COLORADO BACKHOE SERVICE

THE ORR PIT

PUEBLO COUNTY, COLORADO
JULY 2017

Application for a 112 Construction Materials Mined Land Reclamation Permit

PREPARED BY
ENVIRONMENT, INC.
7985 VANCE DR., SUITE 205A
ARVADA, CO 80003
(303) 423-7297

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

COLORADO DIVISION OF RECLAMATION MINING & SAFETY

CONSTRUCTION MATERIALS
REGULAR (112) OPERATION
RECLAMATION PERMIT APPLICATION FORM

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

Permit # M -____-____-___ (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 -2009- 074 -____ (provide for **Amendments** and **Conversions** of existing permits)

The application for a Construction Materials Regular 112 Operation Reclamation Permit contains three major parts: (1) the application form; (2) Exhibits A-S, Addendum 1, any sections of Exhibit 6.5 (Geotechnical Stability Exhibit; 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-S, Addendum 1, appropriate sections of 6.5 (Geotechnical Stability Exhibit, and a check for the application fee described under Section (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 requested below.

1. **Applicant/operator or company name (name to be used on permit)**: Colorado Backhoe Service
   - 1.1 Type of organization (corporation, partnership, etc.): private company

2. **Operation name (pit, mine or site name)**: The Orr Pit

3. **Permitted acreage (new or existing site)**: 9.99 permitted acres
   - 3.1 Change in acreage (+) 15.13 acres
   - 3.2 Total acreage in Permit area 25.12 acres

4. **Fees**:
   - 4.1 New Application ~~$2,696.00~~ application fee
   - 4.2 New Quarry Application ~~$3,442.00~~ quarry application
   - 4.4 Amendment Fee ~~$2,229.00~~ amendment fee
   - 4.5 Conversion to 112 operation (set by statute) $2,696.00 conversion fee

5. **Primary commoditie(s) to be mined**: Gravel Sand Borrow ____ ____
   - 5.1 Incidental commoditie(s) to be mined: 1. ____ - ____ 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: Specification aggregates, fill material
   - 5.3 Anticipated end use of incidental commoditie(s) to be mined: ____

6. **Name of owner of subsurface rights of affected land**: Justin Joseph
   If 2 or more owners, "refer to Exhibit O".

7. **Name of owner of surface of affected land**: Justin Joseph

8. **Type of mining operation**: ✔ Surface _____ Underground

9. **Location Information**: The center of the area where the majority of mining will occur:

   COUNTY: Pueblo

   PRINCIPAL MERIDIAN (check one): ✔ 6th (Colorado) _____ 10th (New Mexico) _____ Ute

   SECTION (write number): S 6

   TOWNSHIP (write number and check direction): T 21 ____ North ✔ South

   RANGE (write number and check direction): R 63 ____ 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):

   6.5 miles east of Pueblo Colorado, south of HWY 50BR on 33rd Lane. Site elevation 4650'

10. **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 14 sec 38 .23 (2 decimal places)

    Longitude (W): deg 104 min 28 sec 52 .65 (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) WGS 84 Zone 13

    Easting _____

    Northing _____

11. **Correspondence Information**:

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

Contact's Name: Thomas Joseph Title: Owner

Company Name: Colorado Backhoe Service

Street/P.O. Box: 25193 South Road P.O. Box:

City: Pueblo

State: CO Zip Code: 81006

Telephone Number: (719) - 924-0288

Fax Number: ( ) -

PERMITTING CONTACT (if different from applicant/operator above)

Contact's Name: Steve O'Brian Title: President

Company Name: Environment, Inc

Street/P.O. Box: 7985 Vance Dr. #205A P.O. Box:

City: Arvada

State: CO Zip Code: 80003

Telephone Number: (303) - 423-7297

Fax Number: (303) - 423-7599

INSPECTION CONTACT

Contact's Name: Tom Joseph Title: Owner

Company Name: Colorado Backhoe Service

Street/P.O. Box: 25193 South Road P.O. Box:

City: Pueblo

State: CO Zip Code: 81006

Telephone Number: (719) - 924-0288

Fax Number: ( ) -

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: ( ) -

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)		

14. **Method of Mining**: Briefly explain mining method (e.g. truck/shovel): This is a dry mining operation where front end loaders, and dozers remove material from a terrace deposit and load into the processing plant.

15. **On Site Processing**: ☑ Crushing/Screening

13.1 Briefly explain mining method (e.g. truck/shovel): Loaders, dozers, track hoes and trucks will be used to remove material and feed a processing plant that crushes and screens into stockpiles.

List any designated chemicals or acid-producing materials to be used or stored within permit area:

None

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

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

~~This conversion increase the permit area from 9.99 acres to 25.12 acres to allow reclamation a large section~~ of the property that was mined pre-1976 as a site the landowner can use for storage. During mining Colorado Backhoe will use it as a storage area for material generated by their excavation business. This material is recycled and blended with the mined material to create a usable produce. When mining ends the old mine slopes and disturbed area will be reclaimed. Activities at the site will not increase this conversion extend ~~the if of the mine until all material is removed and the area reclaimed.~~

Maps and Exhibits:

Two (2) complete, unbound application packages must be submitted. One complete application package consists of a signed application form and the set of maps and exhibits referenced below as Exhibits A-S, Addendum 1, and the Geotechnical Stability Exhibit. Each exhibit within the application must be presented as a separate section. Begin each exhibit on a new page. Pages should be numbered consecutively for ease of reference. If separate documents are used as appendices, please reference these by name in the exhibit.

With each of the two (2) signed application forms, you must submit a corresponding set of the maps and exhibits as described in the following references to Rule 6.4, 6.5, and 1.6.2(1)(b):

EXHIBIT A	Legal Description
EXHIBIT B	Index Map
EXHIBIT C	Pre-Mining and Mining Plan Map(s) of Affected Lands
EXHIBIT D	Mining Plan
EXHIBIT E	Reclamation Plan
EXHIBIT F	Reclamation Plan Map
EXHIBIT G	Water Information
EXHIBIT H	Wildlife Information
EXHIBIT I	Soils Information
EXHIBIT J	Vegetation Information
EXHIBIT K	Climate Information
EXHIBIT L	Reclamation Costs
EXHIBIT M	Other Permits and Licenses
EXHIBIT N	Source of Legal Right-To-Enter
EXHIBIT O	Owners of Record of Affected Land (Surface Area) and Owners of Substance to be Mined
EXHIBIT P	Municipalities Within Two Miles
EXHIBIT Q	Proof of Mailing of Notices to County Commissioners and Conservation District
EXHIBIT R	Proof of Filing with County Clerk or Recorder
EXHIBIT S	Permanent Man-Made Structures
Rule 1.6.2(1)(b)	ADDENDUM 1 - Notice Requirements (sample enclosed)
Rule 6.5	Geotechnical Stability Exhibit (any required sections)

The instructions for preparing Exhibits A-S, Addendum 1, and Geotechnical Stability Exhibit are specified under Rule 6.4 and 6.5 and Rule 1.6.2(1)(b) of the Rules and Regulations. If you have any questions on preparing the Exhibits or content of the information required, or would like to schedule a pre-application meeting you may contact the Office at 303-866-3567.

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.

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;

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;

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;

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;

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

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.

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.

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 Construction Material Rules and Regulations in effect at the time the permit is issued.

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.

NA 10. <u>For joint venture/partnership operators</u>: the signing representative is authorized to sign this 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's 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. 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.).

2. 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.;

3. As the applicant/operator, I do not have any extraction/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.) as determined through a Board finding.

4. 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.

This form has been approved by the Mined Land Reclamation Board pursuant to section 34-32.5-112,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 14 day of July, 2017.

Colorado Backhoe Service
Applicant/Operator or Company Name

If Corporation Attest (Seal)

Signed: _____

Signed: NA
Corporate Secretary or Equivalent
Town/City/County Clerk

Title: Owner

State of Colorado)
) ss.
County of Pueblo)

The foregoing instrument was acknowledged before me this 14th day of July, 2017, by Thomas Joseph as Owner of Colorado Backhoe Service

VANESSA ROY
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20144020115
MY COMMISSION EXPIRES MAY 23, 2018

Vanessa Roy
Notary Public

My Commission expires: May 23, 2018

SIGNATURES MUST BE IN BLUE INK

You must post sufficient Notices at the location of the proposed mine site to clearly identify the site as the location of a

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EXHIBIT A

LEGAL DESCRIPTION

AN AREA OF LAND IN PARTS OF THE SE¼SE¼, OF SECTION 6, TOWNSHIP 21 SOUTH, RANGE 63 WEST OF THE 6th P.M., PUEBLO COUNTY, COLORADO; CONTAINING 25.12 ACRES MORE OR LESS.

Entrance location: 39°14'38.23"N 104°28'52.00"W

MINING PLAN AND TIMETABLE

exhibit D

EXHIBIT D

MINING PLAN AND TIMETABLE

This permit application converts an existing 9.99 acre 110© permit to a Regular 112 permit by adding 15.13 acres ± so the total area will be 25.12 acres ± in the new Permit/Affected Lands line as shown on the PRE MINING MAP - EXHIBIT C.

The permit boundary line follows portions of the existing permit area on the north and south sides but takes in the entire parcel owned by Justin Joseph. It follows the County Road easement on the west side and a fence line on the east side. Much of this area covers areas that were mined pre 1976 but are now being used by the operator as stockpile areas for his dirt business. Mining started on the west end and is progressing to the east as material is mined.

LOCATION

This is an open pit mine located approximately 6.9 miles east of Pueblo, Colorado, approximately ¼ mile south of HWY 50 BR. To get to the mine from Pueblo take I-25 south to the Santa Fe exit, turn south on Santa Fe, travel ½ mile to Hwy 50 Business Route (50BR); take Hwy 50BR, 6.9 miles east to 33rd Lane; follow 33rd lane south approximately 800 feet to a private road on the east side of the lane. This private lane is an existing private road used by the landowners to access their property from 33rd Lane. It is currently 30 feet wide and the location is shown on Map Exhibit B - Vicinity Map supplied with this application. Periodic grading will be necessary to keep the road in its present condition and to make it passable. It will remain after mining is completed as a landowner access road.

History

Much of the western part of the permit area was mined prior to 1976 and was pre-law area. The existing permit area took in a small portion of the pre-law mined area to use as precessing area. There was no topsoil of growth medium on that area and it was covered buy weeds and junk until being cleaned up by Colorado Backhoe Service. When mining ended the old operator left near vertical faces on the north and east sides, shown on Map Exhibit C as "OLD MINE FACE" When mining resumed under the existing permit it began on the old mine face along the east and south sides that were never reclaimed. Up until then the southern and western part of the permit area had been used by a previous land owner as

a trailer house demolition area and junk yard. This was cleaned as mining progressed across the site under the existing permit.

CURRENT CONDITIONS

The pervious miner created two low areas that collect stormwater runoff, that appears to be wetland areas. Colorado Backhoe Service has contacted the U.S. Army Corps of Engineers and it has been determined that they are not jurisdiction wetlands or water of the U.S. They will be filled in as part of the floor grading plan as reclamation progresses.

Mr. Joseph has a house and yard on the southwest side of the permit area that will remain after reclamation is complete. Mining will take place along the south side of the house to enlarge the yard area once reclamation is done. At this time the working face extends around the south, west ad east side of the old permit area.

The existing on-site road is gravel with graded runoff ditches on each side. It is 20 feet wide with a slight crown to allow for drainage. This road will be maintained for use as a haul route and access for the property owners. Any runoff from the road will be retained on site and allowed to soak into the ground or evaporate. The road will be maintained for the life of the mine and a scale and scale house will be placed on the road near the access point.

MAP EXHIBIT C shows the outline of the Affected Lands; the touching landowners; the 200-foot ownership; structures within 200 ft; current topography, and hydrologic features of the property. Surrounding property uses include agricultural uses on the north, west and east and rural residential lots on the south and along 33rd Lane to the northwest. The land in the southeast of the permit area contains a residence that will remain when mining ends.

SOILS AND OVERBURDEN

The SOILS MAP in EXHIBIT I shows the soil types as delineated by the Conservation Service (NRCS) obtained from the internet WSS web site. The information contained in EXHIBIT I/J will provide background levels for the site as reclamation begins on the entire area.

There are 4 types of soils found on the site. These soils are typical throughout the Arkansas River Valley. They have no unusual qualities and since much of the site was disturbed before

1976 there is little or no topsoil on the site for this area. This pre-law area is outlined on Map Exhibit C.

The soils are designated as map units: CaE-Cascajo gravely sandy loam, 5 to 25% slopes, OdA-Oterodry sandy loam, dry, 1 to 4% slopes, *OrD-Otero Gravely sandy loam, 3 to 9% slope and RfB-Rocky Ford silty clay loam, 1 to 3% slopes*. See the soils map in the NRCS report for how the soils are distributed on the permit area. More detail information including, the soils description and engineering qualities, can be found starting on page 24 in this application.

Based on the soils report and on site observations there are sufficient quantities of soil available to reclaim the slope from the original surface to the mine floor or on areas where the growth medium was present when mining started. On the pre-law disturbed lands the area will be graded and graveled so the landowner can use it as they wish.

The soils in this area when salvaged and replaced should be capable of growing vegetation consistent with what is there now. The average depth of topsoil on the site according to the NRCS report is 10 to 12 inches deep. Using 10.0 inches as the average we calculate there should be a minimum of 11,300 YD^3 of growth medium available for resoiling the slopes around the mine floor. Be assured that enough growth medium will be retained on the site to assure reclamation and revegetation is successful on those areas that have soil on them now. On the old mine area no soil will be replaced since none exists now, rather the area will be graveled to stabilize it. The growth medium stockpiles will be located around the excavation (their approximate locations are shown on the MINING PLAN MAP to reduce the haul distances when reclamation starts. If the soil and overburden stockpiles remain undisturbed for more than one year a cover crop of Western Wheatgrass at a rate of 2 pounds-pls/100 sq-ft will be planted on them.

MINING PLAN

We anticipate the life of this mine to be between 10 and 15 years depending on the amount of material in the mine and the market demand. The site is currently used as an existing gravel mine and material storage yard for construction material obtained from other sources besides the mine. The storage area on the old mine floor is used to clean and process the material

being imported to the site. The material on this site, ranges from 0 to 10+ feet deep. The upper 10 to 12 inches of topsoil where it exists will be salvaged for use in reclamation. The gravel is exposed on the old working face left on the north side when mining ended in the 1970's and the working face being mined now. We will continue to work this face to the north, west and south to the permit line as shown on the MINING PLAN MAP. The mine floor will be on the underlying bedrock.

The existing setback on the old mined area on the north and southwest sides are 5 feet or less. The proposed setbacks to be maintained around the northeast, east, and southeast sections will be 15 feet from the property line.

This will be a single stage operation, limited to 25.12 acres or less at any-one-time. This will allow approximately 13.75 acres as a processing plant/stockpile area, approximately 9.60 acres for the active mining area and 1.78 acres as house area. As mining progresses around the property the bank slopes will be mined or shaped to the required grades where they are in their final location. This will reduce the amount of work that has to be done to reclaim the site. Reclamation will begin once we have enough room for the stockpiled material and the newly mined section, to be reclaimed so it will not have to be disturbed again.

As mining progresses across the property the material will get deeper. This will allow us to mine into the gravel bank working into the deposit from the same elevation as the existing floor. The results leaving a level area that "daylights" out along the west side suitable for future development. A near vertical face will be worked as mining progresses. Slopes from the current surface to the mine floor will graded 3h to 1v as mining progresses to the permit limits.

When topsoil is encountered it will be stripped and stockpiled around the perimeter of the site or on the mine floor for use in reclamation. An average of 10 inches of salvaged topsoil will be placed on the slopes around the mined area. If the soil stockpiles remain undisturbed for more than one growing season a cover crop of Crested Wheatgrass will be planted at a rate of 3.0 lbs pls/200 Ft^2.

Of the 25.12 acres ± in the permit area, approximately 10.67 acres ± will be mined. There will be 0.73 acres ± of setbacks

around the mined area and 2.10 acres of 3:1 slopes. The material will be used to supply construction material and pit run fill material to our clients. The primary land use at this time is a rural residential, storage area and old mine area. The sand and gravel will be excavated using frontend loaders, excavators and dozers. Mining will be done by loading material into trucks or the processing plant with a frontend loader. The RECLAMATION MAP - F shows how the area will look when mining ends. On-site equipment may include, but is not limited to, a motor grader, front-end loader(s), an excavator, a dozer(s), conveyors, a screening plant, dump trucks and a water truck. No blasting will take place at this mine.

Processing will be done on site to build material stockpiles that will be removed as needed. This will create large stockpiles of specification aggregates on the site as mining progresses. Once there is an adequate supply, the processing plant will be moved to another site and the processed material will be removed as needed. The mine will operate year around with periods of inactivity when adverse weather conditions exist or there is no demand for material. No estimate can be made on how long these periods of inactivity will be, but some may last up to 6 months or more.

The bond estimate presented on Page 26 shows the amount of land that will be disturbed as a worse case scenario. As mining progresses we expect to have no more that 400 feet of working face that would need shaping at any-one-time. The exterior slopes will be graded 3h to 1v as mining progresses thru the deposit. The floor of the mine will be graded so it is level as shown on MAP EXHIBIT F.

Little or no water will be used at the site. If dust control water is used, it will be obtained from sources Colorado Backhoe Service has available and approved for that use.

Typically the mine operations in cycles. These cycles involve moving a crushing plant into a mine and beginning to process material until there is a six month to 1 year supply of rock stockpiled. Once an adequate supply is processed, the crusher and equipment are moved to another site. The stockpiles will be used throughout the year by the company. As mining ends on a section of the working face it is temporally graded to 2:1 so it is stable when there are no activities in the mine. Any resoiling and revegetation needed is completed when the area

where material is removed will not be redisturbed. This cycle continues until the mine is played out.

Each time the mine is re-enter mining begins by setting up the plant and stripping the area to be mined during this cycle. The topsoil and overburden will be stockpiled along the mine perimeter setbacks or on the mine floor, i.e. in places where it will not be disturbed until needed.

Mining will begin on a section of the slopes created at the end of the last mining cycle until a near vertical face is open. This face will be worked to the north, east and south until it reached the mine limits. As mining progresses thru the site the processing plant will be set near the open face to reduce the haul distance from the mine face.

This pit will be operated year-around by Colorado Backhoe Service, weather permitting. There may be periods when the demands for material are slow and no mining will take place at which time the mine will become an ***Intermittent Operation.*** Stockpiles of material will be maintained on the site and as the need arises, it will be hauled to our project sites or sold to the public.

Review of MAP EXHIBIT C-1 shows how we expect the site to look when mining is approximately 65% done. Note, the floor of the excavation is flat and the exterior slopes into the mined area are graded 3:1 where reclaimed, sections have been backfilled with Inert Material imported for that use are temporarily graded and near vertical where mining is taking place.

Mining equipment may include but is not limited to, front-end loaders, scrapers, bulldozers, dump trucks and a water truck. Processing equipment may include but is not limited to conveyors, crushers and screen plants. A scale and scale house as well as a shop and maintenance building may also be built at the mine during its life.

As much as possible, the surface drainage will be maintained in the same direction as it now exists. The proposed sloping plan for the excavated area should eliminate any concerns of erosion occurring on the site.

On a typical operation of this type we may use up to 3 ac-ft of water per year. Most of the water used for dust control will be used on haul roads. Please refer to **EXHIBIT G - WATER** for the discussion of how water will be used at the site and the source of said water.

There are no ditches crossing the site and no surface or subsurface water will be impacted by the mining operation. All interior pit slopes will be maintained with a pit-ward attitude so that historic drainage patterns can be maintained. This same slope management plan will prevent any offsite slides or other disruptions. Isolation berms or ditches will be constructed around the active mining area to prevent off site stormwater from contacting the disturbed area. All stormwater contacting the disturbed area will be retained on-site and allowed to evaporate or soak into the underlying gravel. No U.S. Army Corps of Engineers 404 permit is necessary, as there are no jurisdictional water bodies on the site nor are there any wetland areas that will be disturbed by mining or reclamation. EXHIBIT G - WATER contains a letter from the Corps for your review.

MINING TIMETABLE

This estimated mining timetable is based on an average year and Colorado Backhoe Service expects a specific year to vary widely from the average. If there are changes in the mining timetable we will discuss the reasons for the change in the annual report that follows the change and modify it at that time.

ESTIMATED MINING TIMETABLE

	ACRES ±			
ESTIMATED YEARS	TOTAL AREA	TOTAL MINED	MINED 100%	MINED SLOPES
8-10	25.12	10.67	8.57	2.10

RECLAMATION PLAN AND TIMETABLE

exhibit E

EXHIBIT E

RECLAMATION PLAN AND TIMETABLE

RECLAMATION PLAN

The proposed future use of this site is to return it to it's existing use of rangeland and gravel farm yard. The slopes left when mining ends will be graded 3h to 1v and the floor of the mine will be a graveled flat per the landowners wishes. Mining will create a depression in the terrace deposit that leaves an amphitheater in the Terrace deposit by day lighting out the west side, and creating a flat bench running east-west at the same approximate elevations as the county road. This makes the reclamation plan very simple in that the mined area will have to be shaped, and graveled on the yard area and resoiled and then revegetated with grass seed on the slopes and setback areas once mining is complete. The **RECLAMATION PLAN MAP** in this application packet depicts how we believe the site will look once mining is complete.

Reclamation will begin as the exterior limits of the mine is reached. The slopes will be rebuilt using inert material imported into the site during normal business. This material is from job site operated by Colorado Backhoe Service and consists of dirt from foundation excavations, pavement tear outs or clean fill. Around the north, west and south sides a stable 3:1 slope will be left that will only need resoiling and revegetation. The farm yard area (old mining area) will be graded and graveled per the landowners wishes. This remains unchanged from what is approved in the existing permit.

Once mining is done on a slope area and will not be disturbed again, it will be resoiled and prepared for seeding. We estimate the average depth of the replaced topsoil will be 10 inches. This will mean that at a minimum 2.10 acres will be resoiled leaving 23.02 acres of area where no topsoil exists at this time. Fertilizer will be used to enhance the seed bed and will be spread and disced in during seedbed preparation. The area will be seeded and 2000 lbs per acres of clean weed free straw will be crimped into the seed bed.

Since the mining slopes around the perimeter of the mined area will steeper then their final slopes, some backfilling work will be necessary as mining ends. Two Hundred feet of the working face will be left nearly vertical and will need to be cut/fill sloped if mining ended early. This plan is that if mining ceases before the resource is exhausted, only a minor

amount of work would have to be done to finish reclamation on the disturbed area. The placement of the soil stockpiles around the perimeter of the mined area or direct placement on the final slopes as stripping takes place helps reduce the cost to reclaim the site if mining ended midway thru the site. It also means that the topsoil, only has to be handled once and reclamation will run concurrent with mining.

There are sufficient amounts of topsoil on the site so the 2.10 acres where topsoil/growth medium is needed it can be resoiled to a maximum average depth of ten (10) inches. All topsoil encountered has been and will continue to be saved from the stripping process and the operator will not haul additional soils onto the site for revegetation. Existing soils in place have been capable of producing a sparse cover of grasses when not abused. The vegetation information was obtained from site visits and data provided in the vegetation information obtained from the NRCS soil survey web page. A copy if that report is in EXHIBIT'S I AND J and describes the current cover in the terms of yearly production and will serve as background information as reclamation progresses. Our site specific investigations suggest the range quality is on the poor side. The area will be returned to at least it's present vegetative condition when reclamation is complete.

Under normal weather conditions, an adequate moisture reserve will be present for establishment of the proposed seed mixture. No irrigation is planned for this site because we will be attempting to create a diverse dryland site that is non-water dependent. No revegetation will take place on the access road or the farm yard areas.

REVEGETATION PROGRAM

The revegetation program to be implemented by the Colorado Backhoe Service is detailed below. The topsoiling plan presented above and this revegetation program is devised after careful review of the existing soil conditions and present vegetation, both on the site and in the NRCS report. *"Revegetation will be carried out in such a way so as to establish a diverse, effective and long-lasting vegetative cover that is capable of self-regeneration without continued dependence on irrigation, soil amendments or fertilizers."* The plan is designed to create a vegetative cover that is at least equal in extent to the cover of

the natural vegetation before mining. The use of species native to the area is included. Since the intended use of the reclaimed land as rangeland, any slopes created will be commensurate with this final land use.

Seed will be drilled wherever possible, when drilling is not possible, the seed will be broadcast. The revegetation plan provides for the greatest probability of success in plant establishment and vegetative development by considering environmental factors such as seasonal patterns of precipitation, temperatures and wind. Other considerations, such as soil texture, fertility, slope stability and the direction in which slopes face, have been considered. A weed control plan is included in the Appendix section of this packet for your review.

The roads will remain on the site to provide access for planting crews and for the supervision and inspection of the reclamation plan

SEEDBED PREPARATION

When mining on an area is complete, reclamation will begin. The stockpiled soils will be spread on the slopes, smoothed of large clods, worked until moderately fine. On the areas where seed is broadcast the surface will be left fairly rough to trap the seed and keep it from being affected by wind. This technique is used on other facilities in the state that are similar to this site. It works very well as reclamation has been successful on all of them.

SEEDING TIME

The grass seed mixture will be planted from early fall thru mid-spring (October 15 to April 30). The time of planting will be controlled by when the resoiled areas are ready for planting. If fall planting is convenient, the seeding will be done before the first freeze (about the time Winterwheat is planted). If spring planting is called for, it will be done in March or April weather permitting after the last frost. Both periods assure there will be adequate residual ground moisture available for the newly planted seeds.

GRASSES

The seed mix listed in Exhibit J was approved for use in our 110 permit and was developed by the Arkansas Valley Seed Company as their dryland seed mix for in the Pueblo County area. Using this mixture, when drilled, will provide approximately 71 seeds per square foot. It is a mixture that should restore the site to its existing vegetation conditions. The winter wheat acts as a cover crop for the grasses. If the seed is broadcast, the amount will be doubled and spread on a rough surface. The seeded areas will then be dragged or raked thoroughly to set the seed.

Experience shows that on other operations the seeded area will have a heavy cover of weeds after the first year. The second year there are fewer weeds as the grasses start to take hold. By the third year the weeds are mostly gone and the grass has established itself so it will grow in future years. After the second growing season the site will be inspected and an assessment of revegetation success will be done to determine if additional seeding is necessary. If the analysis shows additional work is needed it will be done that fall.

WEED CONTROL

The revegetated areas will be monitored closely each spring for the first two years to determine if noxious weeds are invading the area. Colorado Backhoe Service will implement a weed monitoring and control plan for this mine and have included a copy in the Appendix for your review. Weed control will be initiated if the problem becomes serious or if an excessive weed cover is still present at the end of the second year. In no way should this be taken to mean that we will try to eradicate all the weeds from the site. Some weeds are beneficial to the game species in the area, they provide important protection from the elements during winter and nesting sites during the spring. Total eradication of weeds from the site is not necessarily desirable, so we will be using controls on the noxious weeds and letting the rest grow in select areas for limited times as long as they do not hamper the grass growth. It may be necessary to control weeds by mowing after the first year, the feasibility of chemical weed control methods will be studied should other forms not work. Control of noxious weeds is important to the state so USDA Extension Service recommendations will be followed to control them.

IRRIGATION

No irrigation is planned for the revegetated area in the pit. It makes the vegetation dependent on water and does not promote a vegetation cover that is diverse and capable of self regeneration.

RECLAMATION PERFORMANCE STANDARDS

The operator intends to mine the property in compliance with the Reclamation Performance Standards of Rule 3. Grading will be done to create a final topography that is compatible with the intended final land use. Most slope areas will be created by backfilling to the final slope rate. These slopes will be 3:1 and we will attempt to retain the present drainage pattern across the property.

A sign that conforms to the requirements in Rule 3.1.12 (1996) is in place at the entrance to this facility.

The material used to create the slopes will be native material found on the site or imported as part of Colorado Backhoe Service's business at that time. It will consist of sand, gravel, overburden, concrete and asphalt fragments and dirt. The pit will be reclaimed so that a suitable grade for drainage exists that matches the premining pattern. All surface runoff from reclaimed areas will be directed into the existing drainages around the site.

All grading will be done in a manner to control erosion and to protect areas outside the affected lands from slides or other damage. All backfilling and grading will be completed as soon as feasible after mining is completed in any given area. All refuse will be hauled away or disposed of in a manner that will control unsightliness and protect the drainage system from pollution. There are no acid-forming or toxic materials involved in this operation. If petroleum products are stored at the site, it will be done as prescribed by applicable laws. Any storage tanks will be surrounded by a berm or be in self contained facilities adequate to retain any fluid spilled should a tank rupture. In addition, there is adequate absorbent materials on site to contain any spills that would occur outside the containment structure. There are no drill or auger holes on the land. Maximum slopes will be within the limits set forth in the Rules and Regulations of the Board and will be capable of being traversed by machinery.

The operator does not expect prevailing hydrologic conditions to be disturbed. Colorado Backhoe Service will comply with applicable Colorado water laws and regulations (as the operator understands them) governing injury to existing water rights to minimize any disturbance which might occur to the prevailing hydrologic balance of the affected land and surrounding area and to the quality and quantity of water in surface and ground-water systems both during and after the mining operation and during reclamation. Any water used in the operation of the processing plants and for dust control will come from water sources described in WATER - EXHIBIT **G**.

No dredging takes place at this facility, there are no temporary siltation structures involved in this operation and no mining will be done in a river or waters of the United States. Temporary stormwater retention ponds may be constructed on the site to collect stormwater before it leaves the site. These ponds will be designed to keep from retaining Stormwater for more then 72 hrs and will removed when the area is reclaimed. There will be no earthen dams on the mined area.

The mining and reclamation plans consider existing wildlife conditions and final reclamation will not change the area for wildlife use. The mining and reclamation plans allow for the safety and protection of wildlife remaining on the mine site, at the processing site and along all access roads to the site. In general we have found there is little long term disturbance to native wildlife species around gravel mining operations. The big game species tend to use mining sites and newly vegetated areas after operations have stopped for the day. The smaller species tend to move to undisturbed areas. This sight is a heavily disturbed area and use by wildlife is limited. We know of no threatened or endangered species on the site. Colorado Parks and Wildlife was contacted for a Wildlife Statement a copy will be submitted for the file.

Topsoil in the area (average 10 inches) is of good to fair quality, so when it is removed to reach the mineral deposit, it will be segregated and stockpiled. If the topsoil and overburden piles remain undisturbed for more than a year, a vegetative cover of 2 lbs-pls/100 FT^2 Western Wheatgrass or other means will be employed to prevent erosion from wind and water and keep them free of contaminants so that they remain useful for sustaining vegetation when reclamation begins. The stockpiles will be

located in areas where disturbances by ongoing mining operations will be at a minimum, i.e., along setbacks on the pit perimeter or mine floor. The topsoil will be handled as little as possible until it is replaced onto disturbed areas. The operator will take measures necessary to insure the stability of the replaced topsoil on graded slopes and spreading it as evenly as possible. Fertilizer and other soil amendments will be used as discussed in this plan.

RECLAMATION TIMETABLE

Reclamation will begin once enough area has been opened so that any reclamation completed will not be disturbed as mining progresses. This may take 5 or more years depending on the economic conditions in the area and the amount of material mined. The operator anticipates approximately 50% of the total mined land will be reclaimed by the time mining is completed. A portion of the floor area will be complete, but the area under the plant site/stockpile area will still need work. Grading of the final face area will be that last area to be reclaimed. Within one year after mining ends and the stockpiles have been removed, all graveling, resoiling and revegetation will be complete. The area will then be monitored for success of revegetation until it is released by the Board. The operator estimates that, this will happen 3 to 5 years after mining is completed.

If revegetation problems occur before release, an analysis of the site will be made and the area will be revegetated again as necessary. The seed mixture and rates may be revised as needed to complete reclamation, if a modification is required, the Division will be notified prior to making the change. This gives us the most flexibility to complete reclamation successfully.

RECLAMATION TIMETABLE

Years	Total Area	Revegetation	Road & Yard area	Undisturbed (house)
3-5	25.12	2.83	20.51	1.78

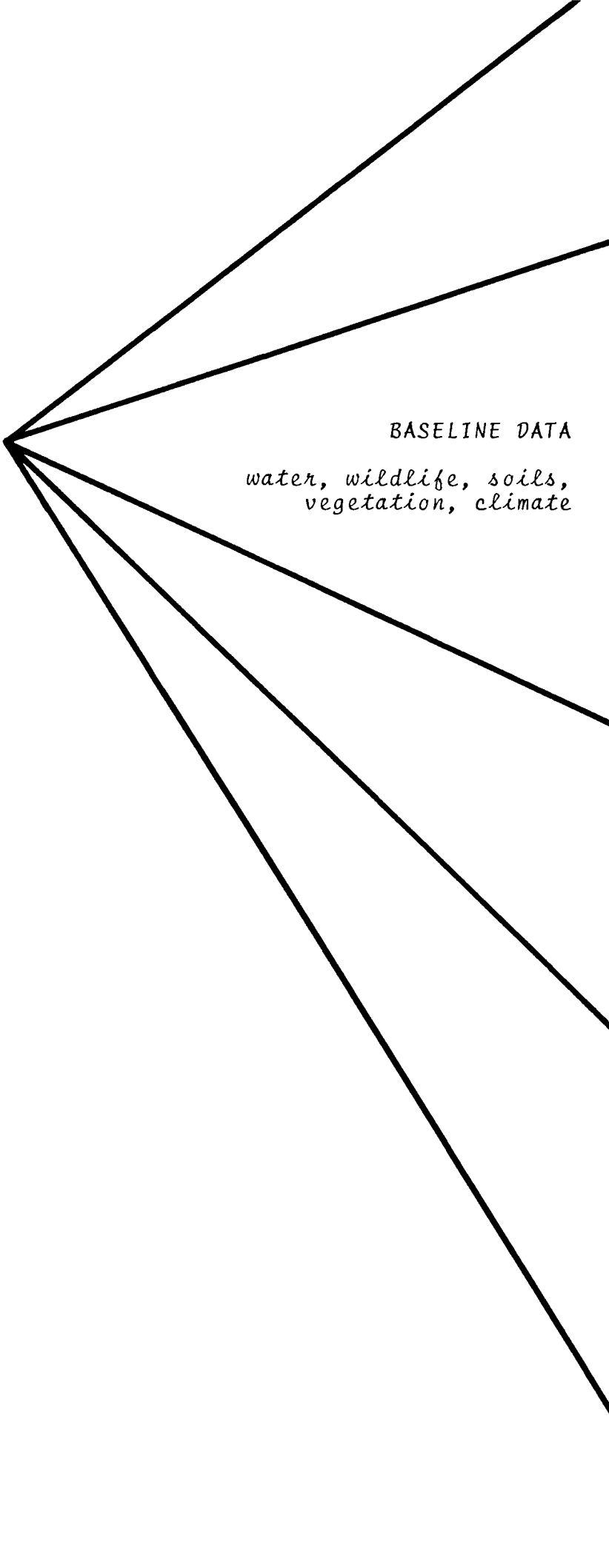

BASELINE DATA
water, wildlife, soils,
vegetation, climate

EXHIBIT G

WATER INFORMATION

There are no water structures on the site. The closest water body is the St. Charles River which at its closest point is approximately 1000 feet west of the site. The river is approximately 30 feet lower than the proposed mine floor. The two small wet area on the old mine area are created by stormwater that has accumulated in low spots since early mining days. Colorado Backhoe Service contacted the US Army Corps of Engineers to see if they could be filled in. The Corps indicated they were non jurisdiction waters and they could be filled in. A copy of the Corps Letter is no the next page.

Review of well data on the surrounding areas indicate the closest water well is located approximately 0.44 mile northwest of the mine and the water table in this well 32 feet ± below the ground surface. Wells on the upper bench average 67 feet deep making the water table approximately 55 feet below the floor of the mine. Ground water will not be encountered on this site and we will not affect the hydrologic balance of surface or subsurface water in the area. Domestic water for the community is supplied by St. Charles Mesa Water District.

We do not expect to encounter ground water on this site however if at anytime groundwater is encountered a 2-foot cover will be placed over the exposed water and the mine floor elevations will be adjusted to maintain that depth to groundwater.

The operator's intent is to minimize the disturbance to the prevailing hydrologic balance of the affected land and of the surrounding area and to the quality and quantity of the surface and ground water system, both during and after mining and reclamation. We believe we will be in compliance with all state laws, federal laws, and regulations governing water and water rights as the property develops.

We estimate the current water uses at the mine, including, dust control will require 3.00 ac-ft per year. This water is purchased from the St. Charles Mesa Water District. No water will be used for reclamation, nor will the revegetated areas be irrigated.

The pit is a dry mine so will not be dewatered and will be graded such that all surface water runoff is retained on the site for less then 72 hours and all off site storm runoff will be diverted around the permit area.

EXHIBIT H

WILDLIFE STATEMENT.

The following information is provided in lue of a was received in response to our request for a Colorado Parks and Wildlife Wildlife Statement. Environment, Inc. Has requested one from the Southeast regional office in Pueblo and Michael Trujillo is working on one. As soon as it is received it will be placed in the file.

Wildlife Information

Wildlife resources on the affected land are limited to the existing ground cover of seasonal grasses, forbs some trees and shrubs on the affected area. Ground cover in this area is approximately 50%, at best.

Use of the area by wildlife is minimal, as the area has been used as a salvage yard and sand and gravels mine for the last 30+ years. Properties surrounding the proposed permit area have been actively farmed or used continuously for the past several years as rural residential.

Wildlife expected to be found on the property may include small rodents and mammals. There are no known threatened or endangered species on the property. Larger mammals would not be found on this site due to the lack of cover from predators and the distance from suitable habitats.

Existing wildlife in the area is not expected to be significantly impacted by this proposed expansion of the existing permit. This will be a continuation of the activities currently on-site. Human activities and noise levels will not increase above what is currently occurring. Temporary and permanent losses to food and habitat is not expected to be significant as the area currently has limited potential for wildlife food and habitat.

EXHIBIT I

SOILS

SOILS INFORMATION

The following information was obtained from site observations and the basic soils and vegetation information found online thru the USDA's National Soils information pages. The information received from the online source is made part of this application. Soil units are shown on the USDA map, reproduced on page 24 following this text. This photo map shows the surrounding vegetation features and soil types. Approximately 13.75 acres of the area was mined in the early 1970's as part of an airport project. There is no topsoil in this area as the floor of the old mine has a gravel base. The gravels in this area lie on the outer edge of a terrace that is 6 to 10 feet deep along the south side of the property.

In the area not disturbed by mining pre permit the deposit is a gravelly deposit underlaying the Cascajo, very gravely loam, 5 to 25% slopes (CaE) and the Oterodry sandy loam, dry, 1 to 4% slopes (OdA), Otero Gravely sandy loam, 3 to 9% slope (OrD) and Rocky Ford silty clay loam, 1 to 3% slopes (RfB) soil series. The general soils description for these soils describe the Cascajo soils as being very gravely and site investigations indicate that is true. The Oterodry and Rocky Ford soil descriptions calls the soil a sandy loam and makes no note of gravel up to 60 inches. The Otero Gravelly series covers the owners house area but is listed as a gravely loam. Again, our site visit conforms this. We believe there could be a layer of gravel under the eastern side soils that ranges between 6 to 10 feet deep. On this site darker usable topsoil varies from 10 to 12 inches where it exists. As noted above approximately 33.75 ± acres was mined in the past. Prior to the existing 110 permit being issued the site was used as an old trailer house scrap yard and other junk storage area. There is no soil of any kind on this area.

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 Pueblo Area, Colorado, Parts of Pueblo and Custer Counties

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 Scale: 1:2,480 if printed on A landscape (11" x 8.5") sheet.

N

Meters: 0 35 70 140 210

Feet: 0 100 200 400 600

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 13N WGS84

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:
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: Pueblo Area, Colorado, Parts of Pueblo and Custer Counties
Survey Area Data: Version 15, Sep 22, 2015

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

Date(s) aerial images were photographed: Apr 15, 2011—Apr 22, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background

Map Unit Legend

Pueblo Area, Colorado, Parts of Pueblo and Custer Counties (CO626)			
Map Unit Symbol	**Map Unit Name**	**Acres in AOI**	**Percent of AOI**
CaE	Cascajo very gravelly sandy loam, 5 to 25 percent slopes	13.9	54.8%
OdA	Oterodry sandy loam, dry, 1 to 4 percent slopes	7.5	29.5%
OrD	Otero gravelly sandy loam, 3 to 9 percent slopes	1.9	7.5%
RfB	Rocky Ford silty clay loam, 1 to 3 percent slopes	2.1	8.2%
Totals for Area of Interest		**25.4**	**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.

Pueblo Area, Colorado, Parts of Pueblo and Custer Counties

CaE—Cascajo very gravelly sandy loam, 5 to 25 percent slopes

Map Unit Setting

National map unit symbol: 36c5
Elevation: 4,400 to 6,000 feet
Mean annual precipitation: 11 to 14 inches
Mean annual air temperature: 50 to 54 degrees F
Frost-free period: 145 to 175 days
Farmland classification: Not prime farmland

Map Unit Composition

Cascajo and similar soils: 90 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Cascajo

Setting

Landform: Terraces
Landform position (three-dimensional): Tread, riser
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Sandy and gravelly alluvium

Typical profile

A - 0 to 10 inches: very gravelly sandy loam
Bk - 10 to 21 inches: very gravelly sandy loam
C - 21 to 60 inches: stratified extremely gravelly coarse sand

Properties and qualities

Slope: 5 to 25 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Excessively drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): High (2.00 to 6.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum in profile: 25 percent
Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
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: A
Ecological site: Gravel Breaks (R069XY064CO)
Hydric soil rating: No

Minor Components

Shale outcrop
Percent of map unit: 10 percent
Hydric soil rating: No

OdA—Oterodry sandy loam, dry, 1 to 4 percent slopes

Map Unit Setting
National map unit symbol: 2rh0z
Elevation: 3,800 to 6,000 feet
Mean annual precipitation: 10 to 12 inches
Mean annual air temperature: 50 to 54 degrees F
Frost-free period: 130 to 175 days
Farmland classification: Not prime farmland

Map Unit Composition
Oterodry, dry, and similar soils: 80 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Oterodry, Dry

Setting
Landform: Paleoterraces, hillslopes
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope
Down-slope shape: Convex
Across-slope shape: Linear
Parent material: Eolian deposits and/or alluvium

Typical profile
A1 - 0 to 4 inches: sandy loam
A2 - 4 to 12 inches: sandy loam
Bk - 12 to 42 inches: sandy loam
C - 42 to 79 inches: fine sandy loam

Properties and qualities
Slope: 1 to 4 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Somewhat excessively drained
Capacity of the most limiting layer to transmit water (Ksat): High (2.00 to 6.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum in profile: 10 percent
Salinity, maximum in profile: Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)
Sodium adsorption ratio, maximum in profile: 2.0
Available water storage in profile: Moderate (about 7.2 inches)

Interpretive groups

Land capability classification (irrigated): 3e
Land capability classification (nonirrigated): 6c
Hydrologic Soil Group: A
Ecological site: Sandy Plains (R069XY026CO)
Hydric soil rating: No

Minor Components

Kimera, dry

Percent of map unit: 10 percent
Landform: Interfluves
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: Loamy Plains, LRU's A & B 10-14 Inches, P.Z. (R069XY006CO)
Other vegetative classification: Loamy (G069XW017CO)
Hydric soil rating: No

Olney, dry

Percent of map unit: 5 percent
Landform: Interfluves
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Interfluve
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: Sandy Plains (R069XY026CO)
Hydric soil rating: No

Cascajo, dry

Percent of map unit: 5 percent
Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Convex
Across-slope shape: Linear
Ecological site: Gravel Breaks (R069XY064CO)
Hydric soil rating: No

OrD—Otero gravelly sandy loam, 3 to 9 percent slopes

Map Unit Setting

National map unit symbol: 36df
Elevation: 4,400 to 5,200 feet
Mean annual precipitation: 11 to 14 inches
Mean annual air temperature: 50 to 54 degrees F
Frost-free period: 145 to 175 days
Farmland classification: Not prime farmland

Map Unit Composition

Otero and similar soils: 75 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Otero

Setting

Landform: Ridges, fans
Landform position (two-dimensional): Footslope
Landform position (three-dimensional): Crest, rise
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Eolian deposits and/or sandy alluvium

Typical profile

A - 0 to 4 inches: gravelly sandy loam
C - 4 to 60 inches: stratified sandy loam to gravelly loam

Properties and qualities

Slope: 3 to 9 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): High (2.00 to 6.00 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
Gypsum, maximum in profile: 2 percent
Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water storage in profile: Moderate (about 6.5 inches)

Interpretive groups

Land capability classification (irrigated): 4e
Land capability classification (nonirrigated): 6e
Hydrologic Soil Group: A
Ecological site: Sandy Plains (R069XY026CO)
Hydric soil rating: No

Minor Components

Schamber

Percent of map unit: 15 percent
Hydric soil rating: No

Razor

Percent of map unit: 3 percent
Hydric soil rating: No

Heldt

Percent of map unit: 2 percent
Hydric soil rating: No

RfB—Rocky Ford silty clay loam, 1 to 3 percent slopes

Map Unit Setting

National map unit symbol: 36dq
Elevation: 4,300 to 5,000 feet
Mean annual precipitation: 11 to 14 inches
Mean annual air temperature: 50 to 54 degrees F
Frost-free period: 145 to 175 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

Rocky ford and similar soils: 90 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Rocky Ford

Setting

Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Clayey alluvium from irrigation water over silty alluvium

Typical profile

Ap - 0 to 12 inches: silty clay loam
C - 12 to 60 inches: silt loam

Properties and qualities

Slope: 1 to 3 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.60 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
Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water storage in profile: High (about 9.9 inches)

Interpretive groups

Land capability classification (irrigated): 2e
Land capability classification (nonirrigated): 6e
Hydrologic Soil Group: C
Ecological site: Loamy Plains, LRU's A & B 10-14 Inches, P.Z. (R069XY006CO)
Hydric soil rating: No

Minor Components

Otero clay loam

Percent of map unit: 5 percent
Hydric soil rating: No

Otero sandy loam

Percent of map unit: 5 percent
Hydric soil rating: No

Chemical Soil Properties–Pueblo Area, Colorado, Parts of Pueblo and Custer Counties								
Map symbol and soil name	**Depth**	**Cation-exchange capacity**	**Effective cation-exchange capacity**	**Soil reaction**	**Calcium carbonate**	**Gypsum**	**Salinity**	**Sodium adsorption ratio**
	In	*meq/100g*	*meq/100g*	*pH*	*Pct*	*Pct*	*mmhos/cm*	
CaE—Cascajo very gravelly sandy loam, 5 to 25 percent slopes								
Cascajo	0-10	9.4-14	—	7.4-8.4	0-5	0	0	0
	10-21	4.0-11	—	7.4-8.4	15-25	0	0	0
	21-60	1.0-5.0	—	7.9-8.4	5-10	0	0.0-2.0	0
OdA—Oterodry sandy loam, dry, 1 to 4 percent slopes								
Oterodry, dry	0-4	7.1-16	—	7.4-8.4	0-5	0	0.0-2.0	0
	4-12	7.1-16	—	7.4-8.4	0-5	0	0.0-2.0	0
	12-42	6.2-13	—	7.9-8.4	2-10	0	0.0-4.0	0-2
	42-79	6.2-13	—	7.9-8.4	2-10	0	0.0-4.0	0-2
OrD—Otero gravelly sandy loam, 3 to 9 percent slopes								
Otero	0-4	7.4-15	—	7.4-8.4	2-15	0	0.0-2.0	0
	4-60	2.0-15	—	7.4-8.4	1-10	0-2	0.0-2.0	0
RfB—Rocky Ford silty clay loam, 1 to 3 percent slopes								
Rocky ford	0-12	15-30	—	7.9-8.4	0-5	0	0.0-2.0	0
	12-60	5.0-20	—	7.9-8.4	5-15	0	0.0-2.0	0

Three values are provided to identify the expected Low (L), Representative Value (R), and High (H).

Physical Soil Properties–Pueblo Area, Colorado, Parts of Pueblo and Custer Counties														
Map symbol and soil name	**Depth**	**Sand**	**Silt**	**Clay**	**Moist bulk density**	**Saturated hydraulic conductivity**	**Available water capacity**	**Linear extensibility**	**Organic matter**	**Erosion factors**			**Wind erodibility group**	**Wind erodibility index**
										Kw	**Kf**	**T**		
	In	*Pct*	*Pct*	*Pct*	*g/cc*	*micro m/sec*	*In/In*	*Pct*	*Pct*					
CaE—Cascajo very gravelly sandy loam, 5 to 25 percent slopes														
Cascajo	0-10	-66-	-19-	12-15- 18	1.35-1.43-1.50	14.11-28.00-42.33	0.05-0.06-0.07	0.0- 1.5- 2.9	0.5- 0.8-1.0	.05	.17	3	6	48
	10-21	-67-	-23-	5-10- 15	1.35-1.43-1.50	14.11-28.00-42.33	0.03-0.05-0.07	0.0- 1.5- 2.9	0.0- 0.3-0.5	.05	.17			
	21-60	-91-	- 7-	0- 3- 5	1.45-1.53-1.60	141.00-141.00-141.00	0.01-0.02-0.02	0.0- 1.5- 2.9	0.0- 0.3-0.5	.02	.02			
OdA—Oterodry sandy loam, dry, 1 to 4 percent slopes														
Oterodry, dry	0-4	55-67- 75	8-23- 37	8-10- 18	1.48-1.52-1.57	14.11-28.00-42.34	0.11-0.12-0.15	0.7- 1.0- 1.9	0.5- 1.3-2.0	.20	.20	5	3	86
	4-12	55-67- 75	8-23- 37	8-10- 18	1.48-1.52-1.57	14.11-28.00-42.34	0.11-0.12-0.15	0.7- 1.0- 1.9	0.5- 1.3-2.0	.24	.24			
	12-42	55-67- 75	8-23- 37	8-10- 18	1.47-1.54-1.61	14.11-28.00-42.34	0.11-0.12-0.15	0.5- 0.8- 1.7	0.0- 0.3-0.5	.28	.28			
	42-79	55-68- 75	7-21- 36	8-11- 18	1.47-1.54-1.62	14.11-28.00-42.33	0.10-0.12-0.15	0.5- 0.9- 1.7	0.0- 0.3-0.5	.32	.32			

Physical Soil Properties–Pueblo Area, Colorado, Parts of Pueblo and Custer Counties														
Map symbol and soil name	**Depth**	**Sand**	**Silt**	**Clay**	**Moist bulk density**	**Saturated hydraulic conductivity**	**Available water capacity**	**Linear extensibility**	**Organic matter**	**Erosion factors**			**Wind erodibility group**	**Wind erodibility index**
										Kw	**Kf**	**T**		
	In	*Pct*	*Pct*	*Pct*	*g/cc*	*micro m/sec*	*In/In*	*Pct*	*Pct*					
OrD—Otero gravelly sandy loam, 3 to 9 percent slopes														
Otero	0-4	-66-	-19-	10-15- 20	1.35-1.43-1.50	14.11-28.00-42.33	0.08-0.10-0.11	0.0- 1.5- 2.9	0.5- 1.3- 2.0	.10	.20	5	5	56
	4-60	-66-	-23-	5-12- 18	1.25-1.43-1.60	14.11-28.00-42.33	0.06-0.11-0.16	0.0- 1.5- 2.9	0.0- 0.5- 1.0	.15	.28			
RfB—Rocky Ford silty clay loam, 1 to 3 percent slopes														
Rocky ford	0-12	- 7-	-59-	30-35- 40	1.15-1.23-1.30	1.41-2.00-4.23	0.17-0.19-0.21	3.0- 4.5- 5.9	0.5- 1.3- 2.0	.37	.37	5	6	48
	12-60	-10-	-68-	18-23- 27	1.25-1.28-1.30	4.23-9.00-14.11	0.14-0.16-0.18	0.0- 1.5- 2.9	0.0- 0.5- 1.0	.49	.49			

EXHIBIT J

VEGETATION INFORMATION

The following vegetation information applies to the areas not previously disturbed and is provided as background information to be used when reclamation is complete on those areas needing to be revegetated.

1. Current cover percent is: 0 to 30%
2. Topsoil depth on site averages: 0 to 12 inches
3. Seeding dates recommended: October 15 to May 1
4. Fertilizer, if needed: Phosphate @ 40 lb/ac and nitrogen @ 40 lb/ac.
5. Seeding recommendation for area:

Non-Irrigated grass seed recommendation

Seed Variety	Lbs-pls/ac.
Wildrye (Dahurian)	2.00
Intermediate Wheatgrass (Oahe)	2.00
Smooth Brome (Lincoln)	2.00
Perennial Ryegrass (Tetrploid)	1.00
Slender Wheatgrass (Revenue)	1.00
Crested Wheatgrass (Hycrest)	1.00
Orchardgrass (Paiute)	1.00
	10.00

This seed mix is a combination of native grasses and forbs that has proven successful on other sites in the vicinity of this mine. This is a standard pasture mix available from Arkansas Valley Seed called Dryland Pasture Mix costing $1.59/lb-pls for amounts of 50#'s or more. This mix will provide approximately 44.6 seeds/sq-ft/acre when drilled and will be doubled if broadcast.

A clean straw mulch consisting of 2,000 lbs per acres will be crimped into the seedbed once the seeding is complete. This site has no special or unique characteristics with mostly grass and forbs covering the area. Average annual production is approximately 500 pounds per acre. The plant community is 60 percent grasses and 40 percent forbs, weeds and brush.

The species of vegetation found on the site are Sideoats grama, Little bluestem, Needleandthread, Sand dropseed, Indian ricegrass, Sand saltbrush and Yucca

Rangeland Productivity and Plant Composition–Pueblo Area, Colorado, Parts of Pueblo and Custer Counties						
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*
CaE—Cascajo very gravelly sandy loam, 5 to 25 percent slopes						
Cascajo	Gravel Breaks	1,000	800	500	Sideoats grama	35
					Little bluestem	20
					Blue grama	15
					Galleta	5
					Sand dropseed	5
					Fourwing saltbush	3
OdA—Oterodry sandy loam, dry, 1 to 4 percent slopes						
Oterodry, dry	Sandy Plains	1,400	1,150	600	Blue grama	30
					Prairie sandreed	15
					Sand bluestem	10
					Sideoats grama	10
					Needleandthread	5
					Little bluestem	5
					Sand dropseed	5
OrD—Otero gravelly sandy loam, 3 to 9 percent slopes						
Otero	Sandy Plains	1,200	1,000	800	Blue grama	30
					Prairie sandreed	15
					Sand bluestem	10
					Sideoats grama	10
					Needleandthread	5
					Little bluestem	5

Rangeland Productivity and Plant Composition–Pueblo Area, Colorado, Parts of Pueblo and Custer Counties						
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*
					Sand dropseed	5
RfB—Rocky Ford silty clay loam, 1 to 3 percent slopes						
Rocky ford	Loamy Plains, Lru's A & B 10-14 Inches, P.z.	1,200	800	400	Blue grama	40
					Western wheatgrass	15
					Galleta	15
					Winterfat	5
					Sideoats grama	5
					Green needlegrass	3
					Prairie junegrass	2

CLIMATE

Information was downloaded from the Climatology Data-base at Colorado State University. The average Daily temperature is 53.5 degrees and the average precipitations amount is 11.87 inches per year. The Pueblo Reservoir Station is the closest data collection station to this property (14.75 miles NE). The data in the table is for the years 1997-2016 most recent published.

Station data Latitude - 38°16" Longitude -104°43' Elevation - 4560 Feet

MONTHLY MEAN TEMPERATURE. (F)													
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	ANNUAL
AVERAGE	33.4	35.3	43.6	50.8	61.3	70.9	77.5	74.6	66.0	53.2	42.0	33.3	53.5
MAXIMUM	37.9	42.3	48.1	55.5	63.9	76.0	80.6	78.0	70.6	57.3	47.7	37.9	54.6
YEAR	2006	1999	2007	2006	2006	2002	2003	2007	2010	2010	1999	2003	1999
MINIMUM	22.8	30.3	39.1	45.6	58.2	66.8	72.1	69.0	61.5	47.2	34.4	27.1	51.9
YEAR	2007	2003	1998	1997	2001	2003	2004	2004	2006	2009	1997	2009	2004
YEARS OF RECORD	13	14	14	14	14	14	14	13	14	13	13	13	11
MONTHLY MEAN MAXIMUM TEMPERATURE. (F)													
AVERAGE	49.0	50.8	60.0	67.2	78.2	88.2	94.2	90.7	83.3	70.2	58.0	48.4	69.9
MAXIMUM	54.1	59.0	65.6	73.2	81.2	94.1	99.7	95.2	89.6	76.2	66.1	56.7	71.2
YEAR	2003	1999	2004	2006	2000	2002	2003	2000	2010	2003	1999	2003	2003
MINIMUM	38.0	43.0	55.7	60.8	74.7	83.2	90.0	86.5	76.9	60.8	49.0	40.4	68.1
YEAR	2007	2010	2001	1997	2010	2003	2004	2004	2006	2009	2000	2009	1997
YEARS OF RECORD	13	14	14	14	14	14	14	13	14	13	13	13	11
MONTHLY MEAN MINIMUM TEMPERATURE. (F)													
AVERAGE	17.8	19.7	27.2	34.4	44.4	53.6	60.4	58.4	48.7	36.1	26.0	18.1	37.2
MAXIMUM	22.5	25.5	31.4	38.2	48.7	59.1	63.0	62.5	51.6	41.0	30.3	21.5	38.6
YEAR	2006	1999	2007	2003	2009	2006	2010	2007	2010	2010	2006	2006	2006
MINIMUM	7.5	14.9	21.1	30.4	40.2	48.9	54.2	51.4	43.6	32.4	19.3	13.9	34.8
AR	2007	2002	2002	1997	2001	2004	2004	2004	2003	2002	1997	2009	2004
YEARS OF RECORD	13	14	14	14	14	14	14	13	14	13	13	13	11
TOTAL MONTHLY PRECIPITATION. (IN)													
AVERAGE	0.31	0.30	0.95	1.92	1.29	0.96	1.81	2.57	0.68	0.92	0.39	0.32	11.87
MAXIMUM	0.83	0.86	2.71	6.48	5.09	1.65	4.92	6.26	1.50	2.39	2.54	0.95	16.87
YEAR	2004	2010	2000	1999	2007	2007	2006	1997	2006	2006	1997	2006	1997
MINIMUM	0.02	0.00	0.08	0.09	0.16	0.20	0.37	0.35	0.13	0.02	0.01	0.04	4.22
YEAR	2003	1999	2002	2002	2004	2006	2005	2002	2010	2003	2005	2003	2002
YEARS OF RECORD	13	14	14	14	14	14	14	13	14	13	13	13	11
TOTAL MONTHLY SNOWFALL. (IN)													
AVERAGE	2.50	0.70	1.20	0.40	0.00	0.00	0.00	0.00	0.00	0.60	0.90	4.20	11.50
MAXIMUM	10.10	4.40	5.00	5.70	0.00	0.00	0.00	0.00	0.00	8.20	5.00	25.70	25.70
YEAR	2007	2010	1999	2010	2010	2010	2010	2010	2010	1997	1997	1998	1998
MINIMUM	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
YEAR	2003	2009	2007	2010	2010	2010	2010	2010	2010	2010	2010	2003	2003
YEARS OF RECORD	13	13	13	13	14	14	14	14	13	14	13	13	11

PREPARED FROM DATA PROVIDED BY: COLORADO CLIMATE CENTER, DEPT. OF ATMOSPHERIC SCIENCE, COLORADO STATE FT. COLLINS, CO 80523, (303)491-8545. DOWN LOADED FROM DATABASE - Juue 11, 2017

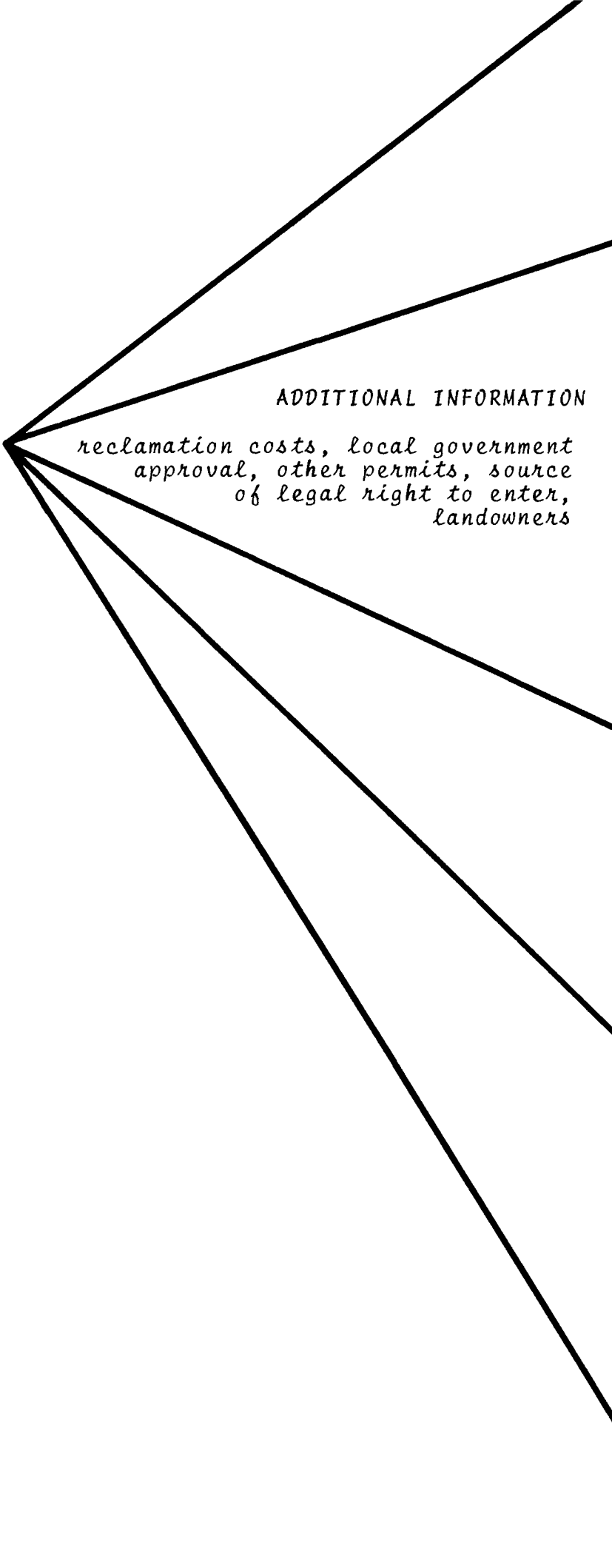

ADDITIONAL INFORMATION
reclamation costs, local government approval, other permits, source of legal right to enter, landowners

EXHIBIT L

RECLAMATION COSTS

The following Reclamation Cost Estimate is based on the assumption that there will be no more than 25.12 acres ± disturbance at any-one-time. The mine working face will be 400 feet long, average 10 feet high. When it comes time to resoil the area, an average of 10 inches of soil would be spread over the slope area and 20.51 acres will need to be graded since it will be graveled as mining progresses. At that time we will have to respread 2,823 cubic yards of topsoil and move 1,748 cy of cut\fill sloping on the working face. No sloping will be necessary on the exterior slopes as they will be done as mining progresses. The table below outlines the various areas of disturbance at the time explained above. A D8T is used to do the shaping and resoiling in this calculation and the mobilization haul distance is 7 miles from Pueblo. The revegetation cost figure used includes fertilizer, grass seed, mulch, labor and drilling costs.

STAGE	TOTAL	SOIL DEPTH
NEEDING RESOILING	2.10	10"
REVEGETATION AREA	2.83	
RESOIL @ 10"	2,823 CUBIC YARDS	
CUT/FILL SLOPING	1,748 CUBIC YARDS	

ESTIMATED UNIT COSTS FOR RECLAMATION ITEMS:

	Unit Cost
1. Revegetation areas includes grass seed, fertilizer and labor to drill	$ 500.00/AC.
2. Re-spreading soil and/or growth media with **D-8 Cat dozer push distance 100 ft or less**	$ 0.398/YD^3 [1/]
3. Cut/fill working face 400 feet long by 16 feet high **D-8 Cat dozer push distance 100 ft or less**	$ 0.398/YD^3 [1/]
4. Grading and leveling yard area using a **`104G Cat Blade** @ 2.11 ac/hr.	$59.54/AC.

RECLAMATION COSTS

1. Revegetation, 2.83 ac @ $500.00/ac	$1,415.00
1a. Secondary revegetation 2.83 ac @ 33% * $500.00/ac	466.95
2. Resoiling, 2,823 yd^3 * 1.12 swell = 3,162@ 39.8¢/yd^3	1,252.38
Cut/fill sloping 1,748 yd^3 * 1.10 swell = 1960 @ 39.8¢/yd^3	741.37
4. Grad and Sanpe 20.51 ac @ $59.54 /ac	1,221.08
Net Total	$5096.78
5. Indirect costs	
Mobilization	1,265.06
Insurance, Bond, & Profit	638.37
6. Administration costs	509.68
7. Bond Collection fee	500.00
TOTAL ESTIMATE	$8,009.89

Current bond is $27,500.00

Recommend bond be set at $8,000.00

EXHIBIT M

OTHER PERMITS AND LICENSES REQUIRED

1. An Air Pollution permit will not be needed since we will remove less than 70,000 tons per year from this site.

2. We have a Special Use permit for Pueblo County, Permit # SUP-228-1973-015

3. This is an open pit operation and ground water will not be exposed so a well permit and temporary supply plan is unnecessary.

4. A US Army Corps of Engineers dredge fill permit (404) is <u>not required</u> because there are no waters of the U.S. on this site. The water bodies on the northern end of the site have been determined by the US Army Corps of Engineers to not be jurisdiction wetland.

5. A Storm Water Management Plan (SWMP) will be prepared for this pit if there is a potential for surface water leaving the site.

6. A CDPS permit to cover stormwater runoff and dewatering is not required, all stormwater will be retained on site and allowed to soak into the sand substrata.

EXHIBIT N

SOURCE OF LEGAL RIGHT TO ENTER

STATE OF COLORADO)
) ss.
COUNTY OF PUEBLO)

AFFIDAVIT

Justin Joseph, being first duly sworn upon oath, deposes and says:

1. He is the surface and mineral rights owners of the property known as The Orr Pit. A copy of the deed is available for inspection at his home in Pueblo, Colorado.

2. That Colorado Backhoe Service is legally empowered to enter upon the subject lands and to conduct mining operations for sand and gravel and other construction materials on said mine.

3. That Colorado Backhoe Service is empowered to acquire any permits for mining on this property with or before the Colorado Mined Land Reclamation Board under the provisions of the Colorado Mined Land Reclamation Act.

4. If mining occurs within 200 feet of any structure owned by me, Colorado Backhoe Service has agreed to repair, replace or compensate me for any damage to the structure caused by mining.

Justin Joseph, owner

SUBSCRIBED and sworn to before me this 14, day of July, 2017, by Justin Joseph as owner of the property known as The Orr Pit.

Vanessa Roy
Notary Public

My commission expires:

(notarial seal) May 23, 2018

VANESSA ROY
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20144020115
MY COMMISSION EXPIRES MAY 23, 2018

EXHIBIT O

OWNERS OF RECORD OF AFFECTED LAND - SURFACE AREA

SURFACE AREA, SUBSTANCE TO BE MINED

Justin Joseph
1144 33rd Lane
Pueblo, CO 81066

ADJOINING OWNERS AND OWNERS WITHIN 200 FEET

Carl D. Prutch
9 Casita Ct.
Pueblo, CO 81005

Gabi(Brummer) & Henry Baski
308 LA VISTA RD
Pueblo, CO 81005

Pueblo Charro Association
1201 33rd Lane
Pueblo, CO 81006

Michael Phillips
1269 33rd Lane
Pueblo, CO 81006

Kari Joseph
1171 33rd Lane
Pueblo, CO 81006

Robert & Carol Bailey
1218 33rd Lane
Pueblo, CO 81006

Robert J. Lucero
748 E. Industrial Blvd
Pueblo West, CO 81007

Evahelena Jimenez
33058 E US Highway 50
Pueblo, Co 81006

Jennie Martinez
32948 E US HWY 50
Pueblo, CO 81006

ROW'S WITHIN 200 FEET OF PERMIT AREA

St. Charles Mesa Water District
1397 Aspen Road
Pueblo, CO 81006

Qwest Communications
Attention: ROW
1801 California St.
Denver, CO 80202

Black Hills Energy
105 S. Victoria
Pueblo, CO 81003

Pueblo County
215 W. 10th St
Pueblo, CO 81003

EXHIBIT P

MUNICIPALITIES WITHIN TWO MILES

None

EXHIBIT Q

NOTICE TO COUNTY COMMISSIONERS

NOTICE OF FILING APPLICATION
FOR COLORADO MINED LAND RECLAMATION PERMIT
REGULAR 112 APPLICATION
NOTICE TO COUNTY COMMISSIONERS
Pueblo COUNTY

Colorado Backhoe Service (Operator) has applied for a Construction Materials Regular 112 Reclamation Permit from the Colorado Mined Land Reclamation Board ("the Board") known as The Orr Pit(M-2009-074) to conduct a mining operation in Pueblo 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 & Safety (DRMS) ("the Division") and the Pueblo County Clerk and Recorder.

The applicant proposes to reclaim the land as rangeland. Pursuant to C.R.S. 34-32.5-116(7)(j) the Board is required to confer with the local Board of County Commissioners before approving 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 twenty (20) days after the applicant's newspaper publication final 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 & Safety, 1313 Sherman St., Room 215, Denver, CO 80203, (303) 866-3567.

Colorado Backhoe Service
July 2017

NOTICE TO SOIL CONSERVATION DISTRICT

NOTICE OF FILING APPLICATION
FOR COLORADO MINED LAND RECLAMATION PERMIT
REGULAR 112 APPLICATION
NOTICE TO THE BOARD OF SUPERVISORS
OF THE LOCAL SOIL CONSERVATION DISTRICT
South Pueblo DISTRICT

Colorado Backhoe Service (Operator) has applied for a Construction Materials Regular 112 Reclamation Permit from the Colorado Mined Land Reclamation Board ("the Board") known as The Orr Pit (M-2009-074) to conduct a mining operation in Pueblo 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 & Safety (DRMS) ("the Division") and the Pueblo County Clerk and Recorder.

The applicant proposes to reclaim the land as rangeland. Pursuant to C.R.S. 34-32.5-116(7)(j) the Board is required to confer with the Board of Supervisors of the local Soil Conservation District before approving 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 twenty (20) days after the applicant's newspaper publication is complete.

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 & Safety, 1313 Sherman St., Room 215, Denver, CO 80203, (303) 866-3567.

Colorado Backhoe Service
July 2017

EXHIBIT R

PROOF OF FILING WITH COUNTY CLERK AND RECORDER

July 26, 2017

Pueblo County Clerk and Recorder
215 W. 10th St
Pueblo, CO 81003

Re: Application for a Mined
Land Reclamation Permit

Dear Sir/Madam:

We are delivering to you here with a copy of an application for The Orr Pit, a Regular 112 Construction Materials permit, to be operated by Colorado Backhoe Service. Two copies of the application are on file with the Division of Reclamation, Mining & Safety (DRMS).

This copy of the application is delivered to you pursuant to 34-32.5-112(9)(a), Colorado Revised Statutes 1995, as amended, which states in part:

> *....the applicant shall file a copy of such application for public inspection at the office of the County Clerk and Recorder of the County in which the affected land is located.*

Please acknowledge receipt of this copy of the permit application by signing in the appropriate space provided below and returning one copy of this letter to the person delivering the book. Please hold the book for picked up after the application has been heard by the MLRB (approx. 180 days).

Yours truly,

Thomas Joseph
Owner

enclosure

RECEIVED THIS ___ DAY OF _____, 2017
MLRB application for the referenced mine.

By _____
Pueblo County Clerk and Recorder

EXHIBIT S

PERMANENT MAN MADE STRUCTURES

There are numerous structures within 200 feet of the affected lands. A 3 strand wire fence owned by the landowner runs along the east, south and west sides of the site. There are utility lines along the west side near the county road and a small outbuilding near the northeast corner of the mine. There are two houses owned by the landowner near the southwest corner of the permit area. There are no bridges, wells, gas pipelines, water storage impoundments, railroad tracks, cemeteries or communication antennas within 200 feet of the affected lands/permit area. All structures are shown on the map and listed below.

The following list shows the structures and structure owners within 200 feet of the Permit/affected lands line. None of the structures will be impacted by mining. Permission to mine within 200 feet of the fences and houses owned by Justin Joseph is covered by our lease with him and structure agreements from 4 other structure owners. For the Qwest line a Geotechnical analysis has been approved showing that the phone line would not be impacted by mining. Technically it could apply to any structures west of 33rd Lane.

Structure Agreement packets will be sent by certified mail to the two remaining owners and request they be returned within 30 days of receipt. Copies of the proof of mailing will be supplied when the letters have been mailed. Copies of any returned agreements will be filed with the Division when they are received.

OWNER	STRUCTURES	STRUCTURE AGREEMENT STATUS
Justin Joseph	2 houses, 3 - 3 wire strand fences (West, South, East)	Lease agreement See Source of Legal
Carol Baily	house	
Kari Joseph	House, Barn & fences	
Gabi (Brummer) & Henry Baski	wood frame shed	9/22/09 copy in Division file
St Charles Mesa Water District	Public water line	9/14/09 copy in Division file
Black Hills Energy	power transmission line and poles along portions of the west side of permit area	8/25/09 copy in Division file
Qwest Communications#	Buried communication lines	Received at Qwest 9/22/09
Pueblo County	County Road (33rd Lane) ROW fences	8/31/09 copy in Division file

Notes:
#- The Qwest structure agreement was received 9/22/09 for 110 permit on and never returned. A geotech analysis was completed and approved for this structure.

COLORADO BACKHOE SERVICE

25193 South Road
Pueblo, CO 81006
(719) 924-0288

August 14, 2009

Gabi & Henry Baski
33498 E. HWY 50
Pueblo, CO 81006

Certified mail
Item # 7004 0750 0002 5692 4221

Dear Mr. & Mrs. Baski;

RE: Damage Reimbursement Agreement
The Orr Pit

Colorado Backhoe Service, has made application for a Colorado Mined Land Reclamation (MLR) permit to extract construction materials from a tract of land located in SE¼, Sec 6, Township 21 South, Range 63 West, of the 6th P.M., Pueblo County, Colorado.

Since the Gabi & Henry Baski own a structure within 200 feet of the mining area state law requires the applicant to agree to reimburse the owner of any structure for damage done to the structure as a result of the permitted operation. According to the MLR law your signature on this agreement must be notarized.

Colorado Backhoe Service agrees to reimburse Gabi & Henry Baski for any damage done to the structures listed below as a result of the proposed mining operation.

Your acknowledging signature and a notary seal in the spaces provided below should satisfy the MLR law reimbursement requirement. The copy and map are for your files.

Please return the original in the supplied envelope by September 14, 2009 so we can supply it to the Division of Reclamation, Mining & Safety. Thank you for your cooperation.

Sincerely,

Thomas Joseph
Owner

ACKNOWLEDGED BY:
Gabi & Henry Baski
Gabi Brummer

Title OWNER

cc Division of Reclamation, Mining & Safety
File

Structure list:
NO wood frame shed
PROPERTY AND BUILDING

Gabi Brummer

STATE OF COLORADO)
) ss.
COUNTY OF Pueblo)

The for going was acknowledged, and subscribed before me, a Notary Public, this 22 day of SEPTEMBER, 2009
BY GABI BRUMMER (ONLY)
My commission expires: 10/14/2012

Notary Public
My Commission EXPIRES 10/14/2012

COLORADO BACKHOE SERVICE

25193 South Road
Pueblo, CO 81006
(719) 924-0288

August 14, 2009

Black Hills Energy
105 S. Victoria
Pueblo, CO 81003

Certified mail
Item # 7004 0750 0002 5692 4191

To whom it may concern;

RE: Damage Reimbursement Agreement
The Orr Pit

Colorado Backhoe Service, has made application for a Colorado Mined Land Reclamation (MLR) permit to extract construction materials from a tract of land located in SE¼, Sec 6, Township 21 South, Range 63 West, of the 6th P.M., Pueblo County, Colorado.

Since the Black Hills Energy owns a structure within 200 feet of the mining area state law requires the applicant to agree to reimburse the owner of any structure for damage done to the structure as a result of the permitted operation. According to the MLR law your signature on this agreement must be notarized.

Colorado Backhoe Service agrees to reimburse Black Hills Energy for any damage done to the structure listed below as a result of the proposed mining operation.

Your acknowledging signature and a notary seal in the spaces provided below should satisfy the MLR law reimbursement requirement. The copy and map are for your files.

Please return the original in the supplied envelope by September 14, 2009 so we can supply it to the Division of Reclamation, Mining & Safety. Thank you for your cooperation.

Sincerely,

Thomas Joseph
Owner

ACKNOWLEDGED BY:
Black Hills Energy

_____

Title _____

cc Division of Reclamation, Mining & Safety
File

Structure list:
Powerline

STATE OF COLORADO)
) ss.
COUNTY OF Pueblo)

The for going was acknowledged, and subscribed before me, a Notary Public, this 25 day of August, 2009.

My commission expires: 05/22/2011

_____
Notary Public

RHONDA P. VENDITTI
NOTARY PUBLIC
STATE OF COLORADO
MY COMMISSION EXPIRES 5/22/2011

COLORADO BACKHOE SERVICE

25193 South Road
Pueblo, CO 81006
(719) 924-0288

August 14, 2009

St. Charles Mesa Water District
1397 Aspen Road
Pueblo, CO 81006

Certified mail
Item # 7004 0750 0002 5692 4184

Dear Board Members;

RE: Damage Reimbursement Agreement
The Orr Pit

Colorado Backhoe Service, has made application for a Colorado Mined Land Reclamation (MLR) permit to extract construction materials from a tract of land located in SE¼, Sec 6, Township 21 South, Range 63 West, of the 6th P.M., Pueblo County, Colorado.

Since the St. Charles Mesa Water District owns a structure within 200 feet of the mining area state law requires the applicant to agree to reimburse the owner of any structure for damage done to the structure as a result of the permitted operation. According to the MLR law your signature on this agreement must be notarized.

Colorado Backhoe Service agrees to reimburse St. Charles Mesa Water District for any damage done to the structure listed below as a result of the proposed mining operation.

Your acknowledging signature and a notary seal in the spaces provided below should satisfy the MLR law reimbursement requirement. The copy and map are for your files.

Please return the original in the supplied envelope by September 14, 2009 so we can supply it to the Division of Reclamation, Mining & Safety. Thank you for your cooperation.

Sincerely,

Thomas Joseph
Owner

ACKNOWLEDGED BY:
St. Charles Mesa Water District

DAVID K. SIMPSON
Title DISTRICT MANAGER

cc Division of Reclamation, Mining & Safety
File

Structure list:
Public Water line

STATE OF COLORADO)
) ss.
COUNTY OF PUEBLO)

The for going was acknowledged, and subscribed before me, a Notary Public, this 14TH day of SEPTEMBER, 2009.

My commission expires: 04/30/2013

Notary Public

COLORADO BACKHOE SERVICE

25193 South Road
Pueblo, CO 81006
(719) 924-0288

August 14, 2009

Pueblo County
215 W. 10th St
Pueblo, CO 81003

Certified mail
Item # 7004 0750 0002 5692 4214

Dear Commissioners;

RE: Damage Reimbursement Agreement
The Orr Pit

Colorado Backhoe Service, has made application for a Colorado Mined Land Reclamation (MLR) permit to extract construction materials from a tract of land located in SE¼, Sec 6, Township 21 South, Range 63 West, of the 6th P.M., Pueblo County, Colorado.

Since the Pueblo County owns a structure within 200 feet of the mining area state law requires the applicant to agree to reimburse the owner of any structure for damage done to the structure as a result of the permitted operation. According to the MLR law your signature on this agreement must be notarized.

Colorado Backhoe Service agrees to reimburse Pueblo County for any damage done to the structures listed below as a result of the proposed mining operation.

Your acknowledging signature and a notary seal in the spaces provided below should satisfy the MLR law reimbursement requirement. The copy and map are for your files.

Please return the original in the supplied envelope by September 14, 2009 so we can supply it to the Division of Reclamation, Mining & Safety. Thank you for your cooperation.

Sincerely,

Thomas Joseph
Owner

ACKNOWLEDGED BY:
Pueblo County

Title Director of Public Works

cc Division of Reclamation, Mining & Safety
File

Structure list:
County Road (33rd Lane)

STATE OF COLORADO)
) ss.
COUNTY OF PUEBLO)

The for going was acknowledged, and subscribed before me, a Notary Public, this 31 ST day of AUGUST, 2009.

My commission expires: 7/3/2011

DAVID BENBOW
Notary Public

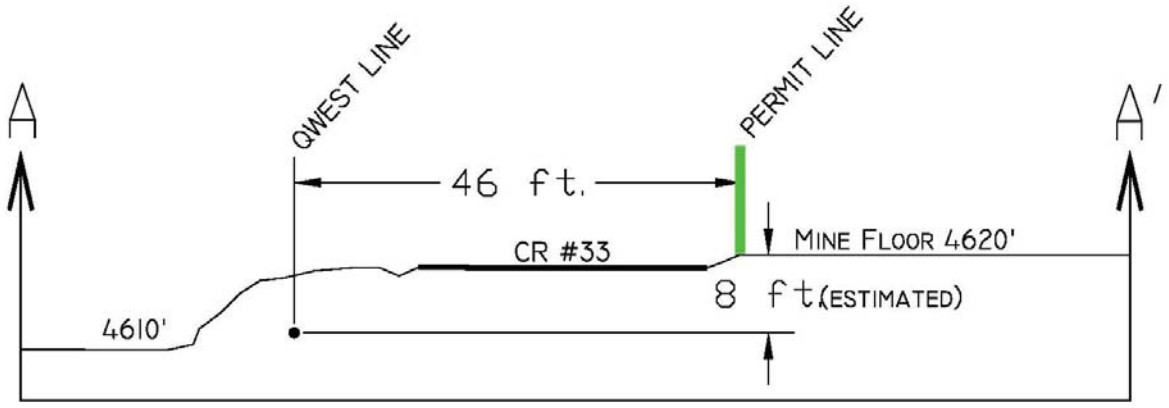
DAVID BENBOW NOTARY PUBLIC STATE OF COLORADO

MY COMMISSION EXPIRES:

GEOTECHNICAL STABILITY EXHIBIT

This information is presented to address the plan to mine within 200 feet for one of the structures listed in Exhibit S. The structure is a buried communication line on the west side of County Road 33. The stable bottom of the mine in that area will be approximately 4620 and the ground level along the west side of the road is approximately 4610. The bottom of the excavated area will be approximately 5 feet above and 60 feet east of the structure.

As shown on the Reclamation Plan Map the floor of the mine will daylight out on the west side the mine leaving a level area at the same elevation as the road. There will be no excavation below the road elevation and therefor no excavated slope to fail along that side. In other words there is no slope to fail that could damage the phone line. See sketch below for pictorial representation of this discussion.



APPENDIX

Colorado Backhoe Service
The Orr Pit - M-2009-074
Weed Control Plan

1. INTRODUCTION

Colorado Backhoe Service (hereinafter referred to as the Operator) of the Orr Pit, encompassing a parcel of land shown on the vicinity map and located in parts of the SE¼SE¼, Section 6, Township 21 South, Range 63 West of the Sixth Principal Meridian, Pueblo County, Colorado. Containing 25.12 acres ±.

Gravel mining operations will occur in phases across all, or part, of this approximately 25 acre mine. The site currently has areas that have been used as a trailer house salvage yard and farm yard complex that was mined in the past, undisturbed areas and as rangeland.

Recognizing the presence of state-listed and county-listed noxious weeds in the general vicinity of this project area; and understanding the destructive nature of these noxious weeds, the Colorado Division of Reclamation, Mining & Safety has required the operator to develop and implement a weed management plan that encompasses the total project area.

The CSU Cooperative Extension office operates under cooperative agreement with the Pueblo County government, and provides technical assistance regarding noxious weed management on public and private lands within the county. Colorado Backhoe Service will do biennial checks on the mine for any noxious weeds on site. Implementation of this plan will begin in the spring after mining starts and will continue until the state determines that reclamation is complete.

It is not possible to totally eradicate the noxious weeds from the mine since much of the surrounding property is not owned by Colorado Backhoe Service nor managed for noxious weed control. These uncontrolled areas are the seed sources for the infestation occurring on the mine. For this reason the Operator will be continually working to control noxious weeds throughout the life of the mine and until reclamation is done.

2. OVERVIEW OF APPROACH TO WEED MANAGEMENT

Weed control is part of the over all property management activities. This plan is based on controlling the undesirable plant species and communities, rather than on simply eliminating weeds. Preventive programs are implemented to keep the management area free of species that are not yet established there, but which are known to be pests elsewhere in the area. Priorities are set to reduce or eradicate weeds that have already established on the property, according to their actual and potential impacts on the land management goals

for the property, and according to the ability to control them now versus later. Actions will be taken only when careful consideration indicates leaving the weed unchecked, would result in more damage than controlling it with best available methods.

The plan follows the adaptive management approach:

- First, weed species are identified through inventory of the property and by gathering information from other sources.
- Second, land management goals and weed management objectives are established for the property.
- Third, priorities are assigned to the weed species and weed patches based on the severity of their impacts, while considering the ability to control them.
- Fourth, methods are considered for controlling them or otherwise diminishing their impacts and, if necessary, re-order priorities based on likely impacts on target and non-target species.
- Fifth, An Integrated Weed Management (IWM) plan is developed based on this information.
- Sixth, the IWM plan is implemented in the spring or fall as recommended by the CSU Cooperative Extension local office.
- Seventh, the results of management actions are monitored and evaluated in light of weed management objectives for the management area.
- Finally, this information is used to modify and improve weed management objectives, control priorities, and IWM plans, thereby starting the cycle again.

The premise behind a weed management plan is that a structured, logical approach to weed management, based on the best available information, is cheaper and more effective than an ad-hoc approach where one deals with weed problems as they arise.

3. NOXIOUS WEEDS TO BE WATCHED FOR AT THE ORR PIT.

1. Leafy spurge (Euphorbia eslua)
2. Canada thistle (Cirsium arvense)
3. Russian knapweed (Acroptilon repens)
4. Yellow toadflas (Linaria vulgaris)
5. Yellow Starthistle (Centaurea solstitialis)
6. Hoary cress (Cardaria draba)
7. Perennial pepperweed (Lepedium tatifolium)
8. Giant reed (Arundo donax)
9. Myrtle spurge (Euphorbia myrsinites)
10. Diffuse Knapweed (Centaurea diffusa)
11. Bouncing Bet (Saponaria officinalis)
12. Russian knapweed (Centaurea repens)
13. Russian-olive (Elaeagnus angustifolia)

a. Poison Hemlock (Conium maculatum)
b. Common Mullein (Verbascum thapsus)
c. Purple loosestrife (Lythrum salicaria)
d. Showy milkweed (Aisclepias speciosa)
e. Bursage, skeltonleaf (Ambrosia tomentosa)
g. Bursage, wollyleaf (Ambrosia greyi)
h. Field bindweed (Convolvulus arvensis)
i. Jointed goatgrass (Aegilopa cylindrica)
j. Saltcedar / tamarisk (Tamarix spp.)
k. Musk Thistle (Carduus nutans)
l. Scotch Thistle (Onopordum acanthium)
m. Taurian Thistle (Onopordum tauricum)
n. Hounds tongue (Cynoglossum officinale)

The first 13 species are listed as Priority 1 or 2 for control in Pueblo County and the remaining 13 are on the State noxious weed list and should be looked for on the mine and controlled if needed.

4. NUISANCE WEEDS THAT SHOULD BE ADDRESSED

a. Russian thistle, common name tumbleweed
b. Kosha

5. CONTROLLING ABOVE LISTED WEEDS

All of the above weeds can be controlled or eradicated by using mechanical, biological, or chemical control depending on species. The Operator will have a qualified weed control agent observe the mine for possible noxious weeds and advise the Operator on how noxious species should be treated. Initially it may require semi-annual spraying or mowing to control the problem weeds and digging the woody species, but eventually we expect to revert to an annual control program to maintain the site. Records of weed control activities, including dates work was done; methods used; area sprayed and types/quantities of chemical used if any, will be kept at the Corporate office in Beulah, Colorado for review.

PUBLIC NOTICE

PUBLISHED NOTICE OF CONVERSION APPLICATION FILING FOR A REGULAR (112) CONSTRUCTION MATERIALS RECLAMATION PERMIT

Colorado Backhoe Service, 25193 South Road, Pueblo, CO 81006, has filed an application for a Construction Materials Regular 112 Reclamation Permit with the Colorado Mined Land Reclamation Board under provisions with the Colorado Mined Land Reclamation Act for extraction of Construction materials. The mine, known as The Orr Pit, Permit #M-2009-074 is located in Section 6, T-21-S, R-63-W, 6th P.M., Pueblo County, Colorado.

The date of commencement was November 2009 and the proposed date of completion is 2025. The proposed future use of the land is rangeland.

Additional information and a tentative decision date may be obtained at the Division of Reclamation, Mining & Safety , 1313 Sherman Street, Rm 215, Denver, Colorado 80203, (303) 866-3567, or at the office of the Pueblo County Clerk and Recorder, Pueblo, Colorado.

Written comments to the application must be received at the office of the Division of Reclamation, Mining & Safety no later than 4:00 p.m. on the _____ day of_____

Colorado Backhoe Service
Pueblo, Colorado

Please note that comments related to noise, truck traffic, hours of operation, visual impacts, effects on property values and other social or economic concerns are issues not subject to this Office's jurisdiction. These subjects and similar ones, are typically addressed by your local governments, rather that the Division of Reclamation, Mining & Safety or the Mined Land Reclamation Board.

Publication Date:
First:
Second:
Third:
Last:
Published in Pueblo Chieftain

Notice Packet Delivery Receipts

Pueblo Board of County Commissioners - proof of packet delivery

Pueblo County Clerk - proof of packet delivery

Soil Conservation District - proof of packet delivery

Division of Reclamation, Mining & Safety - transmittal letter

Colorado Backhoe Service The Orr Pit

NOTICE

This site is the location of a proposed construction materials operation known as The Orr Pit, M-2009-074. Colorado Backhoe Service, whose address and phone number is 25193 South Road, CO, 81006 (719) 924-0288, has applied for a Regular 112 Reclamation Permit with the Colorado Mined Land Reclamation Board. Anyone wishing to comment on the application may view the application at the Pueblo County Clerk and Recorders office, Pueblo County Courthouse, 215 W. 10th St, Pueblo, CO 81003 and should send comments prior to the end of the public comment period to the Division of Reclamation, Mining & Safety, 1313 Sherman St, Room 215, Denver, CO 80203.

Certification

I, Thomas Joseph, hereby certify that I posted a sign containing the above notice for the proposed permit area known as The Orr Pit 7/26, 2017.

Signature Date 7/26/17


NOTICE
THIS SITE IS THE LOCATION OF A PROPOSED CONSTRUCTION MATERIALS OPERATION KNOWN AS THE ORR PIT PERMIT # M-2009-074. COLORADO BACKHOE SERVICE, WHOSE ADDRESS AND PHONE NUMBER IS 25193 SOUTH ROAD, CO, 81006 (719) 924-0288, HAS APPLIED FOR A REGULAR 112 RECLAMATION PERMIT WITH THE COLORADO MINED LAND RECLAMATION BOARD. ANYONE WISHING TO COMMENT ON THE APPLICATION MAY VIEW THE APPLICATION AT THE PUEBLO COUNTY CLERK AND RECORDERS OFFICE, PUEBLO COUNTY COURTHOUSE, 215 W. 10TH ST, PUEBLO, CO 81003 AND SHOULD SEND COMMENTS PRIOR TO THE END OF THE PUBLIC COMMENT PERIOD TO THE DIVISION OF RECLAMATION, MINING & SAFETY, 1313 SHERMAN ST, ROOM 215, DENVER, CO 80203.
Operator: Colorado Backhoe Service.
Operation: The Orr Pit
Permit #: M-2009-074
This mine has a reclamation permit issued by the Colorado Mined Land Reclamation Board
For Sales - 719-924-0288

Environment, Inc.

LARRY E. O'BRIAN
FOUNDER

STEVAN L. O'BRIAN
PRESIDENT

7985 VANCE DRIVE, SUITE 205A
ARVADA, COLORADO 80003
303-423-7297
FAX 303-423-7599

July 26, 2017

Pueblo County Board of
County Commissioners
215 West 10th St.
Pueblo, Colorado 81003

Dear Commissioners;

Re: Application for a Mined
Land Reclamation Permit
The Orr Pit - M-2009-074

We are delivering to you here a Notice of Application and supporting documents for The Orr Pit to be operated by Colorado Backhoe Service pursuant to rule 2.2.2(1), Colorado Mined Land Reclamation Board - Mineral Rules and Regulations.

Please acknowledge receipt of this notice by signing in the appropriate space provided below and return a signed copy of this cover letter to the person delivering it. We need to submit this copy to the Division as proof of our filing with you.

Respectfully Submitted,

Stevan L. O'Brian

enclosure

RECEIVED THIS 26 DAY OF July, 2017
Pueblo County Board of County Commissioners

By Tonia Witthoft Donna Witthoft

Title BOCC Administrative

Environment, Inc.

LARRY E. O'BRIAN
FOUNDER

STEVAN L. O'BRIAN
PRESIDENT

7985 VANCE DRIVE, SUITE 205A
ARVADA, COLORADO 80003
303-423-7297
FAX 303-423-7599

July 26, 2017

Mr. Bill Ault, President
South Pueblo County Soil Conservation District
200 S. Santa Fe Ave., 4th Floor
Pueblo, Colorado 81003

Dear Mr. Ault:

Re: Application for a Mined
Land Reclamation Permit
The Orr Pit

We are delivering to you here a Notice of Application and supporting documents for The Orr Pit to be operated by Colorado Backhoe Service, pursuant to rule 2.2.2(1), Colorado Mined Land Reclamation Board - Mineral Rules and Regulations.

Please acknowledge receipt of this notice by signing in the appropriate space provided below and return a signed copy of this cover letter to the person delivering it. We need to submit this copy to the Division as proof of our filing with you.

Respectfully Submitted,

Stevan L. O'Brian

enclosure

RECEIVED THIS 31 DAY OF July, 2017
South Pueblo County Soil Conservation District

By Ryan Froman Ryan Froman

Title President SPCD

Environment, Inc.

LARRY E. O'BRIAN
FOUNDER

STEVAN L. O'BRIAN
PRESIDENT

7985 VANCE DRIVE, SUITE 205A
ARVADA, COLORADO 80003
303-423-7297
FAX 303-423-7599

July 26, 2017

Pueblo County Clerk and Recorder
215 W. 10th St
Pueblo, CO 81003

Re: Application for a Mined
Land Reclamation Permit

Dear Sir/Madam:

We are delivering to you here with a copy of an application for The Orr Pit, a Regular 112 Construction Materials permit, to be operated by Colorado Backhoe Service. Two copies of the application are on file with the Division of Reclamation, Mining & Safety (DRMS).

This copy of the application is delivered to you pursuant to 34-32.5-112(9)(a), Colorado Revised Statutes 1995, as amended, which states in part:

> *....the applicant shall file a copy of such application for public inspection at the office of the County Clerk and Recorder of the County in which the affected land is located.*

Please acknowledge receipt of this copy of the permit application by signing in the appropriate space provided below and returning one copy of this letter to the person delivering the book. Please hold the book for picked up after the application has been heard by the MLRB (approx. 100 days).

Yours truly,

Stevan L. O'Brian

enclosure

RECEIVED THIS 26 DAY OF July, 2017
MLRB application for the referenced mine.

By _____
Pueblo County Clerk and Recorder

Environment, Inc.

LARRY E. O'BRIAN
FOUNDER

STEVAN L. O'BRIAN
PRESIDENT

7985 VANCE DRIVE, SUITE 205A
ARVADA, COLORADO 80003
303-423-7297
FAX 303-423-7599

August 1, 2017

Mr. Wally Erikson
Division of Reclamation, Mining & Safety
Minerals Section - East area
1313 Sherman Street, Suite 215
Denver, Colorado 80203

Dear Mr. Erikson;

Re: Regular 112 Construction Materials Permit
Colorado Backhoe Service - The Orr Pit
Permit # M-2009-074 - Pueblo County, Colorado

Attached are two copies of the application packet and map exhibits for the subject sand and gravel mine. The first book contains the original application form with original seals and signatures. Each packet contains copies of the:

- Pueblo County Clerk and Recorders placement receipt
- Pueblo County Commissioners notice delivery receipt
- South Pueblo SCD notice delivery receipt
- posted NOTICE certification
- Check, # 6166, for the $2,696.00 Conversion Fee.

This application is being filed to address the corrective action requirement in the Mined Land Reclamation Board's order dated May 12, 2017.

Please call me when it is deemed complete so I can begin publication within ten days of the date stamp on this letter and send the adjoining owners a notice letter after the first publication date as required in the rules. If you have any questions please call me .

Yours truly,
Environment, Inc.

Stevan L. O'Brian
President

enclosures