notice to Board of County Commissioners when required

Notice to Local Conservation District when required

Posting a public notice when required

Exhibit F

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF WATER RESOURCES

January 29, 2016

Ed Lyons

RE: Buffalo Hunter/Sharp load Gravel Pit

Dear Ed: Per our conversation yesterday about the afore mentioned gravel pit construction, I have the following comments.

1. It is anticipated that the gravel pit will not expose ground water at this location. As such, the Division of Water resources has no jurisdiction in this matter.

2. Should the excavation of the gravel pit expose groundwater, then this office would require a plan of augmentation to replace the depletions from this, primarily the evaporative losses associated.

3. The dry pond is also not an administrative issue with this office as long as no water is stored in the pond, unless permitted by an application and approval for a livestock water tank or erosion control dam.

If you have any questions, please feel free to email me or call me,
719.429.1863

Sincerely,
Jerry Livengood,
Water District 13 Water Commissioner

Water Division 2 • Pueblo
310 E. Abriendo Ave., Suite B • Pueblo, CO 81004 • Phone: 719-542-3368 • Fax: 719-544-0400
www.water.state.co.us

Exhibit F

NOTICE OF FILING APPLICATION

FOR COLORADO MINED LAND RECLAMATION PERMIT

FOR **CONSTRUCTION MATERIALS LIMITED IMPACT (110) OPERATION**

NOTICE TO THE BOARD OF SUPERVISORS

OF THE LOCAL CONSERVATION DISTRICT

Custer County DISTRICT

Ed Lyons (the "Applicant/Operator") has applied for a Construction Materials Limited Impact (110) Reclamation permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct the extraction of construction materials in Custer County. The attached information is being provided to notify you of the location and nature of the proposed operation. The entire application is on file with the Division of Reclamation, Mining, and Safety (the "Division") and the local county clerk and recorder.

The applicant/operator proposes to reclaim the affected land to agriculture use. Pursuant to Section 34-32.5-116(4)(m), C.R.S., the Board may confer with the local Conservation Districts before approving of the post-mining land use. Accordingly, the Board would appreciate your comments on the proposed operation. Please note that, in order to preserve your right to a hearing before the Board on this application, you must submit written comments on the application within ten (10) days after the date of the applicant's newspaper publication.

If you would like to discuss the proposed post-mining land use, or any other issue regarding this application, please contact the Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567.

NOTE TO APPLICANT/OPERATOR: You must attach a copy of the application form to this notice. If this is a notice of a change to a previously filed application you must either attach a copy of the changes, or attach a complete and accurate description of the change.

RIGHT TO ENTER AGREEMENT
Exhibit G

PARTIES:

The parties to this agreement are David Foulk, referred to in this agreement as "Lessor", owner of surface rights on the property described as:

Buffalo Hunter Load S#259 Section 16, Township 22 South, Range 72 West, Silver Cliff, Colorado.

and Lucky VI Quarry (Ed Lyons) of Westcliffe , Co. referred in this agreement as "Lessee".

PURPOSE:

Lessee desires to enter the Property in order to mine bedrock to be used for road material and aggregate product, and seeks the right to enter the Property for the purpose of ingress, egress, utility access, mining, crushing, screening, and stockpiling, of aggregate product within the boundaries, of the Property.

TERMS AND LEASE RENEWAL

In consideration of the payments hereinafter provided, the Lessor hereby leases unto Lessee the Property beginning on the ___ day of February, 2026 for a term of 25 years until the ___ day of February, 2041, with the preferential right of renewal held by the Lessee to lease the premises for an additional period of 25 years on the following terms:

Lessee shall give notice of intent to renew the Lease not later than November 1, 2040. Lessor shall give to Lessee not less than 30 days from such notice date whether the Lessor shall agree to renew the Lease for an additional 25 year term and the terms and conditions of such renewal. Such notice shall be delivered in writing to the Lessor via certified mail sent to Lucky VI Quarry P.O. Box 875 Westcliffe, Co. 81252.

In the event that the parties cannot reach agreement to renew prior to expiration of this lease The Lessor agrees that the Lessee shall have the first right of refusal to meet any offer to lease for similar operations which Lessor deems acceptable. Lessor shall communicate the terms of such offer to Lessee by written notice and Lessee shall have 10 days within to accept the same. Failure to accept in writing shall be deemed waiver of this right.

RESPONSIBILITY OF LESSEE:

It is agreed and understood that the Lessee shall construct and maintain an operational mine for purposes of extraction of bedrock for purposes of aggregate production. Lessee shall construct and maintain said mining operation to meet all local, state, and federal regulations regarding surface mine operations. Lessee shall perform all work tasks in a workmanlike manner to result in effective environmental control of dust, noise, and heavy equipment operation in compliance with all applicable regulations.

EXCLUSIVE AGREEMENT:

During the term of this agreement and any renewal hereof, the Lessor shall not lease any of its property to any other party.

CONSTRUCTION OF FENCES:

Lessee acknowledges that active mining operation may be present visual impacts and physical conditions that require restricted access by the public and by livestock that may be grazing on neighboring properties. Lessee therefore agrees to construct and maintain a good and sufficient fence surrounding the mining parcel and maintain effective barracades around specific mining areas within the parcel as directed by the owner and best management practices for a safe mine site. Lessee shall take all reasonable actions necessary to protect the site from trespass.

PERMITS:

Lessee shall procure all applicable permits, Federal, State, or local, necessary to operate said mining operation prior to commencement of mining. Lessee shall include easement acreage (app. 10 acres) in permitting mining acreage and will obtain a surety bond of sufficient amount to cover the cost of final reclamation of the mine property and easement corridor acreage allowing for access to the mine property from County Road 255.

LIABILITY:

Lessee shall hold Lessor harmless from all liability and loss against all claims, including attorneys fees, and all actions of any kind, including death, to persons or property caused by or sustained in connection with this lease by conditions created thereby or by any operations of the Lessee, Lessee's agents, employees, or subcontractors or based upon any violation of any statue, ordinance or regulation.

In that regards, Lessee shall maintain throughout the term of this agreement, a public liability insurance policy naming the Lessor as co- insured, such policy to be no less than the minimum single limit of One Million Dollars (1,000,000.00) per occurrence. Such policy shall require notice to Lessor of cancellation at least 30 days prior to any cancellation date. Failure to maintain such insurance shall be deemed a default of the terms of the Lease.

MODIFICATION OF AGREEMENT:

Any modification of this agreement of additional obligation assumed by either party in the connection with this agreement shall be binding only if evidence in writing, signed by each party or any authorized representative of each party.

AGREEMENT:

This agreement may not be assigned or transferred by Lessee nor may any interest in the leased premises by sublet, assigned, transferred, or hypothecated by Lessee without the consent of Lessor.

GOVERNING LAW:

It is agreed that this agreement shall be governed by, constructed and enforced in accordance with the laws of the State of Colorado.

RECLAMATION:

Lessee shall perform all required reclamation at the end of this lease causing such to be completed, according to the state standards not later than six months from and after the expiration date. The Lessee shall have access to the property for the purpose of completing reclamation during this period.

MEDIATION:

In the event that a dispute or disagreement regarding this agreement arises between Lessor and Lessee, and cannot be resolved after a reasonable effort(a minimum of three negotiation sessions), both parties agree to employ a third party mediator, at shared cost, to mediate said dispute or disagreement.

TERMINATION OF MINING OPERATIONS:

In the event that mining operations are terminated due to conditions unforeseen at the time of execution of this agreement, Lessee shall have six months to demonstrate effective and sufficient effort to address reclamation activities that will result in eventual permanent closure of mining activities.

PARTIES BOUND:

This agreement shall be binding upon the parties hereto, theirs heirs, executors, administrators, or assigns.

ATTORNEY FEES:

Anything to the contrary herein notwithstanding, in the event of any dispute, mediation, arbitration ,or litigation arising out of this agreement, the mediator, arbitrator, or court shall award to the prevailing party all reasonable costs and expenses, including attorney fees.

Dated this 27 day of January, 2016.

LUCKY VI QUARRY

ED LYONS, OWNER

DAVID FOULK

DAVID FOULK, OWNER

WITNESS:

Notary 1/27/2016

DIANE SIMMONS NOTARY PUBLIC STATE OF COLORADO My Commission Expires 4/26/2016

RIGHT TO ENTER AGREEMENT
Exhibit G

PARTIES:

The parties to this agreement are:
James A Cherry
Cynthia G Black
Diane C Merritt
Carol L Haws

Referred to in this agreement as "Lessor", owner of surface and mineral rights on property described as:

Sharp Lode M.S. #258 Section 16, Township 22 South, Range 72 West, Silver Cliff, Colorado,

and Lucky VI Quarry (Ed Lyons) of Westcliffe , Co. referred in this agreement as "Lessee".

PURPOSE:

Lessee desires to enter the Property in order to mine bedrock to be used for road material and aggregate product, and seeks the right to enter the Property for the purpose of ingress, egress, utility access, mining, crushing, screening, and stockpiling, of aggregate product within the boundaries, of the Property, as marked on plat.

TERMS AND LEASE RENEWAL

In consideration of the payments hereinafter provided, the Lessor hereby leases unto Lessee the Property beginning on the 1st day of May, 2016 for a term of 10 years until the 1st day of May, 2026, with the preferential right of renewal held by the Lessee to lease the premises for additional period of years on following terms: February 2026 the Lessee and Lessor will meet and renegotiate contract.

In the event that the parties cannot reach agreement to renew prior to expiration of this lease The Lessor agrees that the Lessee shall have the first right of refusal to meet any offer to lease for similar operations which Lessor deems acceptable. Lessor shall communicate the terms of such offer to Lessee by written notice and Lessee shall have 10 days within to accept the same. Failure to accept in writing shall deemed waiver of this right.

RESPONSIBILITY OF LESSEE:

It is agreed and understood that the Lessee shall construct and maintain an operational mine for purposes of extraction of bedrock for purposes of aggregate production. Lessee shall construct and maintain said mining operation to meet all local, state, and federal regulations regarding surface mine operations. Lessee shall perform all work tasks in a workmanlike manner to result in effective environmental control of dust, noise, and heavy equipment operation in compliance with all applicable regulations.

EXCLUSIVE AGREEMENT:

During the term of this agreement and any renewal hereof, the Lessor shall not lease any of its property to any other party.

CONSTRUCTION OF FENCES:

Lessee acknowledges that active mining operation may be present visual impacts and physical conditions that require restricted access by the public and by livestock that may be grazing on neighboring properties. Lessee therefore agrees to construct and maintain a good and sufficient fence surrounding the mining parcel and maintain effective barricades around specific mining areas within the parcel as directed by the owner and best management practices for a safe mine site. Lessee shall take all reasonable actions necessary to protect the site from trespass.

PERMITS:

Lessee shall procure all applicable permits, Federal, State, or local, necessary to operate said mining operation prior to commencement of mining. Lessee shall include easement acreage (app. 10 acres) in permitting mining acreage and will obtain a surety bond of sufficient amount to cover the cost of final reclamation of the mine property and easement corridor acreage allowing for access to the mine property from County Road 255.

LIABILITY:

Lessee shall hold Lessor harmless from all liability and loss against all claims, including attorney's fees, and all actions of any kind, including death, to persons or property caused by or sustained in connection with this lease by conditions created thereby or by any operations of the Lessee, Lessee's agents, employees, or subcontractors or based upon any violation of any statue, ordinance or regulation.

In that regards, Lessee shall maintain throughout the term of this agreement, a liability insurance policy.

MODIFICATION OF AGREEMENT:

Any modification of this agreement of additional obligation assumed by either party in the connection with this agreement shall be binding only if evidence in writing, signed by each party or any authorized representative of each party.

AGREEMENT:

This agreement may not be assigned or transferred by Lessee nor may any interest in the leased premises by sublet, assigned, transferred, or hypothecated by Lessee without the consent of Lessor.

GOVERNING LAW:

It is agreed that this agreement shall be governed by, constructed and enforced in accordance with the laws of the State of Colorado.

RECLAMATION:

Lessee shall perform all required reclamation at the end of this lease causing such to be completed, according to the state standards not later than six months from and after the expiration date. The Lessee shall have access to the property for the purpose of completing reclamation during this period.

MEDIATION:

In the event that a dispute or disagreement regarding this agreement arises between Lessor and Lessee, and cannot be resolved after a reasonable effort(a minimum of three negotiation sessions), both parties agree to employ a third party mediator, at shared cost, to mediate said dispute or disagreement.

TERMINATION OF MINING OPERATIONS:

In the event that mining operations are terminated due to conditions unforeseen at the time of execution of this agreement, Lessee shall have six months to demonstrate effective and sufficient effort to address reclamation activities that will result in eventual permanent closure of mining activities.

PARTIES BOUND:

This agreement shall be binding upon the parties hereto, theirs heirs, executors, administrators, or assigns.

ATTORNEY FEES:

Anything to the contrary herein notwithstanding, in the event of any dispute, mediation, arbitration ,or litigation arising out of this agreement, the mediator, arbitrator, or court shall award to the prevailing party all reasonable costs and expenses, including attorney fees.

DATED this 22 day of Feb, 2016.

LUCKY VI QUARRY (LESSEE)

ED LYONS, OWNER

STATE OF COLORADO }
COUNTY OF CUSTER } ss.

The foregoing instrument was acknowledged before me on this 22nd Feb day of 20

By Ed Lyons
Witness my hand and official seal.
My commission expires: 05.05.2016

Kelley S Camper
Notary Public

KELLEY S CAMPER
Notary Public
State of Colorado

SHARP LODE, OWNERS (LESSOR),

James A Cherry 2-8-16
James A Cherry date

Cynthia G Black 2/8/16
Cynthia G Black date

Carol L Haws 2-8-16
Carol L Haws date

Diane C Merritt 2/8/16
Diane C Merritt date

State of Colorado
County of Weld

The foregoing Instrument was acknowledged before me this 8th day of February 2016 by James A. Cherry, Cynthia G Black, Carol L Haws and Diane C Merritt.

Susan R McManigal
notary
commission expires Feb 13, 2017

SUSAN R MCMANIGAL
Notary Public
State of Colorado
Notary ID 20094003542
My Commission Expires Feb 13, 2017

MUNICIPALITIES WITHIN TWO-MILE RADIUS

Exhibit H

WESTCLIFFE, CO. & SILVERCLIFF, CO.

STAFF & COMMITTEE REPORTS CONTINUED

2. **Welcome sign**

It was reported that she is working with First State Bank of Colorado to get approval for either donating or doing a hundred year lease for the land needed to place the welcome sign for Town of Westcliffe.

3. **Gravel Pit**

The Board was made aware of the Division of Reclamation, Mining and Safety requirements to inform municipalities within two miles of the Lucky VI Quarry gravel pit going on in the town of Sliver Cliff.

4. **Laptops**

Laptops were given to the board members to use for town business only. Electronic packets for the board meetings will be sent via email to board members.

b. Report from Streets & Parks, Mr. Keffer

1. **Flash Cameras**

Jerry and Dalton are tweaking the flash cameras so they will not be going off at all hours. There was some property damage (graffiti) on some tables at the Pavilion. The person was caught and is being charged.

c. Report from Planning & Zoning, Mr. Clark

1. Mike Carter spoke in Mr. Clark's absents.

Alan had a meeting with CDOT and North Star to make sure that everyone was on the same page so as to avoid delays later on.

d. Report from Town Attorney, Mr. Printz

None

TOWN OF SILVER CLIFF
PLANNING COMMISSION REGULAR MEETING
JANUARY 20, 2016

Meeting called to order by Chairman Roger Squire at the Town of Silver Cliff's Planning Commission regular meeting on the above date at the Town Hall 612 Main Street, at 4:30 p.m.

Pledge of Allegiance was said.

PRESENT:	Roger Squire Chairman, Dave Schneider, Steve Lasswell, Mayor Larry Weber
ABSENT:	Richard Lowe
ALTERNATE:	Bob Hall
ALSO PRESENT:	Roger Camper, Bldg./Zoning Official
	Ileen Squire - Clerk
VISITORS:	Ed Lyons, Kent Beach, Jerry Peterson, Mike Colgate

APPROVAL OF MINUTES:
DAVE SCHNEIRDER MADE THE MOTION TO APPROVE THE NOVEMBER 16, 2015 MINUTES, WITH CORRECTION OF: OPEN DISCUSSION – UPDATE CRITERIA FOR PLAN CHECKLIST, SECONDED BY STEVE LASSWELL. ***MOTION CARRIED UNANIMOUSLY.***

ORDER OF BUSINESS:

a. OLD BUSINESS:

1. STRATEGIC PLAN COMMITTEE SELECTION – Jerry Peterson

We have received letters of interest from Dale Hall and Ann Marie Donohoe, should be getting letters from Cynthia Williams and Bob Stover. There are property owners that are interested and we discussed them being on the committee but not a voting member. Wray Pedro and Susan Pedro are property owners and are interested in being on the committee. Next step will be to get an interview packet ready, go over the Strategic Plan Charter and start scheduling workshops. Need to attempt to get ahold of a representative from Silver Cliff Land and Cattle, Company. Dale Hoag is willing to help when he is home, we may need to have him contact Silver Cliff Land and Cattle.
Jerry will call the people who are interested that have not gotten their letters in and tell them that they have until February 1, 2016.
Stuff to get to Jerry: Map of property and streets with the zoning indicated.

2. ED LYONS – BUSINESS PROPOSAL

Mr. Lyons handed out a proposal for a gravel pit on the north east side of town on private property. He has started all the paperwork with the Colorado Department of Reclamation Mining and Safety, including MSHA.

- 25 year permit 1/10 acre with reclamation – they will be working 30' – 40' cliffs and reclaiming as they go.
- Not expected to use any explosives in the first 5 years – will have to pull a new permit before doing any explosives
- Working with BLM and the County on the access roads.
- Noise shouldn't be a big concern – Mr. Lyons has done some testing and is willing to do whatever is required
- Air control will be done through MSHA
- Field trip to visit site will be January 27, 2016 at 4:00, meeting at the Town Hall and going from there. Ileen will invite the Board of Trustees to this field trip
- Roger will research the A1 regulation
- Ileen will check with the attorney on hearings – if needed Ileen will contact Tony's Mountain Pizza to use the meeting room
- Mr. Lyons will proceed with the plan for an Open Pit Sub Surface Mining Permit Application with the Colorado Division of Reclamation and Safety

3. VALI ASSISTED LIVING – ELEVATOR

- Waiting for the Spirit Campaign to see how much they receive then they have some private donors that will contribute. The project is going to cost about $120,000.00, Black Hills Energy has waived all their fees for this project. Will update in February.

4. BOARD OF ADJUSTMENT

- State Statutes 31-23-307 is in everyone's packets so that you all know the guidelines for this board.
- This board needs to be 5 residents that are not serving on any other boards or committees for the town. The Town can do an ordinance that can change to a 3 member board. Ileen will visit with the attorney.
- Publish a notice in the 2 papers that we are looking for Silver Cliff residents to serve on this board.

5. FEES AND FINES

Tabled until February meeting.

6. RICHARD SHERMAN

- Is thinking that he doesn't want the property to the north, and the property on the east he doesn't think the $.31 a sq. ft. is fair. It is steep and there isn't anything that can be done with it. Roger has called Mr. Sherman and request that he come in and see him to visit about this

NEW BUSINESS

a. SEIFERT ENTERPRISES – REVIEW OF SILVER CLIFF PIT CONTRACT

- Roger had called Kent Beach and asked him to come and visit about the royalties and the prices on the product from the Silver Cliff Pit
- Asked about sales tax – Kent did check with the office and they are paying Silver Cliff sales tax – Ileen will get with the office ladies and see how they are filing, because nothing is coming to the town.
- Kent did some research and the royalty fees are they are standard to above the normal fees – if we raise the royalty fee it will make it hard for him to keep a competitive price – over 75% of this product is going to Colorado Springs – an increase is not out of the question, but doesn't make sense at this time
- If the Town is wanting to raise something maybe it should look at the Right To Enter fee currently $1,500.00, but also keeping in mind that this also affects the prices
- All product from this pit is weighed before it leaves the yard
- You could do a 4 year average and use that figure for the 2017 budget

b. 2016 GOALS

Think about things that you would like to see happen in Silver Cliff for about the next 5 years.

OPEN DISCUSSION:

Roger Squire – Can we go back to see if there any issues that might have been dropped that we need to follow up on. Ileen Squire – I went back to the beginning of 2015 do you want me to go farther? No, as long as we are caught up.

Zip Code – We have received a letter back from the United States Postal Service regarding our zip code. It state that they will not give it back but will assign a preferred last line so that when vendors put in Silver Cliff 81252 it will pull up. Ileen – when I met with the Postmaster over a year ago she said that people in Silver Cliff that have a PO Box can also put Silver Cliff as the last line. This post office is the Westcliffe and Silver Cliff Post Office. I will check with her again and maybe we can put something in the paper.

ADJOURN

MOTION WAS MADE BY DAVE SCHNIEDER TO ADJOURN AT 5:38 P.M., SECONDED BY STEVE LASSWELL. *MOTION CARRIED UNANIMOUSLY*

Ileen Squire

Town Clerk, Ileen Squire

Approved 2/16/16

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, FEBRUARY 3, 2016

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN REGULAR SESSION IN THE COMMISSIONER'S BOARDROOM.

Commissioner Lynn Attebery called the meeting to order at 9:00 AM and the Pledge of Allegiance was recited.

Roll Call was taken:

Lynn Attebery	Chairman	Present
Kit Shy	Vice-Chairman	Present
Bob Kattnig	Commissioner	Present
Clint Smith	Attorney	Present
Kris Lang	Deputy Clerk to the Board	Present

Also present was: Beth Archuleta and Ron Terry.

AGENDA
Call meeting to order
Pledge of allegiance
Roll Call
Amend agenda
Audience introduction
Approval of Minutes
Public Comment
Commissioner Items
Attorney Items
Executive Session
New/Old Business
- Custer County EMS Inspections

Staff Reports
Road and Bridge/Landfill/Recycling – R. Christensen, R. Squire
Clerk and Recorder – K. Camper
Planning and Zoning Report – J.Hobby
Treasurer Report – V. Trujillo
Annual Jail Tour
Human Resource/Finance – D. Hobby
OEM Interviews

AMEND AGENDA
None

APPROVAL OF MINUTES
None

PUBLIC COMMENT
Commissioner Attebery asked if there were any public comments. Hearing none, he continued with the meeting.

COMMISSIONER ITEMS

Commissioner Attebery said that the Rural Philanthropy Days Listening Tour was tentatively scheduled on April 4 – 6, 2016. He remarked that Custer County would be hosting a portion of the event and expressed concern regarding a possible conflict with the BOCC meetings already scheduled in February. Butch Gemin is an active member and representative of the program and the BOCC will request that Mr. Gemin attend a future BOCC meeting and provide the Board with an update and summary of the event.

Commissioner Attebery commented that Commissioner Kattnig had previously inquired about any documentation or records that would outline the transfer of the building and property known as the Wetmore Community Center/Library. Commissioner Attebery said that he researched the BOCC minutes from 1972 – 1985 and shared his findings. He said that in February of 1977, Margaret Hobby and Jo Kunz met with the BOCC as representatives of the Community Action Board and stated that Mr. Strickland from the R2-J School District Board said they would give the Wetmore School Building now known as the Wetmore Community Building to the county, and the county in turn could give it to the community. Commissioner Attebery proposed that the county enter into a memorandum of understanding with the Wetmore Community Library Board regarding its current usage of the Wetmore Community Center/Library. Commissioner Shy said he would research the legal descriptions and documentation of the building and property.

ATTORNEY ITEMS
None

EXECUTIVE SESSION
None

NEW/OLD BUSINESS

Custer County EMS Inspections
Beth Archuleta and Ron Terry said they were representing the Custer County Emergency Services regarding the annual ambulance inspections, the service licenses, and vehicle permits.

MOTION by Commissioner Kattnig, seconded by Commissioner Shy:
To accept the ambulance inspection forms for the annual ambulance licenses and vehicle permits. The inspection was completed on January 29, 2016 by ambulance inspector, Brandon Chambers. The motion carried unanimously.

Chuck Ippolito will provide the EMS with the appropriate Ambulance Service License and Ambulance Vehicle Permit paperwork.

Road and Bridge (R&B) – R. Christensen, R. Squire
Rusty Christensen, Road and Bridge Supervisor, and Roger Squire, Road and Bridge Westcliffe Assistant Supervisor, met with the BOCC and gave a report. The work completed in December 2015 and January 2016 included: the grading of numerous roads, the hauling of gravel and water, the plowing of snow, the cleaning of ditches, and road sign repairs, and replacement. The work planned for February will include but not be limited to: the grading of roads, the hauling of gravel, the plowing of snow, cleanup from the storm, and the continued repair, and replacement of road signs. Mr. Christensen said that other than the reseeding, the Rosita Road and Highway 96 hill project was complete. Mr. Squire said that the R&B department will be starting the projects on CR 260, CR 323,and CR 325. Mr. Christensen presented the Cooperative Forest Road Agreement between the County of Custer, Colorado, and the USDA Forest Service, Pike and San Isabel National Forest, Cimarron and Comanche National Grassland, with the San Carlos Ranger District #16-RO-11021201-010.

He expressed some concerns regarding the context of the agreement. The BOCC agreed to invite Paul Crespin, San Carlos Ranger, to attend a future BOCC meeting to discuss and review the agreement before its final approval and signatures from the BOCC. Commissioner Kattnig shared a concern expressed by a resident regarding the snow removal on CR 106/CR 111 with the R&B Supervisor and Assistant Supervisor.

Landfill – R. Christensen

Mr. Christensen, Landfill Supervisor, gave a report on the facility. He requested a confirmation date for a work session to discuss and review the options regarding the expansion at the landfill property. The BOCC agreed to schedule a work session on February 29, 2015 at 1:00 PM to review the costs of the existing landfill operation and the necessity and cost for the required expansion.

Recycling – R. Christensen

Mr. Christensen presented the 2015 cardboard recycling summary for the BOCC's review. The summary was prepared by Dennis Sprecher, Recycling Coordinator. The county received $8,529.75 in recycling revenus during 2015.

Clerk and Recorder – K. Camper

Kelley Camper, Clerk and Recorder,addressed the BOCC and requested a transfer of funds from the Recording Fund to the County General Fund in the amount of $5,089.10.

MOTION by Commissioner Attebery, seconded by Commissioner Kattnig:
To approve the transfer of funds as requested by the Clerk and Recorder. The motion carried unanimously.

Ms. Camper said that the State of Colorado has introduced Senate Bill 16-115 modifying the document recording fees imposed by the counties for the purpose of financing a statewide recording technology fund. The bill raises the surcharge for the recording to three dollars. The clerk retains one dollar to be used to defray the costs of an electronic or core filing system in accordance with the existing law. The other two dollars will be transmitted to the state treasurer for deposit in the statewide recording technology fund. The funding will be expended by the appointed authority. Commissioner Shy asked Ms. Camper to provide him with the related information so he can address the issue at the next Colorado Counties Incorporated (CCI) meeting.

Ms. Camper said that she would like to adopt a records retention schedule for the clerk's office as outlined by the Colorado Clerks Association (CCA). She said that the BOCC would need to review the schedule and adopt a resolution before the records retention schedule would become effective. The Board asked Ms. Camper to provide them with a template or draft resolution in this regard at the February 16, 2016, BOCC meeting.

Ms. Camper presented the BOCC with the LEDS contract for the recording system in the amount of $17,495.00 for review and approval. She said that this system will replace the current ACS software program. She remarked that the funding is available in the budget and that this upgrade will prove to be cost effective measure. Attorney Smith said he has reviewed the contract and recommended that the county negotiate a monthly payment plan rather than lump sum yearly payment. The BOCC reviewed and accepted the contract as presented.

A work session will be scheduled as part of the March 9, 2016 BOCC meeting to discuss and review the options related to the Deputy Clerk to the BOCC and the Administrative Assistant to the BOCC's responsibilities, schedule, position, placement, and housing of the same.

Planning and Zoning Report – J. Hobby

Jackie Hobby, Planning and Zoning Director, introduced Lynn Safford to the Board. She said that Ms. Safford has received approval from the Board of Zoning Adjustment (BZA) for a variance to create an undersized lot and has a recommendation from the Planning Commission (PC) to approve a request for a waiver of subdivision regulations for the property at 67450 Highway 69. She asked the BOCC to make a final ruling.

MOTION by Commissioner Attebery, seconded by Commissioner Shy:
File: 100-56-000 to accept the recommendation of the BZA and approve a variance to create an undersized lot. To accept the recommendation of the PC to approve the request for a waiver of subdivision regulations. The motion carried unanimously.

Commissioner Kattnig expressed concern that the recommendations are being were presented to the BOCC the day after the BZA and PC meeting. He said that the BOCC has not had the opportunity to review the recommendations. He verified that in the future the recommendations of the BZA or PC should be included in the Planning and Zoning report the following month allowing the BOCC adequate time to review and research the files prior to making a decision.

Ms. Hobby reported that the chairman and the vice-chairman were absent at the BZA meeting and that the remaining members voted her in as the acting chairman. She clarified that the correspondence prepared from the meeting would include her name as the acting chairman. The Board agreed.

Ms. Hobby reported that the cost from Wachob and Wachob to consolidate the airport maps increased from $450.00 to $500.00. She requested approval from the BOCC to proceed with the increased project amount.

MOTION BY Commissioner Shy, seconded by Commissioner Attebery:
To approve the $50.00 cost increase of the project with a caveat that the final product will be IT and GIS friendly as well as available in an electronic format. The motion carried.

Ms. Hobby remarked that the Special Use Permit (SUP) for the Silver West Airportat Butler Field will require modifications. Commissioner Shy said that in an effort to follow and complete the routine process, he suggested that Ms. Hobby prepare a formal letter of request and concern from the Planning and Zoning office regarding the SUP and forward it to the BOCC as a future agenda item.

The following items were also discussed:
File #100-33-386 Zoning Violation – Bull Domingo Ranch aka 215 Lope Loop – Notification Issued
File #102-36-235 Zoning and Septic Violation – Centennial Ranch, aka 3635 Gibbs Drive – Notification Issued
File #102-03-606 Septic Violation – Centennial Ranch aka 1865 Electric Avenue – Notification Issued
File #102-36-887 Zoning Violation – Centennial Ranch aka 568 No Name Road – Notification Issued
File #102-36-863 Septic Violations –Centennial Ranch aka 990 Rito Alto – Resolved
Ed Lyons came into the Planning and Zoning Office and said he was starting a gravel pit in Silver Cliff that will be named Lucky VI Lode. She said that this function does not fall under any county requirements and that she was sharing the information with the BOCC as it was presented to her.

The BOCC agreed to reschedule the Annual Jail Tour to a later date.

The BOCC recessed at 12:20 PM. The BOCC reconvened at 12:45 PM

Treasurer Report – V. Trujillo

Virginia Trujillo, County Treasurer, met with the BOCC and gave a report for November 2015, December 2015 and January 2016.
The starting balance on November 2, 2015 was $4,387,947.58 and the ending balance on November 30, 2015 was $4,378.921.52,
MOTION by Commissioner Attebery, seconded by Commissioner Shy:
To accept the Treasurers report for November 2015 as presented. The motion carried unanimously.

The starting balance on December 1, 2015 was 4,378,921.52 and the ending balance on December 31, 2015 was $4,042,813.39.
MOTION by Commissioner Attebery, seconded by Commissioner Shy:
To accept the Treasurers report for December 2015 as presented. The motion carried unanimously.

The starting balance on January 1, 2016 was $4,042,813.39 and the ending balance on January 31, 2016 was $4,467,741.91.
MOTION by Commissioner Kattnig, seconded by Commissioner Shy:
To accept the Treasurers report for January 2016 as presented. The motion carried unanimously.

Commissioner Attebery asked Ms. Trujillo to research the remaining Title 111 money figure that is available for use by the county in 2016. Ms. Trujillo presented the Public Trustees Report for the last quarter of 2015 for the BOCC's review.

Human Resource/Finance Report – D. Hobby
Dawna Hobby, Human Resource/Finance Manager, met with the BOCC and gave a report. She said the Colorado Employee Benefit Trust (CEBT) organization has prepared and mailed out the 1095C forms for the health insurance coverage verifications required for the year 2015.

OEM Interviews
The BOCC interviewed the following applicants: Michael Kienbusch, Benjamin Gladden, Nathan Whittington, and Cindy Howard.

MOTION by Commissioner Attebery, seconded by Commissioner Shy:
To go into Executive Session. The motion carried. Commissioner Attebery cited C.R.S.24-6-402 (4) (f) to discuss personnel matters. The motion carried unanimously.
Those present were: Commissioner Attebery, Commissioner Shy, Commissioner Kattnig, Attorney Smith, Human Resource/Finance Manager, Dawna Hobby, and Deputy Clerk to the BOCC, Kris Lang.

The BOCC went into Executive Session at 3:50 PM.

MOTION by Commissioner Shy, seconded by Commissioner Kattnig:
To go back into Regular Session. The motion carried unanimously.

The BOCC came out of Executive Session at 4:20 PM. Commissioner Attebery stated that no matters were adopted and no actions or decision were made. Attorney Smith confirmed the discussion remained on topic.

MOTION by Commissioner Shy, seconded by Commissioner Kattnig:
To reduce the four interviewed applicants to two candidates. The final candidates would be Michael Kienbusch and Cindy Howard. The motion carried unanimously.

MOTION by Commissioner Kattnig:
To offer the position of the Director of the Office of Emergency Management (OEM) to Michael Kienbusch. The motion died due to the lack of a second.

MOTION by Commissioner Shy, seconded by Commissioner Attebery:
To offer the position of the Director of the Office of Emergency Management (OEM) to Cindy Howard. Commissioner Kattnig oppose the motion. The motion carried.

For the record the BOCC stated their reasons for the above noted motions.

Commissioner Shy said that he was searching for a combination of qualities for the OEM Director position. He said that the right person should have the experience, local knowledge, and a local oriented attitude towards the position. He said that he felt that Ms. Howard came the closest to meeting those needs. Commissioner Shy remarked that it was a very difficult decision because both applicants offered special qualities related to the position.

Commissioner Kattnig congratulated Ms. Howard on the appointment. He said that he felt Mr. Kienbusch had extensive knowledge and experience with emergency management, homeland security management, and hazard waste management. He said that Mr. Keinbusch offered a proven track record and successful career in these fields. Commissioner Kattnig said that he felt the applicant would also bring the technical skills that could move the OEM position to a higher level of management. He acknowledged that Ms. Howard has given her time and support to the community and was a worthy candidate but that he preferred the management experience of Mr. Keinbusch.

Commissioner Attebery said that he felt that not only did Ms. Howard have the ability to handle the financial aspects and commitments of the position but that she was familiar with and able to assume the responsibilities of the position immediately. He said that the Custer Emergency Services Board had issued her the higher rating and ranking for the position. Commissioner Attebery said that both candidates would offer experience and expertise to the role of OEM Director and that often times in a rural community it's a grass root situation and that Ms. Howard fulfilled those needs.

MOTION by Commissioner Kattnig, seconded by Commissioner Shy:
To offer Ms. Howard a starting salary of $35,350.08 (per year) with a start date as soon as possible, tentatively February 8, 2016. Following a brief discussion the BOCC agreed to amend the motion to clarify a starting monthly wage since the applicant had not started at the beginning of the year. The motion carried unanimously.

AMENDED MOTION by Commissioner Kattnig, seconded by Commissioner Shy:
Commissioner Shy stated for the record that in addition to the wages, the position offered benefits, office space, vehicle, laptop computer and travel expenses. The motion carried unanimously.

Commissioner Attebery presented a Utility Easement Work Order from the Sangre deCristo Electric Association, Inc., for the Boards review and approval.

MOTION by Commissioner Attebery, seconded by Commissioner Kattnig:
To approve and sign the Utility Easement from Sangre deCristo Electric Association, Inc. Work Order #95-15 to construct and maintain a proposed overhead electric line across a portion of the property at the Custer County Landfill. The motion carried unanimously.

Commissioner Shy stated for the record that the legal description listed on Work Order #95-15 was poorly written.

Commissioner Attebery asked if there was any more business to discuss. Hearing none, he adjourned the meeting at 5:05 PM.

Kelley Camper, Clerk and Recorder
Attest

Lynn E. Attebery,
Chairman

(Audio Recordings of the BOCC meetings are available for public review or purchase)

Division of Reclamation, Mining, and Safety

Fee Receipt for M2016015

Lucky VI Quarry LLC

000000000

Receipt #: 21007
Date: 02/24/2016
Permit: M2016015

Payment Method	Revenue Code	Fee Description/Notes	Amount
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		Receipt Total:	**$2,085.00**

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