

EASTERN COLORADO AGGREGATES, L.L.P.

Main Office: P.O. Box 580 • Rye, CO 81069
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Plant: P. O. Box 307 • Holly, CO 81047
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January 16, 2017

Ms. Amy Eschberger, Environmental Protection Specialist
Colorado Division of Reclamation, Mining and Safety
Department of Natural Resources
1313 Sherman St., Room 215
Denver, Colorado 80203

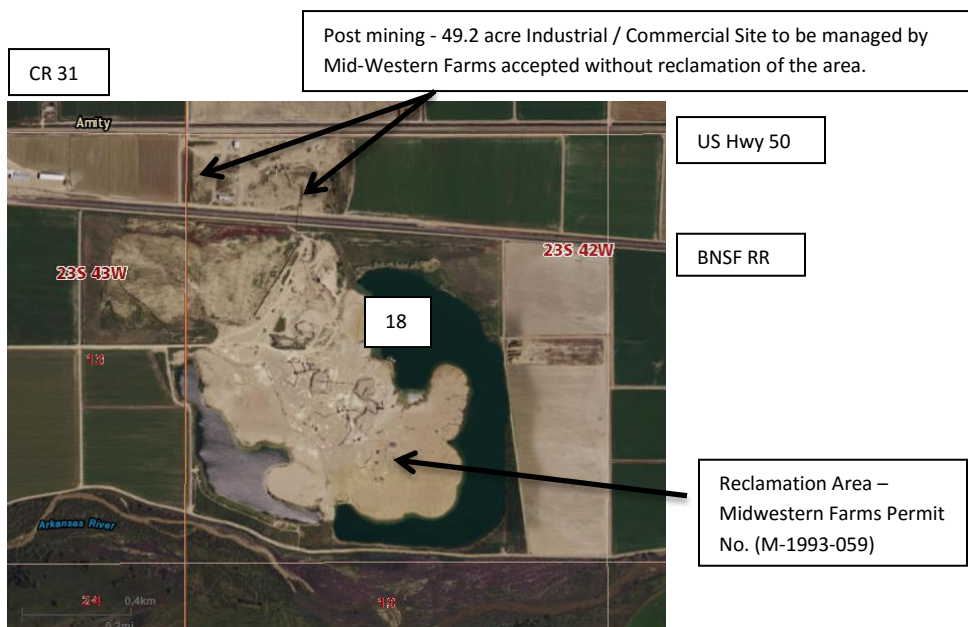
RECEIVED
JAN 18 2017
DIVISION OF RECLAMATION
MINING AND SAFETY

Re: Midwestern Farms, Permit No. M-1993-059, Technical Revision No. 5, Adequacy Review No. 1 – Eastern Colorado Aggregates Response.

Dear Ms. Amy Eschberger,

In reference your adequacy review dated November 9, 2016, please see our responses that follow your outline items 1 through 25. We have also included the Midwestern letter accepting the 49.2 acre un-reclaimed plant site for post mining industrial / commercial uses.

1. **Pond Surface Area** - Please revise the referenced sentence to say "The pond surface area shall ~~not be~~ increase from the existing 94 to 94.5 acres, ~~except~~ by removing the material separating the two ponds as described below and creating one pond."
2. **Pond Slopes** - Pond slopes will be reclaimed per the attached Exhibit E-1, E-2, E-3 and Exhibit F – Reclamation Plan Map.
 - a. How does the operator intend to achieve these slope gradients below the water line? - The ponds will be partially drained and slopes will be excavated to the approved sections.
 - b. Will the lakes be dewatered? The ponds will be partially drained for excavation of the slopes.
 - c. What equipment will be used to complete the final grading of the lake shorelines? The work will be accomplished with a possible combination of the following, survey equipment, pickup, service truck, transport truck and trailer, generator set, electric or diesel pumps, excavator, swamp mats, dozer, loader and haul truck.
 - d. Please see our revised Exhibits E-1, E-2 cross sections, Exhibit E-3 map and Exhibit F – Reclamation Plan Map which show the reclaimed shore line details as requested by CPW.
3. **49.2 acre Industrial / Commercial post reclamation land use** – Please see the attached notarized letter from Mid-Western Farms which agrees to retain the 49.2 acre plant site in its current un-reclaimed condition for post mining industrial / commercial uses.



4. **Pond Area** - The sentence “~~Lakes will consist of 94 acres after full reclamation.~~”, should be deleted and revised as follows: “Final reclamation will be achieved by creating a single 94.5 acre pond.” To clarify one pond is achieved by breaching the dike between the two existing ponds.
5. **Pond Dike Breach** – The work will be accomplished with a possible combination of the following, survey equipment, pickup, service truck, transport truck and trailer, generator set, electric or diesel pumps, excavator, swamp mats, dozer, loader and haul truck.
 - a. **Regarding an increase in the exposed ground water. - Per Jackie Corday’s email dated 11/27/16;** “5) Surface Water Increase – The parties have agreed that Midwestern will provide up to 15 more LAWMA preferred shares to cover this extra surface water and if that is not enough, then CPW will contribute another 3 shares that it owns.”
6. **Top Soil** – The estimate of acres of land to be used for top soil striping is 36.3 acres which consists of 25.3 acres in the NEx of the property and 11 acres on east pond back slope area.
 - a. Please see revise Exhibit F – Reclamation plan map which shows the additional topsoil borrow area.
 - b. The approximate depth of top soil striping and replacement will be 8 inches.
 - c. Topsoil borrow areas will have a minimum of 8 inches topsoil after excavation.
 - d. Please see Exhibit L – Reclamation Cost with an additional line item for the topsoil borrows area.
7. **Exhibit F – Reclamation Plan Map** - Please see the revised and legible copy of the Exhibit F – Reclamation Plan Map.
8. **Technical Revision Cover** - Please see the revised Technical Revision Cover Sheet to include upland, range land and recreation in the description.
 - a. Exhibit F – Reclamation Plan Map includes descriptions of the final land use of the affected lands.

9. **Irrigation** – We will provide temporary irrigation equipment to use CPW provided irrigation water for irrigation of ±280 acres of reclaim seeding area.
10. **Suitable Fine Material** - “Any suitable fine material” refers clean overburden, excess fine sand from the aggregate washing operations and topsoil. Fine material will be used as required during the site grading operations to achieve positive drainage prior to placement of topsoil. The placement depth of material on the site will vary from an inch to approximately 2 feet of fill to achieve positive drainage and balance the material across the site. There is no additional cost for placement of this material which is included in site grading costs.
11. **Grading / Revegetation Schedule** - We plan to follow method 1 of the revegetation plan.
- The site grading and soil preparation will be complete by May 15, 2017
 - The cover crop seed drilling will be complete by June 1, 2017. (The cover crop seed drilling window is from May 1st to June 15th).
 - The permanent seed drilling will be completed by November 15, 2017. (The permanent seed drilling window is from November 1st, 2017 to May 15th, 2018).
12. **Permanent Seed Mix Revision** - The Yellow Sweet Clover has been removed from the permanent seed mixture and replaced with Blue Flax and Showy Milkweed. Please see the following revised seed mixture.

| Pollinator Calculator | | | | Location | Mountains | Desired Seeds/ft ² | | | | 20 |
|-------------------------|-------------------------|----------------|------------|-----------|------------|-------------------------------|-------------|----------|-------------|----|
| Species | Scientific Name | Bloom Time | Status | Seed Rate | % Mix | Seeds/ft ² | PLS/AC | Cost/PLS | Cost/AC | |
| Canada wildrye | Elymus canadensis | 0 | Native | 7.58 | 10 | 2.01 | 0.76 | | 0.00 | |
| Alkali sacaton | Sporobolus airoides | 0 | Native | 0.51 | 15 | 3.12 | 0.08 | | 0.00 | |
| Little bluestem | Schizachyrium scoparium | 0 | Native | 3.35 | 5 | 1.01 | 0.17 | | 0.00 | |
| Switchgrass | Panicum virgatum | 0 | Native | 2.24 | 23 | 4.64 | 0.52 | | 0.00 | |
| Yellow indiangrass | Sorghastrum nutans | 0 | Native | 5.12 | 10 | 1.99 | 0.51 | | 0.00 | |
| Big bluestem | Andropogon gerardii | 0 | Native | 5.45 | 8 | 1.62 | 0.44 | | 0.00 | |
| Sandberg bluegrass | Poa secunda | 0 | 0 | 0.94 | 7 | 1.49 | 0.07 | | 0.00 | |
| Blue flax | Linum lewisii | Early Mid | Native | 2.95 | 3 | 0.61 | 0.09 | | 0.00 | |
| Prairie cordgrass | Spartina pectinata | 0 | Native | 7.92 | 5 | 1.01 | 0.40 | | 0.00 | |
| Illinois bundleflower | Desmanthus illinoensis | Mid | Native | 7.26 | 5 | 0.99 | 0.36 | | 0.00 | |
| Alfalfa | Medicago sativa | Early Mid Late | Introduced | 3.96 | 2 | 0.40 | 0.08 | | 0.00 | |
| Rocky Mountain Beeplant | Cleome serrulata | Mid Late | Native | 13.61 | 2 | 0.40 | 0.27 | | 0.00 | |
| Annual sunflower | Helianthus annuus | Mid-Late | Native | 14.52 | 3 | 0.61 | 0.44 | | 0.00 | |
| Showy milkweed | Asclepias speciosa | Mid | Native | 10.01 | 2 | 0.40 | 0.20 | | 0.00 | |
| Shrubs | | | | | | | | | | |
| Fourwing Saltbush | Atriplex canescens | Late | Native | 19.80 | 5 | 1.00 | 0.99 | | 0.00 | |
| Skunkbush Sumac | Rhus trilobata | Early | Native | 34.85 | 5 | 1.00 | 1.74 | | | |
| Sand Sagebrush | Artemisia filifolia | 0 | Native | 0.44 | 5 | 0.92 | 0.02 | | | |
| | | | | | | | 0.00 | | | |
| Total | | | | | 115 | 23.22 | 7.14 | | 0.00 | |

13. **Revegetation and Wildlife Habitat Review** - All text reference to tree planting, wetland planting and text stating that “additional plant species will be planted at a later date.” are removed from the revised Exhibit E – Reclamation Plan and Exhibit F – Reclamation Plan Map. In order to establish a more diverse habitat for wildlife and waterfowl tree planting will be completed by the CPW.

- a. Please see that attached letter from CPW which accepts the current Exhibit E - Reclamation Plan, responsibility for tree and wetland planting and Exhibit F - Reclamation Plan Map.

14. **Explanation of Adequate Wildlife Reclamation** - Please see that attached letter from CPW which provides an explanation of the wildlife habitat as it relates to the revegetation plan and the shorelines.

15. **Regarding the 463.2 acre statement.**

- a. The current disturbed area with the industrial/commercial area = 426.9 acre, which is less than the 439.2 acres. The additional land is for the NEx topsoil borrow area and the east side pond back slope area. Please refer to Exhibit F – Reclamation Plan Map and the following table.

| MAP KEY | DESCRIPTION | DISTURBED AREA (Acres) | | |
|--|--|------------------------|--|-------|
| A1 | Plant Processing / Stockpile area | 221.5 | | |
| A2 | Sand Beach Area between two ponds | 36.5 | | |
| A3 | SWx / S Strip of disturbed land - South of Ponds | 13.9 | | |
| A4 | SEx of disturbed land - South of Ponds | 8.7 | | |
| Subtotal Disturbed Area | | 280.6 | | |
| A5 | East Pond Water Surface | 23.7 | | |
| A6 | West Pond Water Surface | 72.5 | | |
| A7 | Pond Dike Breach Water Surface Area | 0.9 | | |
| Subtotal Water Surface Area | | 97.1 | | |
| A8 | NE corner topsoil borrow | 25.3 | | |
| A9 | East pond additional backslope area | 11.0 | | |
| Subtotal Additional Disturbed Land | | 36.3 | | |
| A10 | Industrial Commercial Area (I/C) | | | 49.2 |
| Total Disturbed Area with and without I/C | | 414.0 | | 463.2 |
| | | | | |
| MAP KEY | REQUIRED RECLAMATION SEEDING AREA | Acres | | |
| A1 | Plant Processing / Stockpile area | 221.5 | | |
| A3 | SWx / S Strip of disturbed land - South of Ponds | 13.9 | | |
| A4 | SEx of disturbed land - South of Ponds | 8.7 | | |
| A8 | NE corner topsoil borrow | 25.3 | | |
| A9 | East pond additional backslope area | 11.0 | | |
| Total Seeding Area | | 280.4 | | |

16. Please see the revised and legible Exhibit F – Reclamation Plan Map.

17. Revise Exhibit L – Reclamation Cost with a statement, “The conveyor belt across the Burlington Northern Railroad tracks has been removed as of this date.” The conveyor crossing the railroad tracks has been demolished. The conveyor parts and equipment will be removed from the disturbed area south of the railroad and all associated costs of the removal have been deleted from the reclamation costs.

18. Revise Exhibit L – Reclamation Cost includes the cost of planting the cover crop as a separate line item.
19. Revise Exhibit L – Reclamation Cost to include separate line items for 73 acres – ripping sand stockpile and processing area and 16.6 acres – ripping topsoil stockpile area.
20. Revise Exhibit L – Reclamation Cost to include a line item for re-top soiling and re-vegetating all of the 280.4 acres of disturbed land.
21. Address Temporary Irrigation Revise Exhibit L – Reclamation Cost includes temporary irrigation costs for 280.4 acres to be provided by CPW per their agreement with Midwestern Farms.
22. Exhibit L includes a line item for “Remove area between two ponds” volume was estimated as follows:
Cut to breach pond dike = $\frac{1}{2}(\text{Depth of cut})(\text{width of bottom} + \text{width at top of bank})(\text{length of cut})$
Cut = $\frac{1}{2}(13 \text{ ft.})(196 \text{ ft} + 40 \text{ ft})(143 \text{ ft}) = 219,362 \text{ cf} / 27 \text{ cf/cy} = 8,124.5 \text{ bank cy} \times 1.35\% \text{ swell} = 10,933 \text{ loose cy}$
23. Revise Exhibit L – Reclamation Cost – The volume of shore line grading is estimated as follows:
Length of 3:1 shore line slope = 3,006 ft.
3:1 Shore line grading = $(3,006 \text{ ft})(35 \text{ ft})(0.5 \text{ ft}) = 52,605 \text{ cf} / 27 \text{ cf/cy} = 1,948 \text{ cy}$
Length of 6:1 shore line slope = 2,475 ft.
6:1 shore line grading = $(2,475 \text{ ft})(35 \text{ ft})(0.5 \text{ ft}) = 43,312 \text{ cf} / 27 \text{ cf/cy} = 1,604 \text{ cy}$
24. Please disregard this statement “Disturbed outer edges 50 acres”. Please refer to revised Exhibit F – Reclamation Plan Map and Revised Exhibit L – Reclamation Cost for clarification of the existing disturbed areas, top soil borrow area and the eastern shore back slope area.
25. Refer to Exhibit E – Reclamation Plan revised cross sections E-1, E-2 and Exhibit F Reclamation Plan Map. The CPW has requested specific sections of pond shoreline to be left in their current condition. CPW has also requested that sections of shoreline be graded at 6:1 and 3:1 cross sections at various locations which are indicated on the CPW map. All other shorelines are requested by CPW to remain at their current slope.

Sincerely
Eastern Colorado Aggregates, RLLLP



David A. King

Attachments

Technical Revision Cover Sheet

Exhibit E-1 and E-2 – Revised Cross Sections

Exhibit L – Reclamation Costs – Revised 1/17/2017

Exhibit F – Reclamation Plan Map – Revised 1/17/2017 – 11"x17" exhibit

CPW Seed Replacement Letter dated 1/13/2017

CPW Letter addressing Line Item 13 – trees and aquatic vegetation and item 14 – vegetation free shorelines dated 1/13/2017.

Midwestern Letter dated 12/5/16 regarding acceptance of plant site in current condition.

**COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY**

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

REQUEST FOR TECHNICAL REVISION (TR) COVER SHEET

File No.: M- **1993-05** Site Name: **Midwestern Farms Pit**
County: **Powers** TR# _____ (DRMS Use only)
Permittee: **Midwestern Farms**
Operator (If Other than Permittee): **Eastern Colorado Aggregate (ECA)**
Permittee Representative: **David A. King**

Please provide a brief description of the proposed revision:

Reduce depth of top soil, eliminate tree planting, eliminate wetland planting, change post mining land use for the 64-acre field to upland, rangeland, and recreation, increase the maximum disturbed area to 463.2 acres.

As defined by the Minerals Rules, a Technical Revision (TR) is: "a change in the permit or application which does not have more than a minor effect upon the approved or proposed Reclamation or Environmental Protection Plan." The Division is charged with determining if the revision as submitted meets this definition. If the Division determines that the proposed revision is beyond the scope of a TR, the Division may require the submittal of a permit amendment to make the required or desired changes to the permit.

The request for a TR is not considered "filed for review" until the appropriate fee is received by the Division (as listed below by permit type). Please submit the appropriate fee with your request to expedite the review process. After the TR is submitted with the appropriate fee, the Division will determine if it is approvable within 30 days. If the Division requires additional information to approve a TR, you will be notified of specific deficiencies that will need to be addressed. If at the end of the 30 day review period there are still outstanding deficiencies, the Division must deny the TR unless the permittee requests additional time, in writing, to provide the required information.

There is no pre-defined format for the submittal of a TR; however, it is up to the permittee to provide sufficient information to the Division to approve the TR request, including updated mining and reclamation plan maps that accurately depict the changes proposed in the requested TR.

Required Fees for Technical Revision by Permit Type - Please mark the correct fee and submit it with your request for a Technical Revision.

| <u>Permit Type</u> | <u>Required TR Fee</u> | <u>Submitted</u> (mark only one) |
|---|------------------------|-------------------------------------|
| 110c, 111, 112 construction materials, and 112 quarries | \$216 | <input checked="" type="checkbox"/> |
| 112 hard rock (not DMO) | \$175 | <input type="checkbox"/> |
| 110d, 112d(1, 2 or 3) | \$1006 | <input type="checkbox"/> |

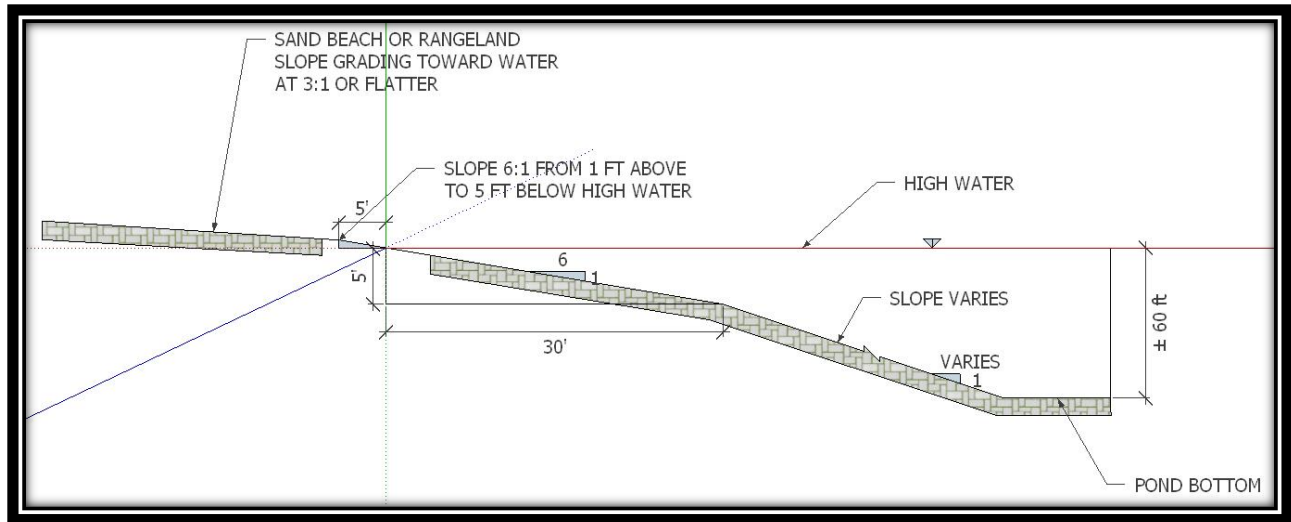


EXHIBIT E-1 (REVISED 6:1 CROSS SECTION)

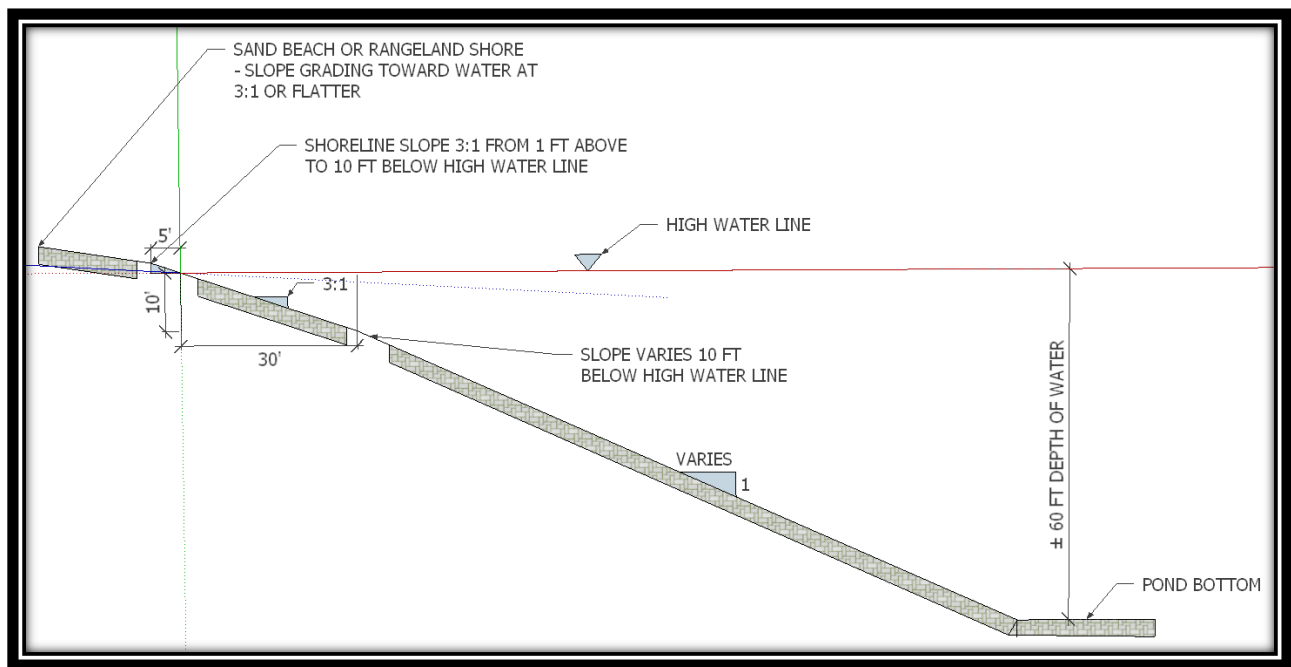


EXHIBIT E-2 (REVISED 3:1 CROSS SECTION)

EXHIBIT L - RECLAMATION COST

Midwestern Pit - Permit M1993-059 - TR005, REV NO. 1

| Map Key | Description | Unit | Quantity | Unit Price | Extension | Subtotal |
|---|--|------|----------|-----------------------|------------------|------------------|
| A1 | Processing / Stockpile Area / NEx Reseed Area | | | | | |
| A1 | NEx Stockpile Area to Reseed | | | | | |
| | Re-Grade | Acre | 64.0 | \$146 | \$9,344 | |
| | Re-Topsoil | Acre | | \$1,194 | \$76,416 | |
| | Re-Seed Cover Crop | Acre | | \$330 | \$21,120 | |
| | Re-seed Permanent Crop | Acre | | \$661 | \$42,304 | \$149,184 |
| A1 | Stockpile Processing Area | | | | | |
| | Scarify / Grade | Acre | 73.0 | \$303 | \$22,119 | |
| | Topsoil | Acre | 157.5 | \$1,194 | \$188,055 | |
| | Cover Crop Seed | Acre | | \$330 | \$51,975 | |
| | Permanent Seed | Acre | | \$661 | \$104,108 | |
| | Temporary Irrigation | Acre | | \$200 | \$31,500 | \$397,757 |
| Delete any cost associated with conveyor removal | | | | | | |
| A2 | Sand Beach | Acre | 36.5 | No Reclamation | | |
| A3 | SWx of Disturbance | | | | | |
| | Scarify / Grade | Acre | 13.9 | \$303 | \$4,212 | |
| | Topsoil | Acre | | \$1,194 | \$16,597 | |
| | Cover Crop Seed | Acre | | \$330 | \$4,587 | |
| | Permanent Seed | Acre | | \$661 | \$9,188 | |
| | Temporary Irrigation | Acre | | \$200 | \$2,780 | |
| | Weed Control | Acre | | \$200 | \$2,780 | \$40,143 |
| A4 | SEx of Disturbance | | | | | |
| | Scarify / Grade | Acre | 8.7 | \$303 | \$2,636 | |
| | Topsoil | Acre | | \$1,194 | \$10,388 | |
| | Cover Crop Seed | Acre | | \$330 | \$2,871 | |
| | Permanent Seed | Acre | | \$661 | \$5,751 | |
| | Temporary Irrigation | Acre | | \$200 | \$1,740 | |
| | Weed Control | Acre | | \$200 | \$1,740 | \$25,126 |
| A7 | Dike Breach Between Two Ponds | LCY | 10,933.0 | \$0.136 | \$1,487 | \$1,487 |
| | Shore Line Grading | LCY | 3,552.0 | \$0.136 | \$483 | \$483 |
| | Plant Trees | na | | | | |
| | Plant Wetlands | na | | | | |
| | Fertilizer | na | | | | |
| A8 | NEx - Topsoil Borrow | | | | | |
| | Scarify / Grade | Acre | 16.6 | \$303 | \$5,030 | |
| | Topsoil | Acre | 25.3 | \$1,194 | \$30,208 | |
| | Cover Crop Seed | Acre | | \$330 | \$8,349 | |
| | Permanent Seed | Acre | | \$661 | \$16,723 | |
| | Temporary Irrigation | Acre | | \$200 | \$5,060 | \$65,370 |
| A9 | East Pond - Additional Backslope Area | | | | | |
| | Scarify / Grade | Acre | 11.0 | \$303 | \$3,333 | |
| | Topsoil | Acre | | \$1,194 | \$13,134 | |
| | Cover Crop Seed | Acre | | \$330 | \$3,630 | |
| | Permanent Seed | Acre | | \$661 | \$7,271 | |
| | Temporary Irrigation | Acre | | \$200 | \$2,200 | \$29,568 |
| A10 | Industrial Commercial Area | Acre | 49.2 | No Reclamation | | |
| | SUBTOTAL | | | | \$709,118 | \$709,118 |
| INDIRECT COSTS | Liability Insurance | | | | \$16,168 | |
| | Job Supervision | | | | \$3,687 | |
| | Reclamation Management | | | | \$45,454 | |
| | Total Indirect Costs | | | | \$65,310 | \$65,310 |
| | TOTAL RECLAMATION COST | | | | \$774,427 | \$774,427 |



COLORADO

Parks and Wildlife

Department of Natural Resources

Lamar Service Center
2500 South Main Street
Lamar, CO 81052
P 719.336.6600 | F 719.336.6623

Leonard Read
Eastern Colorado Aggregates, RLLLP
P.O. Box 580
Rye, CO 81069

January 13, 2017

RE: *Midwestern Farms, Permit No. M-1993-059, Technical Revision No. 5 (TR-05) Notice of Receipt, Adequacy Review No. 1*

Dear, Mr. Read,

In Amy Eschberger's November 9, 2016 TR letter to you regarding the *Midwestern Farms Permit*, in paragraph 12) she requested you to remove or replace Yellow Sweetclover from the Permanent Seed Mix intended for use of the reclaimed areas as it "is considered to be an invasive species." You have requested Colorado Parks and Wildlife to provide a replacement species that is more compatible with native species. CPW originally suggested Yellow Sweet Clover due to the wildlife benefits it provides (food and cover).

CPW is now suggesting using the following seed mix to replace Yellow Sweet Clover (please see attached revised *Midwestern Reclamation Seed Mix* for the species and percentages).

Blue flax *Linum lewisii* variety *lewisii*

Showy Milkweed *Asclepias speciosa*

These species are highly valued by wildlife and are readily available for purchase in SE Colorado.

Thanks for giving us the opportunity to make a replacement recommendation. Please let us know if you need anything further.

Sincerely,

Travis Black

Area Wildlife Manager

Colorado Parks and Wildlife





COLORADO

Parks and Wildlife

Department of Natural Resources

Lamar Service Center
2500 South Main Street
Lamar, CO 81052
P 719.336.6600 | F 719.336.6623

Leonard Read
Eastern Colorado Aggregates, RLLLP
P.O. Box 580
Rye, CO 81069

January 13, 2017

RE: Midwestern Farms, Permit No. M-1993-059, Technical Revision No. 5 (TR-05) Notice of Receipt, Adequacy Review No. 1

Dear Mr. Read,

In Amy Eschberger's November 9, 2016 TR letter to you regarding the Midwestern Farms Permit, she recommended that you seek a letter from Colorado Parks and Wildlife supporting the proposed changes to the 1998 Reclamation Plan (e.g., removing wetland species, tree planting) and confirming that the revised plan would provide suitable wildlife habitat under the Technical Revision No. 5 (TR-05), Adequacy Review No. 1.

Please accept this letter supporting the proposed changes to Items number 13) and 14) in Amy Eschberger's TR letter.

Item Number 13), addresses the recommendation to not plant shoreline trees and aquatic vegetation as originally designed in the 1998 Reclamation Plan. The planting of trees along the shoreline can obstruct flight paths and visual corridors for waterfowl and shorebird species. These obstructions may discourage use of the water surface and shoreline areas. Trees also create roosting and hunting perches for raptors which prey on the shorebirds and waterfowl. CPW staff is of the opinion that planting trees in a more limited location as shown in "Exhibit F" near the south and north shorelines of the western pond would be beneficial to wildlife by providing cover and shelter belts for deer and upland birds as well as for smaller mammals, while minimizing visual obstructions and predator perches. CPW staff also believes that planting of aquatic vegetation is unnecessary if the grading recommendations are followed. Having variable grading slopes along the shoreline as recommended in "Exhibit F" will encourage desirable aquatic species to naturally vegetate creating a mosaic effect within the water column that is most beneficial to aquatic and terrestrial species. CPW therefore supports Eastern Colorado Aggregates' reclamation plan amendment request to not include tree plantings on the eastern pond shoreline areas, but does encourage trees planted as designated in "Exhibit F".

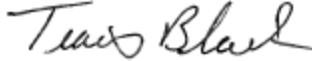
Item Number 14), addresses the issue of not re-vegetating certain areas of shoreline, particularly along the north-central shoreline area as denoted in "Exhibit F". A vegetation free shoreline is beneficial to many species of shorebirds for nesting, feeding and loafing areas, and waterfowl tend to prefer these clear areas for roosting/resting. Additionally, waterfowl species find the sandy/gravelly shorelines attractive for providing grit needed in their digestive process. Two threatened and endangered shoreline bird species, the Piping Plover (*Charadrius melodus*) and



Least Tern (*Sterna antillarum*), are known to nest in areas along the Arkansas River. A Least Tern nest has been observed on the mining site in the past, and CPW believes it important to continue managing for these species at the site. Both species nest in sandy gravel substrate free of vegetation. CPW staff therefore request leaving certain areas as designated on "Exhibit F" free of vegetation. This would be most beneficial to wildlife use of the site.

Please let us know if you need anything further.

Sincerely,

A handwritten signature in black ink that reads "Travis Black". The signature is written in a cursive, flowing style.

Travis Black

Area Wildlife Manager

Colorado Parks and Wildlife

RECEIVED
DEC 07 2016
By _____

Re: **Midwestern Farms, Permit No. M-1993-059, Technical Revision No. 5 (TR-05) – Acceptance of post mining 49.2 Industrial / Commercial Land**

The owners of Mid-Western Farms agree to retain the 49.2 acre plant site in its current un-reclaimed condition for post mining industrial / commercial uses. This parcel is generally located north of Burlington Northern Santa Fe railroad and south of the US Highway 50 rights of ways in the NW¼, NW¼ and the E½, NE¼, NW¼ of Section 18, T23S, R42W, 6th PM consisting of 49.2 acres more or less.

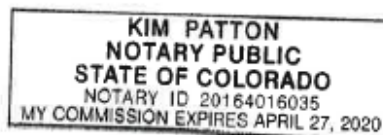
Signature

[illegible]

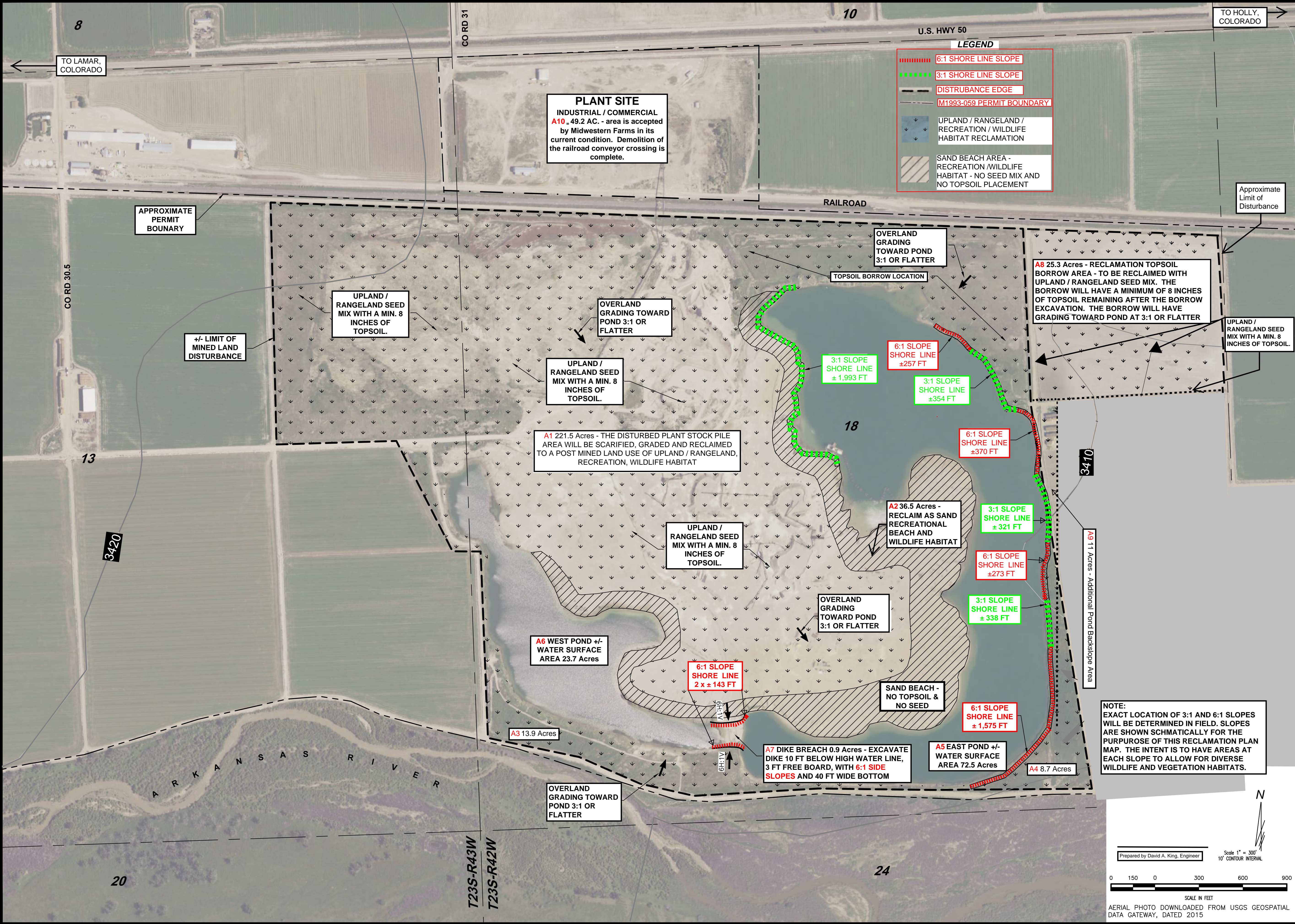
Witness my hand and official seal.

Notary Name Kim Patton

April 27, 2025
(Commission Expires)



(Notary Seal)



**Eastern Colorado
Aggregates, RLLP**
P.O. Box 580
Rye, Colorado 81069
(719) 489-3385

Exhibit F

RECLAMATION PLAN MAP

Permit Name - Midwestern Farms
Reclamation Permit No. M1993-059

| REVISIONS | | | |
|-----------|---------|-----|-------------|
| NO | DATE | BY | DESCRIPTION |
| 1 | 12/9/16 | DAK | |

Date: 12/9/16
Job No:
Drawn: DAK
Design: DAK
Checked:
Scale: 1" = 300'