

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



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)

☐ Conversion Application (Rule 1.11) ☒ Amendment Application (Rule 1.10)

Permit # M - 1991-133 - (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): ROBINS CONSTRUCTION,

1.1 Type of organization (corporation, partnership, etc.): LLLP

2. Operation name (pit, mine or site name): ROBINS CONSOLIDATED PIT

FORMERLY KNOWN AS VALDEZ PIT

3. Permitted acreage (new or existing site): 30 permitted acres

3.1 Change in acreage (+) 15.85 acres

3.2 Total acreage in Permit area 45.85 acres

4. Fees:

4.1 New Application \$2,696.00 application fee

4.2 New Quarry Application \$3,342.00 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

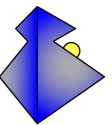
5. Primary commodity(ies) to be mined: GRAVEL SAND

5.1 Incidental commodity(ies) 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 commodity(ies) to be mined: ROAD CONSTRUCTION, GRAVEL, ASPHALT

5.3 Anticipated end use of incidental commodity(ies) to be mined: PIPELINE CONSTRUCTION



Summit Engineering
719-589-6147
Alamosa, CO

Job Number: 1707122CE

6. Name of owner of subsurface rights of affected land: ROBINS CONSTRUCTION, LLC
If 2 or more owners, "refer to Exhibit O".
7. Name of owner of surface of affected land: RANDALL & LOU ANN ROBINS
8. Type of mining operation: ☒ Surface ☐ Underground
9. Location Information: The center of the area where the majority of mining will occur:
PRINCIPAL MERIDIAN (check one): ☐ 6th (Colorado) ☒ 10th (New Mexico) ☐ Ute
COUNTY: CONEUOS
SECTION (write number): S 32
TOWNSHIP (write number and check direction): T 33 ☒ North ☐ South
RANGE (write number and check direction): R 9 ☒ 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):
1 MILE SOUTH WEST OF ANTONITO 7,910' ELEVATION

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 37 min 03 sec 52.21 (2 decimal places)
Longitude (W): deg 106 min 01 sec 10.41 (2 decimal places)

OR

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

Latitude (N) _____ (5 decimal places)
Longitude (W) _____ (5 decimal places)

OR

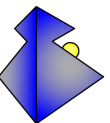
Universal Transverse Mercator (UTM)

Example: 201336.3 E NAD27 Zone 13
4398351.2 N

UTM Datum (specify NAD27, NAD83 or WGS 84) Nad 83 Zone 13

Easting _____

Northing _____



11. Correspondence Information:

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

Contact's Name: RANDY ROBINS Title: MANAGER PARTNER
Company Name: ROBINS CONSTRUCTION, L.L.P.
Street/P.O. Box: 38767 STATE HWY 17 P.O. Box: 212
City: ANTONIO
State: CO Zip Code: 81120
Telephone Number: (719) - 376-2351
Fax Number: (719) - 376-2231

PERMITTING CONTACT (if different from applicant/operator above)

Contact's Name: SCOTT E. JOHNSON Title: PRESIDENT
Company Name: SUMMIT ENGINEERING Co.
Street/P.O. Box: 1317 STATE AVENUE P.O. Box: 1897
City: ALAMOSA
State: CO Zip Code: 81101
Telephone Number: (719) - 589-6147
Fax Number: (719) - 589-6633

INSPECTION CONTACT

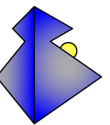
Contact's Name: RANDY ROBINS Title: MANAGER PARTNER
Company Name: ROBINS CONSTRUCTION L.L.P.
Street/P.O. Box: 38767 STATE HWY 17 P.O. Box: 212
City: ANTONIO
State: CO Zip Code: 81120
Telephone Number: (719) - 376-2351
Fax Number: (719) - 376-2231

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):

- | | | |
|--|--|--|
| <input type="checkbox"/> Cropland(CR) | <input type="checkbox"/> Pastureland(PL) | <input type="checkbox"/> General Agriculture(GA) |
| <input checked="" type="checkbox"/> Rangeland(RL) | <input type="checkbox"/> Forestry(FR) | <input type="checkbox"/> Wildlife Habitat(WL) |
| <input type="checkbox"/> Residential(RS) | <input type="checkbox"/> Recreation(RC) | <input type="checkbox"/> Industrial/Commercial(IC) |
| <input type="checkbox"/> Developed Water Resources(WR) | | <input type="checkbox"/> Solid Waste Disposal(WD) |

13. Primary present land use (check one):

- | | | |
|--|--|---|
| <input type="checkbox"/> Cropland(CR) | <input type="checkbox"/> Pastureland(PL) | <input type="checkbox"/> General Agriculture(GA) |
| <input type="checkbox"/> Rangeland(RL) | <input type="checkbox"/> Forestry(FR) | <input type="checkbox"/> Wildlife Habitat(WL) |
| <input type="checkbox"/> Residential(RS) | <input type="checkbox"/> Recreation(RC) | <input checked="" type="checkbox"/> Industrial/Commercial(IC) |
| <input type="checkbox"/> Developed Water Resources(WR) | | |

14. Method of Mining: Briefly explain mining method (e.g. truck/shovel): BULLDOZER & WHEEL

LOADER EXCAVATION

15. On Site Processing: ☒ Crushing/Screening

13.1 Briefly explain mining method (e.g. truck/shovel): BULLDOZER & WHEEL LOADER
EXCAVATION

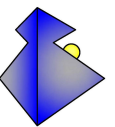
List any designated chemicals or acid-producing materials to be used or stored within permit area: _____

CONCRETE ADMIXTURES

16. Description of Amendment or Conversion:

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

THE AMENDMENT IS PRIMARILY TO
INCREASE THE SIZE OF THE
OPERATION TO 24,694 ACRES AND TO
CHANGE THE NAME OF THE OPERATION
TO "TOBINS CONSOLIDATED PIT"



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 I, 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):

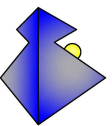
EXHIBIT A	Legal Description
EXHIBIT B	Index Map
EXHIBIT C	Pre-Mining and Mining Plan Map(s) of Affected Lands
EXHIBIT D	Mining Plan
EXHIBIT E	Reclamation Plan
EXHIBIT F	Reclamation Plan Map
EXHIBIT G	Water Information
EXHIBIT H	Wildlife Information
EXHIBIT I	Soils Information
EXHIBIT J	Vegetation Information
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 I - Notice Requirements (sample enclosed)
Rule 6.5	Geotechnical Stability Exhibit (any required sections)

The instructions for preparing Exhibits A-S, Addendum I, 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.

- RA*
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;



RR 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;

RR 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;

RR 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;

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

RR 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,

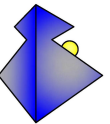
c. the permit number.

RR 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.

RR 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.

RR 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.

RR 10. For joint venture/partnership operators: 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.

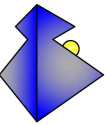


NOTE TO COMMENTORS/OBJECTORS:

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 20th day of July, 2017.

Robbie Construction LLC
Applicant/Operator or Company Name

If Corporation Attest (Seal)

Signed: Randall L. Robins

Signed: _____

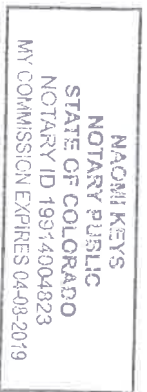
Corporate Secretary or Equivalent

Title: General Partner

Town/City/County Clerk

State of Colorado)
County of Denver) ss.

The foregoing instrument was acknowledged before me this 20th day of July of 2017, by Randall L. Robins as General Partner of Robbie Construction LLC



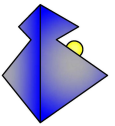
Naomi Keys
Notary Public

My Commission expires: April 8, 2019

SIGNATURES MUST BE IN BLUE INK

EXHIBIT A

Legal Description



ROBINS CONSOLIDATED PT

A 45.854 Acre Tract of land situated in the NE ¼ Section 31 and the NW ¼ Section 32, T.33 N., R.9 E., N.M.P.M., Conejos County Colorado, and more particularly described as follows;

Beginning at the Northwest Corner of said Section 32, a 3¼" diameter aluminum tablet stamped "Summit PLS 14840" and affixed to a ¾" diameter steel bar 30" in length set firmly in the ground in an existing 4 strand barbed wire fence as shown on the plat of the Quinlan-Robins Division of land at reception number 12000046 filed in the office of the Conejos County Clerk and Recorder;

Thence N 89°43'36" E along the North line of said Section 32 a distance of 931.63 feet to an angle point;

Thence S 34°11'54" E a distance of 363.29 feet to an angle point;

Thence N 89°48'00"E a distance of 538.31 feet to an angle point;

Thence S 32°54'51"W a distance of 1,432.66 feet to an angle point;

Thence S 89°48'00"W a distance of 1044.00 feet to a point on an existing 4 strand barbed wire fence, said fence being co-linear with an existing 1 phase overhead electrical power line;

Thence N 03°57'31" E along said existing 4-strand, barbed wire fence and 1-phase overhead electrical power line a distance of 1,504.01 feet to a point on the North line of said Section 31;

Thence N 89°55'31" E along the North line of said Section 31 a distance of 44.74 feet to the Point of Beginning and containing 22.898 Acres, more or less.

Said Tract subject to a 30' wide access easement more particularly described as follows;

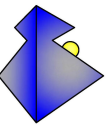
ACCESS EASEMENT DESCRIPTION

Beginning at the Northeast corner of a strip of land 30 feet in width, a point on the north line of said Section 31, from whence the NE Corner of said Section 31, T.33N., R.9E., N.M.P.M. bears N 89°55'31" E a distance of 14.67 feet;

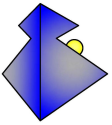
Thence S 03°57'01" W along a line east of, and parallel to, said existing 4-strand, barbed wire fence co-linear with a 1-phase overhead electrical power line a distance of 1,503.95 feet to the southeast terminus of said 30 foot wide access easement;

Thence S 89°48'00" W along the southerly terminus of said 30 foot wide access easement a distance of 30.09 feet to the southwest corner of said easement;

Thence N 03°57'01" E along the westerly line of said easement, being co-linear with the said 4-strand, barbed wire fence and 1-phase overhead electrical power line a distance of 1,504.01 feet to the northwest corner of said easement and a point on the north line of said Section 31;



Thence N 89°55'31" E along the said North line of Section 31 a distance of 30.07 feet to the Point of Beginning.



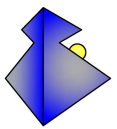
Summit Engineering
719-589-6147
Alamosa, CO

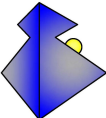
Job Number: 1707122CE

11

EXHIBIT B
Index Map

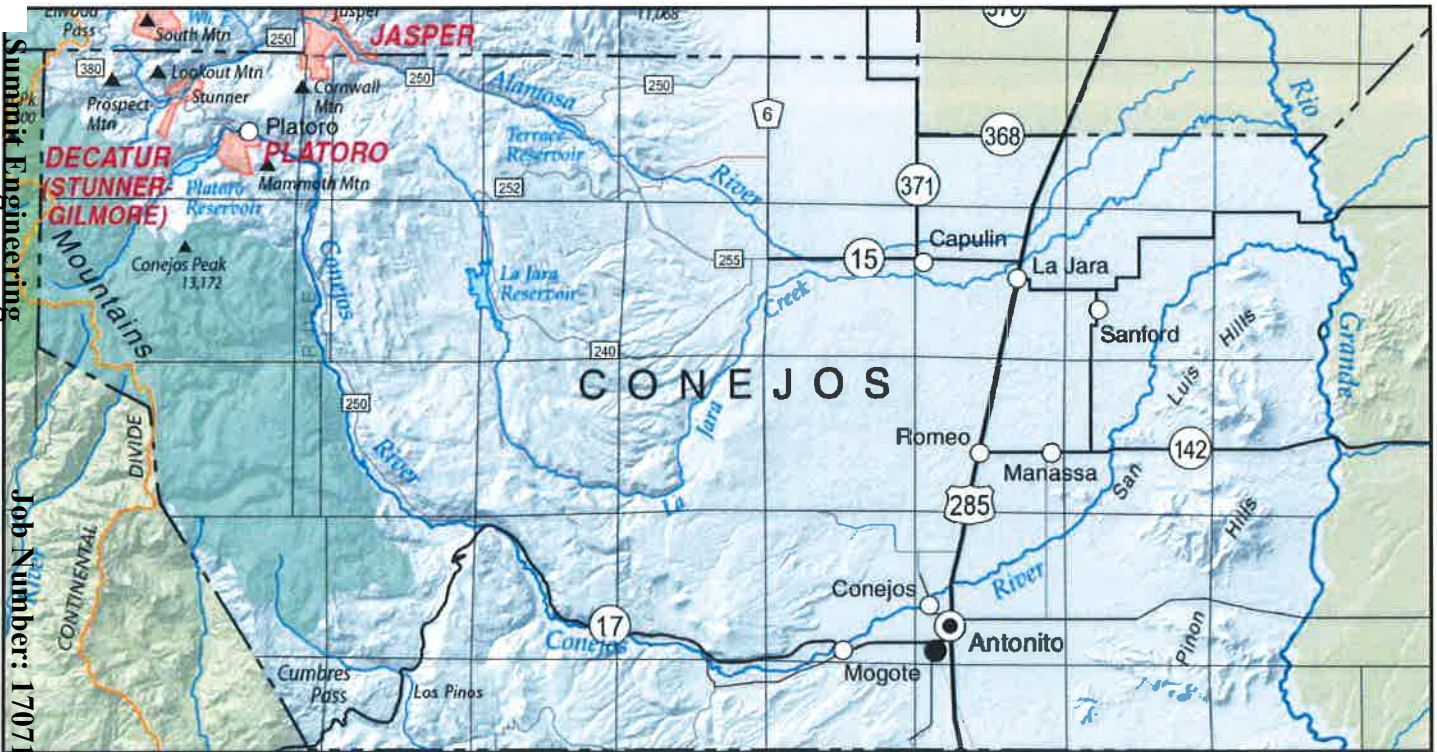
1





719-589-6147
Alamosa, CO

Summit Engineering
Job Number: 1707123

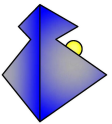


NEIGHBORHOOD MAP

THIS PROJECT

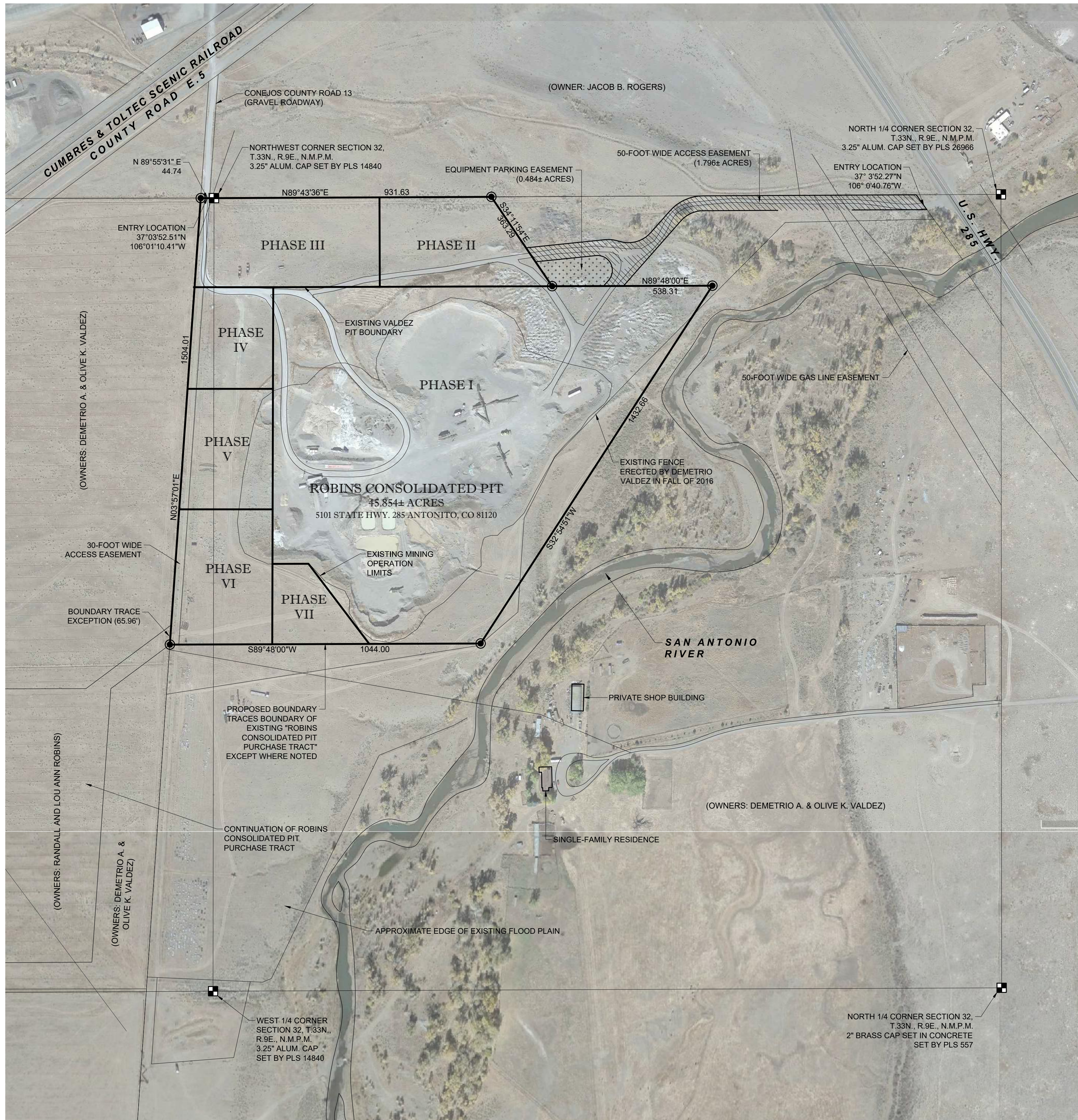
EXHIBIT C

Pre-Mining and Mining Plan Maps

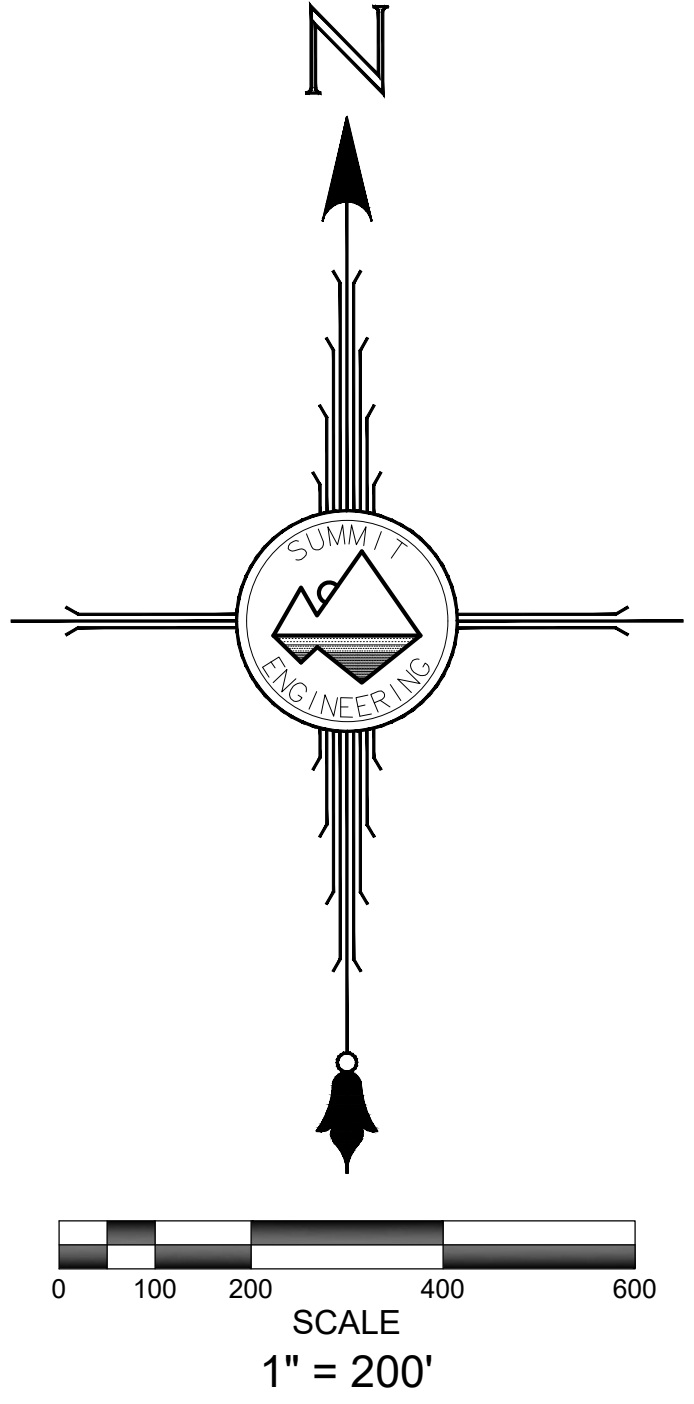
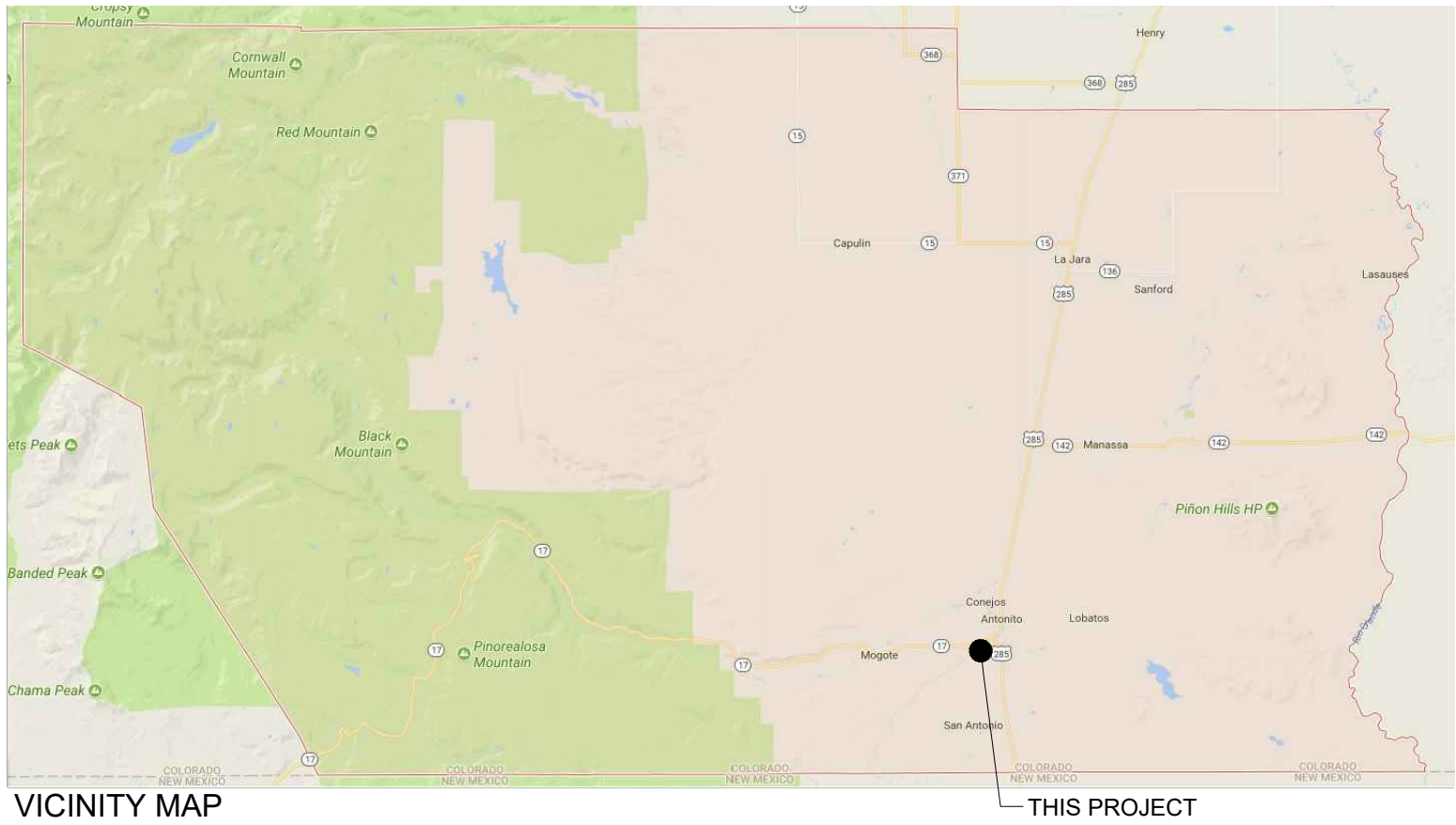


Summit Engineering
719-589-6147
Alamosa, CO

Job Number: 1707122CE

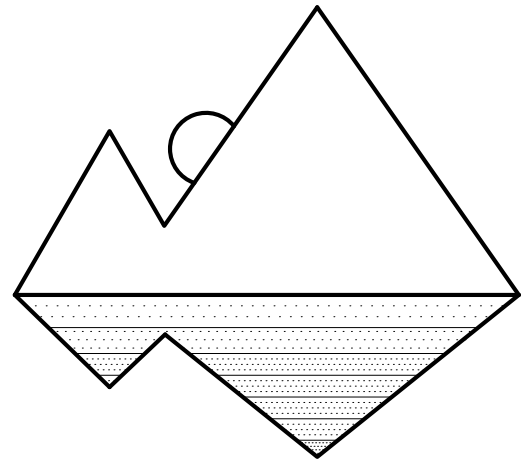


PRE-MINING & MINING PLAN MAPS
LOCATED IN A PORTION OF THE
NE1/4 SECTION 31, T.33N., R.9E., N.M.P.M.
AND A PORTION OF THE
NW1/4 SECTION 32, T.33N., R.9E., N.M.P.M.
CONEJOS COUNTY, COLORADO



BEARING BASIS
AN ASSUMED BEARING OF N89°43'36"E ALONG THE
NORTH LINE OF SECTION 32, T.33N., R.9E., N.M.P.M.
DETERMINED BY GPS OBSERVATION

- LEGEND
(NOT ALL MAY BE USED)
- ROBINS CONSOLIDATED PIT BOUNDARY
 - SECTION LINE
 - EASEMENT AS DESCRIBED
 - ADJACENT PROPERTY LINE
 - FENCE LINE
 - EXISTING PIT BOUNDARY
 - EXISTING UNDERGROUND GAS LINE
 - RAILROAD TRACKS
 - EDGE OF APPARENT FLOOD PLAIN
 - OVERHEAD ELECTRIC LINE
 - #5 REBAR WITH 1.5" ALUM. CAP MARKED "SUMMIT 14840"
 - FOUND MONUMENT AS DESCRIBED HEREON



SUMMIT ENGINEERING
COMPANY
ENGINEERS & LAND SURVEYORS
Located At:
1317 State Ave. Alamosa, CO 81101
P: 719-589-6147 F: 719-589-6633
P.O. Box 1897 Alamosa, CO 81101
Online: www.summitengineering.co
summitengco@gmail.com

CONSULTANTS

STAMP & SIGNATURE

PROJECT

Robins Pre-Mining
& Mining Plan
Maps

5101 State Hwy. 285 Antonito, CO
81120

Conejos County
Colorado

OWNER

Robins Construction, LLLP

SUBMITTALS

No.	Date	Description
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

DRAWING INFORMATION

Job Number: 1707122CE
Print Draft Number: 4
Drawn By: KFA
Checked By: SEJ
Drawing Date: 07-20-2017

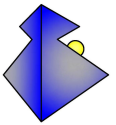
SHEET TITLE

Boundary Map

C-101

Sheet Number: 1 of 1

EXHIBIT D
Mining Plan



Summit Engineering
719-589-6147
Alamosa, CO

Job Number: 1707122CE

Mining will begin in the Phase One area as shown on the accompanying Mining Plan Map.

First, topsoil will be removed to its' full depth (12" or less) and stockpiled on the south and east perimeter of the area to be mined. This stockpile will be in the shape of a berm approximately 4 feet in height and 15 feet wide at the base. The berm will be seeded with a grass mixture approved by the Soil Conservation Service and mulched with straw. Seeding and mulching will be done mechanically with a broadcaster attached to a 4 wheel UTV.

After the soil stockpile is finished, mining will begin in the southeast corner of the Phase I area and proceed westerly and northerly. The pit will be excavated with bulldozers and the material will be fed to a portable crusher and screen plant for processing by rubber tired bucket loaders. Side slopes will not exceed 3:1 and there will be no highwalls. The pit will be excavated to a depth of approximately 40 feet or 7880 feet above Mean Sea Level. In no case will mining occur at or below the groundwater surface.

After the material is processed into various products ranging from road sand to $\frac{3}{4}$ " minus gravel to 3" minus road base, it will be transported to either a concrete batch plant or asphalt hot plant located as shown on the accompanying Mining Plan map.

Some of the material will be hauled directly off the pit to the County Road for transportation to the intended customer.

Each phase of this pit is expected to last about 2 years, with Mining commencing in January 2014 and ending in December 2027. After mining is completed in each phase, the accompanying reclamation plan will be implemented, phase by phase.

Mining Plan Time Table	
Phase #	Time Span
Phase I	2014-2015
Phase II	2016-2017
Phase III	2018-2019
Phase IV	2020-2021
Phase V	2022-2023
Phase VI	2024-2025
Phase VII	2026-2027

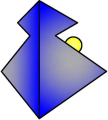
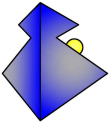


EXHIBIT E

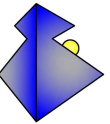
Reclamation Plan



Summit Engineering
719-589-6147
Alamosa, CO

Job Number: 1707122CE

- a) Top soil will be removed to a depth of 6 to 12 inches and placed on the north side of the area to be excavated, in na berm running the length of the pit and approximately 4 feet tall.
- b) The excavation will not be greater than 3:1 slopes, nor will the berm have greater than 3:1 slopes.
- c) When the excavation has been completed, top soil will be replaced to a depth of at least 6 inches and revegetated according to NRCS recommendations herewith.
 - i. The site will be seeded immediately after mining has been completed, but in such a way that germinated seed will have time to grow prior to freezing weather. The seed bed will be disced and harrowed to eliminate compacted conditions.
 - ii. The seed mixture will specified by the NRCS and is expected to be readily available in quantity from Arkansas Valley Seed Company as typical reclamation mix for the dry areas of the San Luis Valley. A mixture is enclosed with Exhibit D
 - iii. The seed mixture will be broadcast with a utility vehicle towing a PTO (power take-off) driven broadcaster.
 - iv. The mulch-seed mixture will be crimped into the soil with grousers on the tracks of a small dozer.
 - v. We expect to establish small trees as recommended by the NRCS, probably the type used for windbreaks that will be planted with gel bags during the early spring months or early fall. Since water will be available, a drip irrigation system will be established. Probably not more than 20 trees per acre will be planted on the berm area. If this creates a shortfall of topsoil for reestablishment of soil on the pit slopes, crusher fines will be used to attain depth sufficient for establishment of grasses and forbs.
 - vi. No ponds will be excavated for this operation.





Grass Seeding Planned and Applied

Colorado
Aug 2011

Grass Seeding:

PART I - Planned

Planner:	Tmiller		Date:	10-Jan-14
Producer:	Robbins			
Primary soil type:	Contract/Agreement #:		Item Num:	
Seeding Operation:	Acres to be seeded:	6	Program:	
	Seeded Prep:	Limited less than 3 tillage operations	Rate:	non-irrigated broadcast
	Planting Dates:	July 1 to Aug 1	Drill Type:	broadcast spreader
	Planting Depth (in.):	1/4" to 3/4"	Drill Spacing (in.):	
Fertilizer:	Pounds per acre recommended		Attach completed Nutrient Management (590) Job Sheet	
	N	P ₂ O ₅	K ₂ O	
Weed Control:	Dates:	(may require completion of Pesticide Mitigation Worksheet / IPM 595 Job Sheet)		
	Description:	mechanical		
Cover / Mulch:	Amount:	< 1000		
	Description:	baled mulch		
	Application Method:			

Seed Recommendations:

Species	Variety/Sci. Name (table 6: PMTN 59)	PLS/Ac to use (100%)	% in mix	Rate (PLS lb/ac)	Acres to be seeded	Total PLS
I = Introduced, N = Native						
Blue grama	Archbutha	0	25	0.75	6.0	4.50
Western wheatgrass	Purshiana	0	20	3.20	6.0	19.20
Slender wheatgrass	Syntherisma	0	20	2.20	6.0	13.20
Russian wildrye	Sorensenii	0	20	2.00	6.0	12.00
Alkali sacaton	Sarabado	1.5	15	0.23	6.0	1.35
Totals		41.5	100.0	8.4	6.0	50.3

NOTES:

--

Notes: Use adapted improved varieties and cultivars in the following order of preference, when available:

1. certified name varieties, 2. named varieties, 3. common seed

PLS = Pure Live Seed

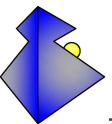
When bare-root stock shrubs are planned:

1. Document planting on Job Sheet 612, Tree and Shrub Establishment.
2. Insert 0 in "%" in Mix" column for calculations to function.

Certified Planner:

Date:

1-10-14

FOTG, Section IV
New Mexico State Office of the Engineer

719-589-6147

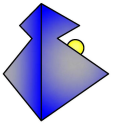
Alamosa, CO

Job Number: 1707122CE

NRCS, CO
2007
August 2011

EXHIBIT F

Reclamation Plan Map



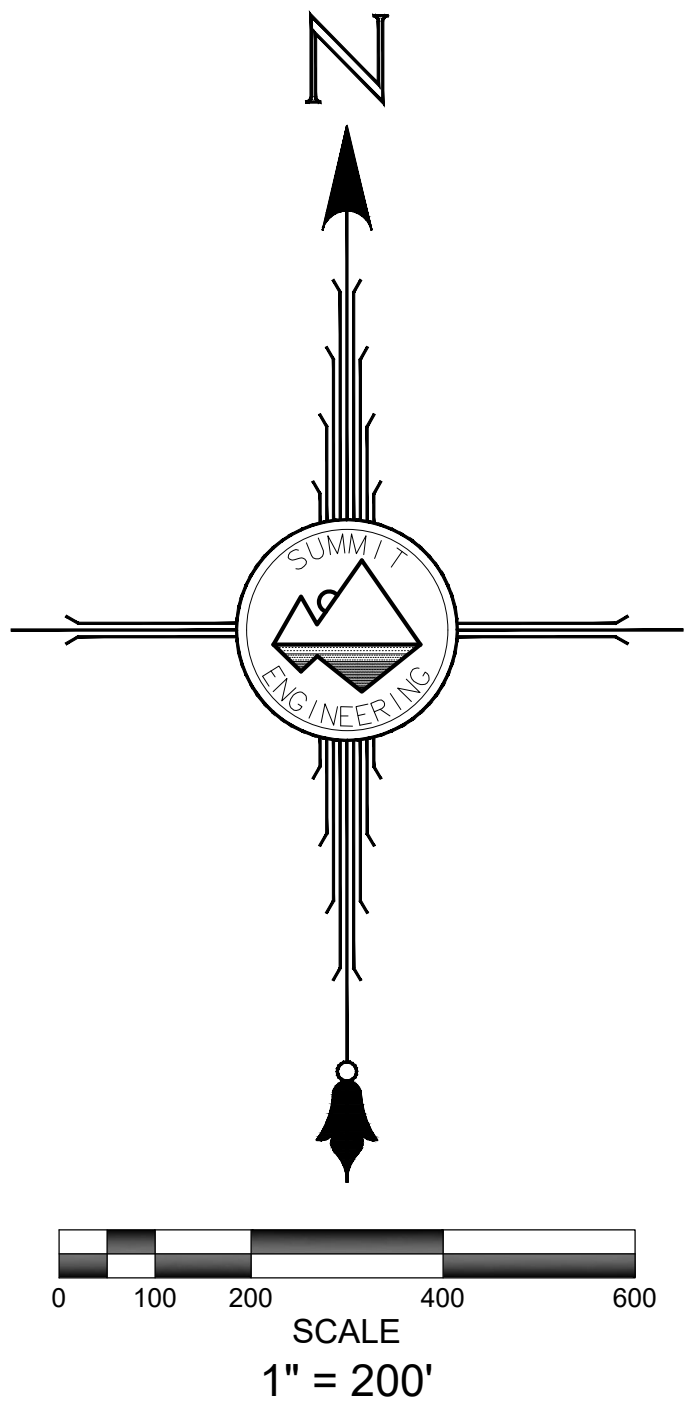
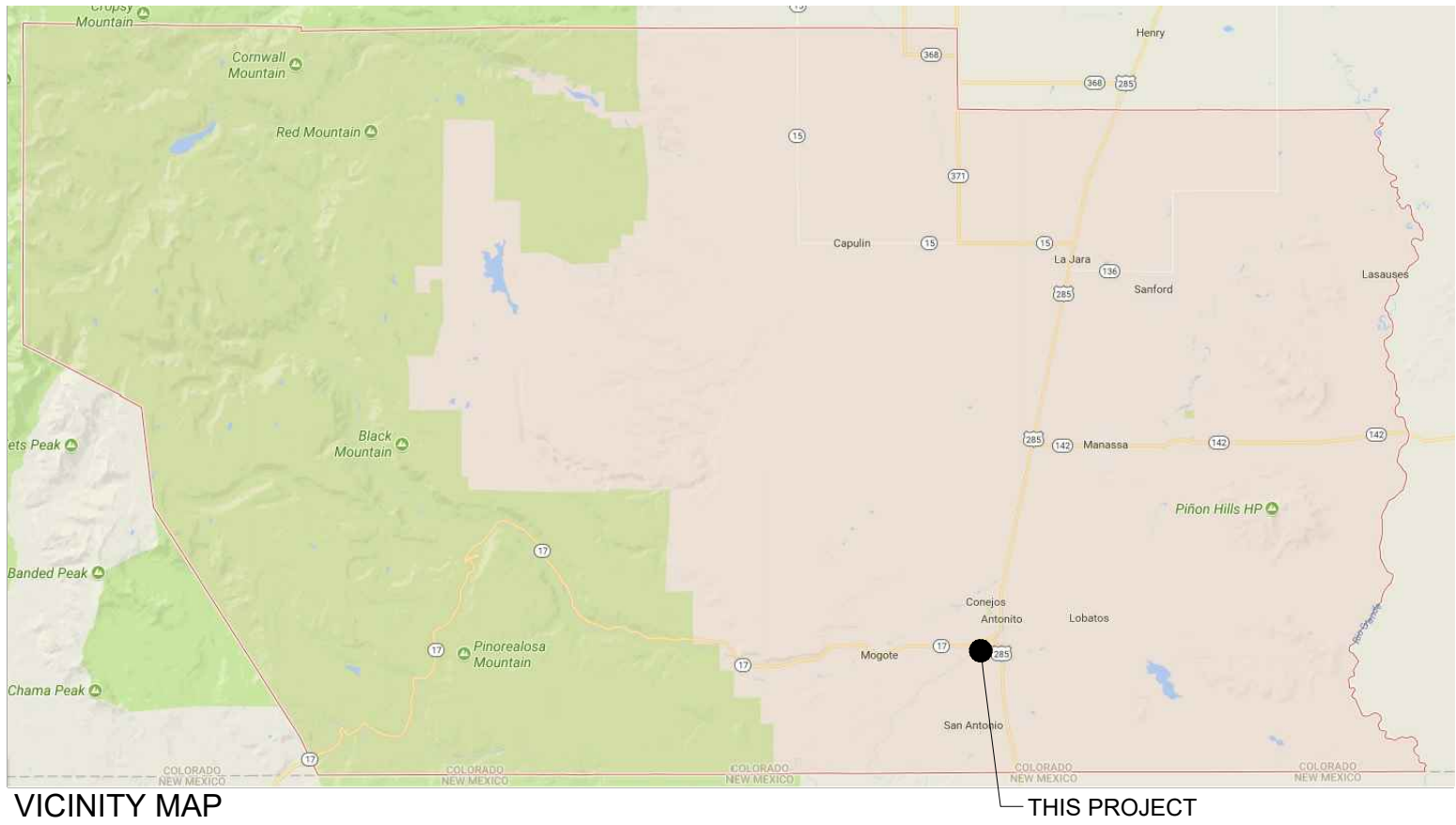
Summit Engineering
719-589-6147
Alamosa, CO

Job Number: 1707122CE



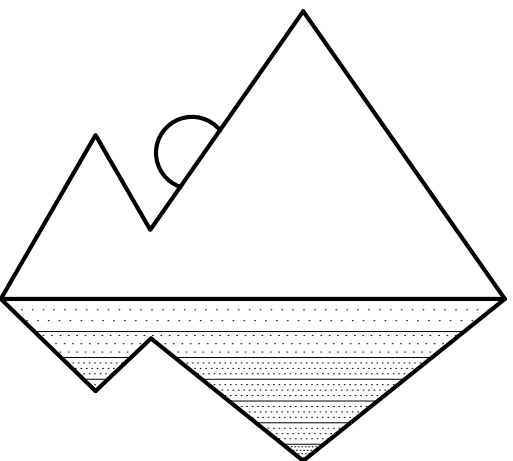
ROBINS CONSOLIDATED PIT BOUNDARY MAP

LOCATED IN A PORTION OF THE
NE1/4 SECTION 31, T.33N., R.9E., N.M.P.M.
AND A PORTION OF THE
NW1/4 SECTION 32, T.33N., R.9E., N.M.P.M.
CONEJOS COUNTY, COLORADO



BEARING BASIS
AN ASSUMED BEARING OF N89°43'36"E ALONG THE
NORTH LINE OF SECTION 32, T.33N., R.9E., N.M.P.M.
DETERMINED BY GPS OBSERVATION

LEGEND (NOT ALL MAY BE USED)	
	ROBINS CONSOLIDATED PIT BOUNDARY
	SECTION LINE
	EASEMENT AS DESCRIBED
	ADJACENT PROPERTY LINE
	FENCE LINE
	EXISTING PIT BOUNDARY
	EXISTING UNDERGROUND GAS LINE
	RAILROAD TRACKS
	EDGE OF APPARENT FLOOD PLAIN
	OVERHEAD ELECTRIC LINE
	#5 REBAR WITH 1.5" ALUM. CAP MARKED "SUMMIT 14840"
	FOUND MONUMENT AS DESCRIBED HEREON



**SUMMIT ENGINEERING
COMPANY**
ENGINEERS & LAND SURVEYORS
Located At:
1317 State Ave. Alamosa, CO 81101
P: 719-589-6147 F: 719-589-6633
P.O. Box 1897 Alamosa, CO 81101
Online: www.summitengineering.co
summitengco@gmail.com

CONSULTANTS

STAMP & SIGNATURE

PROJECT
Robins
Consolidated Pit
Boundary Map

5101 State Hwy. 285
Antonito, CO 81120
Conejos County
Colorado

OWNER
Robins Construction, LLLP

SUBMITTALS		
No.	Date	Description
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

DRAWING INFORMATION
Job Number: 1707122CE
Print Draft Number: 4
Drawn By: KFA
Checked By: SEJ
Drawing Date: 07-20-2017

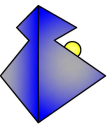
SHEET TITLE
Boundary Map

C-101

Sheet Number: 1 of 1

EXHIBIT G

Water Information



Summit Engineering
719-589-6147
Alamosa, CO

Job Number: 1707122CE



DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RESOURCES

John W. Hickenlooper
Governor

Mike King
Executive Director

Dick Wolfe, P.E.
Director/State Engineer

Craig W. Cotten, P.E.
Division Engineer

May 7, 2014

Linda DeHerrera
Land Use Administrator
Conejos County
P.O. Box 197
Conejos, Colorado 81129

Re: Use of Well No. 2, Case No. W-953 – Randall Robins
Well located within the SW $\frac{1}{4}$ Section 29, T33N, R9E, NMPM

Dear Ms. DeHerrera:

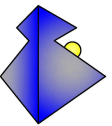
I have received your May 5, 2014 e-mail inquiry as to a legal water supply for an asphalt and concrete batch plant operation to be located within the existing Valdez Gravel Pit area. The pit is located within the NW $\frac{1}{4}$ Section 32, T33N, R9E, NMPM, about one mile southwest of Antonito. Conejos County is currently doing an administrative review of an application by Randall and Lou Ann Robins (Robins) to locate the batch plant at the Valdez Pit. You have inquired as to a legal water supply for the asphalt and concrete batch plant operations.

I have previously worked with Mr. Robins to determine the legal use of Well No. 2, Case No. W-953, Permit No. 5312-F. Well No. 5312-F was the main water supply for the sawmill operation located within the SW $\frac{1}{4}$ Section 29, T33N, R9E, NMPM and very near Antonito. The sawmill was in operation from approximately 1961 through 1974. Well permit no. 5312-F was issued on March 24, 1964. The well was completed to a depth of 150 feet on April 16, 1964. The well was adjudicated for 100 gpm for commercial use on November 20, 1975.

The position I took in my September 27, 2013 letter to Scott Johnson, Robins' engineer, was that the historic use of well no. 5312-F averaged 9.0 acre-feet / year for the period 1964 – 2012. The estimated maximum annual withdrawal was 37.0 acre-feet during the high production years of 1964 – 1974. I approved the use of the well to supply water for the proposed gravel pit / batch plant within the NE $\frac{1}{4}$ of Section 31, T33N, R9E, NMPM (Robins Pit). I do not see a conflict with the use of that same well as a water supply for an asphalt / concrete operation on adjacent land.

Therefore, so long as these volumetric limitations are not exceeded and the well is used consistent with the decree, I will not oppose the use of the well to supply water for the proposed gravel pit / batch plant within the existing Valdez Pit within the NW $\frac{1}{4}$ of Section 32, T33N, R9E, NMPM. The average annual use must not exceed 9.0 acre-feet in any five consecutive year period as detailed in State Engineer Policy 2013-01. The maximum withdrawal cannot exceed 37.0 acre-feet in any calendar year.

Production from the well must be metered in accordance with the well measurement rules set forth in Case No. 05CW12.



Summit Engineering
719-589-6147
Alamosa, CO

Job Number: 1707122CE

My additional conditions for the approval are:

- Excavation at the Valdez Pit or the Robins Pit must not intercept groundwater. Exposure of groundwater results in evaporative losses that must be replaced through a valid plan for augmentation and associated well permit. Mr. Robins does not currently have a valid permit to expose groundwater at either pit.
- The Canon Ditch water associated with these properties is adjudicated for irrigation use. Ditch water must not be used for commercial or industrial use without an approved change of water right, augmentation plan and/or well permit.
- Water cannot be withdrawn from the Rio San Antonio for commercial use without written approval of the Water Court and/or Division of Water Resources.

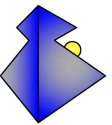
If you have any questions regarding my position, please contact me by telephone at (719) 589-6683 or by e-mail at craig.cotten@state.co.us.

Sincerely,



Craig W. Cotten, P.E.
Division Engineer
Division 3

Cc: Randy Robins
Scott Johnson
Demetrio and Olive Valdez
Erich Schwiesow
WD 22 Commissioner



IN THE DISTRICT COURT IN AND FOR
WATER DIVISION 3
STATE OF COLORADO

CASE NO. W- 953

FILED IN DISTRICT COURT
WATER DIVISION 3
STATE OF COLORADO

NOV 20 1975

CARLA R. SHAWCROFT,
JUDGE
JUDGMENT AND DECREE
ADJUDICATING
WATER RIGHT

IN THE MATTER OF THE APPLICATION)
FOR WATER RIGHTS OF TUBE GEORGE)
AND SARAH GEORGE AS TENANTS IN)
COMMON, AN UNDIVIDED & INTEREST)
EACH; AND GUSTAVE A. GONNELL AND)
FRIEDA J. GONNELL, AS JOINT)
TENANTS WITH RIGHT OF SURVIVOR-)
SHIP AND NOT AS TENANTS IN)
COMMON, AN UNDIVIDED & INTEREST)
EACH)

IN CONEJOS COUNTY

WELL NO. 2 W-953-

THIS MATTER came on to be heard this day upon the Referee's Ruling. The Court finds that the application for adjudication herein was filed on May 26, 1972 that the Referee's Ruling granting the hereinafter described water right to applicant was entered on the 21st day of October, A.D. 1975 and served as provided by law; that no protest has been filed and that the time for filing protests has expired; and that the Ruling of the Referee should be confirmed and approved and a water right granted.

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the Ruling of the Referee, herein be, and the same hereby is confirmed and approved and that the applicant is hereby granted the indicated water right and priority as follows:

1. Applicant's name and address: Tube George, P. O. Box 667, Antonito, CO 81120 and Sarah George, P. O. Box 276, Antonito, CO 81120, as Tenants in Common, an Undivided & Interest each; and Gustave A. Gonnell and Frieda J. Gonnell, P. O. Box 488, Antonito, CO 81120, as Joint Tenants with Right of Survivorship and not as Tenants in Common, an Undivided & Interest each.
2. Name or designation of well:
Well No. 2. Registration No. 5312-F.

3. Location of well and point of diversion:
NW¼ SW¼, Section 29, Township 33 North, Range 9 East, NMPM, at a point 808 feet from West Section line and 2025 feet from South Section line, in Conejos County, Colorado.

4. Alternate points of diversion, if any:
None.

DEPTH 150'
CASING SIZE 12" x 10"
PERFORATIONS 75'-150'

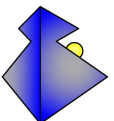
5. Type of beneficial use:
Commercial.
6. Amount and source and means of diversion:
100 gallons per minute, being .223 cubic feet of water per second of time, being .446 acre feet of water in a period of twenty-four hours, from ~~(CONJUGATE)~~ (unconfined) aquifer.
7. Priority date of appropriation:
April 1, 1964.

8. That said well may be used as an alternate point of diversion for the following surface water rights:
Not applied for.

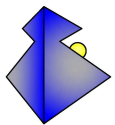
Done and signed in open Court this 20th day of November A.D. 1975.

Job Number: 1707122CE

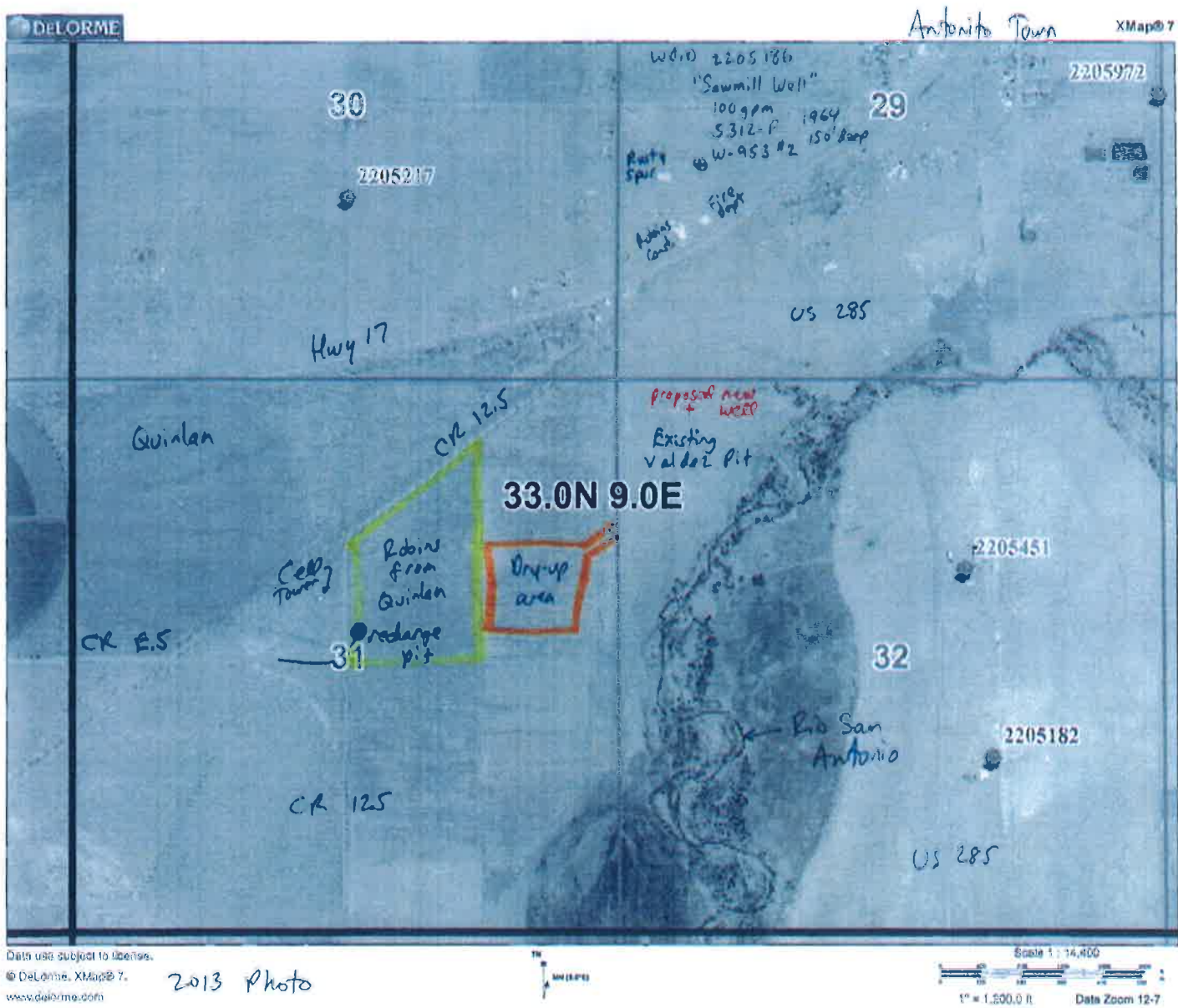
Donald G. Smith, Water Judge



Summit Engineering
719-589-6147
Alamosa, CO



HERE IS A SAMPLE OF A MAP THAT NEEDS TO BE PREPARED BY SCOTT. SHOULD SHOW ALL THE LANDMARKS, AS WELL AS, RECHARGE PIT, DRY-UP LAND, GRAVEL PIT AND PROPOSED WELL.





DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RESOURCES

John W. Hickenlooper
Governor
Mike King
Executive Director
Dick Wolfe, P.E.
Director/State Engineer
Craig W. Cotten, P.E.
Division Engineer

Scott Johnson
Summit Engineering
P.O. Box 1897
Alamosa, Colorado 81101

September 27, 2013

Re: Use of Well No. 2, Case No. W-953 – Randall Robins
SW $\frac{1}{4}$ Section 29, T33N, R9E, NMPM

Dear Mr. Johnson:

Thank you for taking the time to meet with Pat McDermott and myself, Randy Robins, and Ernie Young on September 11, 2013 at the Division office. We discussed the historic use of Well No. 2, Case No. W-953, Permit No. 5312-F. Well No. 5312-F was the main water supply for the sawmill operation located within the SW $\frac{1}{4}$ Section 29, T33N, R9E, NMPM and very near Antonio. You have tried to gather as much historical use information about the well as possible.

The sawmill was in operation from approximately 1961 through 1974. Well permit no. 5312-F was issued on March 24, 1964. The well was completed to a depth of 150 feet on April 16, 1964. The well was adjudicated for 100 gpm for commercial use on November 20, 1975.

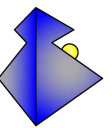
My position in this matter is that the historic use of well no. 5312-F averaged 9.0 acre-feet / year for the period 1964 – 2012. The estimated maximum annual withdrawal was 37.0 acre-feet during the high production years of 1964 – 1974. Therefore, so long as these volumetric limitations are not exceeded and the well is used consistent with the decree, I will not oppose the use of the well to supply water for the proposed gravel pit / batch plant within the NE $\frac{1}{4}$ of Section 31, T33N, R9E, NMPM. The average annual use must not exceed 9.0 acre-feet in any five consecutive year period as detailed in State Engineer Policy 2013-01. The maximum withdrawal cannot exceed 37.0 acre-feet in any calendar year.

Production from the well must be metered in accordance with the well measurement rules set forth in Case No. 05CW12.

If you have any questions regarding my position, please contact me by telephone at (719) 589-6683 or by e-mail at craig.cotten@state.co.us.

Sincerely,

Craig W. Cotten, P.E.
Division Engineer
25 Division 3



Summit Engineering
719-589-6147
Alamosa, CO

Job Number: 1707122CE

District Court, Water Division 3
Alamosa County, Colorado
Court Address: 702 4th Street, Alamosa, CO 81101

CONCERNING THE APPLICATION FOR WATER RIGHTS OF

RANDALL L. ROBINS AND LOU ANN ROBINS, AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP AND NOT AS TENANTS IN COMMON

IN CONEJOS COUNTY

Contains edits from:
Richard Mehren Jan2017
Pat McDermott Jul2017

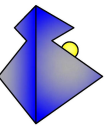
Case Number:
2015CW3012

**REPORT AND RULING OF THE REFEREE
CHANGE OF WATER RIGHTS AND APPROVAL OF PLAN FOR AUGMENTATION**

This matter has come before the Court upon the application of Randall L. Robins and Lou Ann Robins ("Applicants") for a change of water rights and approval of a plan for augmentation. The application was referred to the water court referee pursuant to C.R.S. § 37-92-203(7). Having made such investigations as are necessary to determine whether or not the statements in the application are true, having consulted with the Division Engineer, and being fully advised with respect to the subject matter of the application, the Court enters the following findings of fact, conclusions of law, and ruling of the Referee:

FINDINGS OF FACT

- 1. Filing:** The Applicants filed an *Application for Change of Water Rights and For Approval of Plan for Augmentation* on March 31, 2015.
- 2. Notice and Jurisdiction:** Timely and adequate notice of the application was given in the manner required by law. None of the land or water rights involved in the application are located in a designated groundwater basin. The Court has jurisdiction over the subject matter of this proceeding and over all persons who have standing to appear as parties, whether they have appeared or not.
- 3. Statements of Opposition:** The time for filing statements of opposition expired on May 31, 2015. A statement of opposition was filed by the Conejos Water Conservancy District.
- 4. Description of Application:** The Applicants seek approval to change a portion of their ownership interest in the Canon Irrigation Ditch from irrigation and domestic



to augmentation by means of recharge. The Applicants further seek approval of a plan for augmentation to offset groundwater withdrawals from a proposed well that will furnish water for industrial and commercial use at an existing gravel pit.

CHANGE OF WATER RIGHT

4. Change of Canon Irrigation Ditch Shares: The Applicants own and seek to change the use of 30 shares out of 1,800 total shares in the Canon Irrigating Ditch, or 1.67% of the Canon Irrigating Ditch Water Right ("Subject Water Rights").

5. Description of the Canon Irrigation Ditch:

5.A. Decreed Name of Structure: Canon Irrigating Ditch

5.B. Original and all Relevant Subsequent Decrees: Original Adjudication within former Water District No. 22, Conejos County District Court, decreed October 22, 1883; Case No. 84CW96, Water Division 3, decreed September 10, 1985; Case No. 89CW51, Water Division 3, decreed October 18, 1990; Case No. 91CW14, Water Division 3, decreed September 9, 1991.

5.C. Decreed Point of Diversion: The decree of the original 10/22/1883 adjudication lists the point of diversion as "on the south bank of the Conejos River in Section 31, T33N, R8E, NMPM, in Conejos County, Colorado." In Case No. 91CW14, the Division 3 Water Court corrected the location of the originally decreed point of diversion to the SW1/4 NE1/4 NE1/4, Section 1, T32N, R7E, NMPM, at a point 1,100 feet from the North Section Line and 1,100 feet from the East Section Line in Conejos County, Colorado.

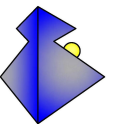
5.D. Source: Conejos River

5.E. Dates of Appropriation and Amounts: April 15, 1857, for "so much water as will flow in a ditch 4 feet wide and 2 feet deep, with a grade of 8 inches to the 100 feet," which has been interpreted by the Division of Water Resources to be equal to 42.89 cfs. The Applicants' 30 shares to be changed herein represent a pro-rata ownership interest of 0.715 cfs of the 42.89 cfs decreed to the Canon Irrigating Ditch water right.

The Division 3 Water Court approved an alternate point of diversion for 0.26 cfs in Case No. 84CW96, and a change in point of diversion for 0.214 cfs in Case No. 89CW51.

5.F. Decreed Use: Irrigation and domestic

6. Historical Use of the Subject Water Right:



6.A. Historical Type and Place of Use: The Subject Water Rights were historically used as the sole source of water for flood irrigation of approximately 28 acres located in the SE1/4 NE1/4, Section 31 and the SW1/4 NW1/4, Section 32 all in Township 33 North, Range 9 East, NMPM (“Historically Irrigated Land”). The Subject Water Rights were part of a larger share pool owned and used by the former owner. Alfalfa and pasture grass were the primary crops grown.

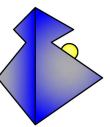
6.B. Historical Season of Use: Water was typically diverted through the Canon Irrigating Ditch for irrigation from April 1 through November 1. Many diversion seasons were shorter due to limited availability in the Conejos River.

6.C. Historical Diversions: Between 1968 and 2013, Canon Irrigating Ditch river headgate diversions averaged 5,158 acre-feet per year, with a maximum annual diversion of 7,996 acre-feet and a minimum annual diversion of 237 acre-feet. The Subject Water Rights’ pro-rata share of the river headgate diversions averaged 86 acre-feet per year, with maximum annual diversion of 133.3 acre-feet and a minimum annual diversion of 3.9 acre-feet. It is assumed that approximately 50% of the water diverted at the river headgate under the Subject Water Rights was lost to ditch seepage. Using that assumption, farm headgate deliveries of the Subject Water Rights averaged 43 acre-feet per year, with a maximum annual farm headgate delivery of 66.6 acre-feet and a minimum annual farm headgate delivery of 2.0 acre-feet.

6.D. Historical Consumptive Use: It is also assumed that 50% of farm headgate deliveries were consumed by crops and 50% returned to the river as surface or ground water return flow.

7. Description of Change of Use: The Applicants seek to change the type and place of use of the Subject Water Rights from irrigation and domestic to augmentation of commercial / industrial well(s) by means of recharge. The Applicants seek to change the place of use of the Subject Water Rights to allow diversion of the Subject Water Rights from the Canon Irrigating Ditch into a recharge pond located within the SW1/4 NE1/4 Section 31, Township 33 North, Range 9 East, NMPM in order to augment withdrawals from Well No. Aug. 1 located in the NW1/4 NW1/4 of Section 32, Township 33 North, Range 9 East, NMPM, at a point approximately 875 feet from the North Section Line and 203 feet from the West Section Line, in Conejos County, Colorado, UTM NAD83 Zone 13S 409422 mE and 4102251 mN.

8. Dry-Up of Historically Irrigated Land: The Historically Irrigated Land shall be permanently removed from irrigation and monumented and/or fenced in a manner acceptable to the Division Engineer. No crops will be raised on or harvested from the Historically Irrigated Land.



9. Terms and Conditions to Prevent Injury: In order to prevent expansion of use and injury to other water rights, the Applicants' use of the Subject Water Rights as changed herein shall be governed by the following terms and conditions:

9.A. Seasonal Diversion Limitations: Diversions of water under the Subject Water Rights shall be limited to April 1 through November 1 and to times when the Canon Irrigating Ditch water right is in priority. The Subject Water Rights will continue to be diverted at the river headgate of the Canon Irrigating Ditch and will then be delivered through the ditch to the recharge pond described in paragraph 12.A., below ("Recharge Pond"). All deliveries to the Recharge Pond will be measured by use of a measuring device that is acceptable the Division Engineer.

9.B. Monthly Maximum Volumetric Limitations: Deliveries of water under the Subject Water Rights to the Recharge Pond shall be limited to the following monthly acre-foot maximums:

April	May	June	July	August	September	October
10	22	21	17	15	8	8

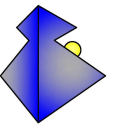
9.C. Annual Maximum Volumetric Limitation: Creditable deliveries of water under the Subject Water Rights to the Recharge Pond shall not exceed a maximum of 66.6 acre-feet in any season (April 1 through November 1).

9.D. Ten-Year Cumulative Volumetric Limitation: Deliveries of water under the Subject Water Rights to the Recharge Pond shall not exceed a cumulative amount of 430 acre-feet in any consecutive 10-year period. The maximum volume of creditable delivery allowed to the Recharge Pond in any individual year shall be calculated as 430 acre-feet less the sum of deliveries during the previous nine years. For purposes of starting the calculation of the 10-year cumulative delivery limit, for the 9 years prior to the first year in which the Subject Water Rights are used pursuant to this Decree, Applicants shall assume that the deliveries to the Recharge Pond were equal to 40.4 acre-feet per year.

9.E. Replacement of Historical Return Flows: 50% of water delivered under the Subject Water Rights to the Recharge Pond shall be relinquished to the stream to replace return flows associated with historical use of the Subject Water Rights. Accordingly, and subject to the requirements in Paragraph 12.C. 1 below to account for the first 0.38 acre-feet of water diverted into the Recharge Pond as payment for evaporation, only 50% of water delivered under the Subject Water Rights to the Recharge Pond may be used for augmentation and replacement within the plan for augmentation decreed herein.

PLAN FOR AUGMENTATION

10. Description of Well to be Augmented:



10.A. Name: Well No. Aug. 1

10.B. Location: NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32, Township 33 North, Range 9 East, NMPM, at a point approximately 875 feet from the North Section Line and 203 feet from the West Section Line, in Conejos County, Colorado, UTM NAD83 Zone 13S 409422 mE and 4102251 mN.

10.C. Source of Water: Unconfined aquifer.

10.D. Amount: 100 gpm

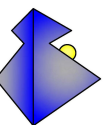
10.E. Use: Industrial and commercial use at an existing gravel pit known as the "Consolidated Pit," located near Well No. Aug. 1 within the NW $\frac{1}{4}$ Section 32, Township 33 North, Range 9 East, NMPM and adjacent property owned by the Applicants in the E $\frac{1}{2}$ Section 31, Township 33 North, Range 9 East, NMPM. Uses may include, but are not limited to, gravel washing, concrete and asphalt production, and dust suppression associated with the operation. Water pumped from Well No. Aug. 1 shall be assumed to be 100% consumed unless consumptive use factors less than 100% are approved by the Division Engineer.

11. Water Rights or Sources to be Used for Augmentation: The Subject Water Rights, as changed by this Decree.

12. Complete Statement of Plan for Augmentation: This Decree confirms a plan for augmentation, whereby water delivered under the Subject Water Rights will be recharged into the unconfined aquifer by use of the Recharge Pond in exchange for the right to pump Applicants' Well No. Aug. 1 against the fully-consumable portion of the amount recharged.

12.A. Recharge Pond: The Applicants' Recharge Pond is located within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 31, Township 33 North, Range 9 East, NMPM, in Conejos County, Colorado. The current Recharge Pond is approximately 202 feet by 82 feet at the top, 166 feet by 46 feet at the bottom, and 6 feet deep. The Recharge Pond must not intercept groundwater and shall be maintained in such a way as to guarantee efficient recharge of all water measured into the pit less a minimal amount of evaporation.

12.A.1. Modification of Recharge Pond: The Applicants may modify the Recharge Pond so long as the Division Engineer approves the modification prior to use of the modified Recharge Pond. The Applicants shall provide notice of a proposed modification of the Recharge Pond to the Division Engineer and all objectors at least 60 days prior to the proposed use of the modified Recharge Pond. The notice required by this paragraph shall include at a minimum the following information: (1) a description of the proposed modification of the Recharge Pond; (2) any increase or decrease in the capacity and/or surface area of the Recharge Pond that will be caused by the proposed modification; (3) whether the proposed



modification will cause the Recharge Pond to intercept ground water. The objectors shall have 35 days from the date of the Applicants' notice to provide the Division Engineer with comments regarding the Applicants' proposed modification. The Division Engineer shall consider any comments provided by the objectors, and shall provide the Applicants with a written approval or denial of the Applicants' proposed modification within 60 days of receiving the notice required by this paragraph.

12.B. Delivery of Augmentation Water to Recharge: Water shall be diverted under the Subject Water Rights at the river headgate of the Canon Irrigating Ditch, carried through the Canon Irrigating Ditch, and diverted into the Recharge Pond. Water may only be normally diverted under the Subject Water Rights between April 1 and November 1 of each year ("Irrigation Season"). However, pursuant to State Engineer Policy or decree entered in Case No. 15CW3024, the Division Engineer may have the ability to alter the presumptive irrigation season. The Applicants shall measure the amount of water diverted into the Recharge Pond at a location and in a manner approved by the Division Engineer. After water has been diverted into the Recharge Pond, the water shall not be removed from the Recharge Pond.

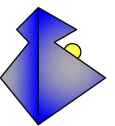
To assure timely recharge of the unconfined aquifer from which Well No. Aug. 1 withdraws water, the Applicants shall deliver water into the Recharge Pond at least twice during each Irrigation Season. Ideally, one of the required deliveries will take place in April or May, and the other in August or September.

12.B. Evaporation: Evaporation from the recharge pond shall be calculated as 0.38 acre-feet per year unless the size of the pond is altered pursuant to Paragraph 12.A.1 above.

12.C. Volume of Allowable Pumping: The amount of water which may be pumped from Well No. Aug. 1 shall be equal to the amount of pumping credit generated by recharging water diverted under the Subject Water Rights to the unconfined aquifer through the Recharge Pond. Well No. Aug 1 may pump only when the Applicants have accumulated pumping credit available under this plan for augmentation.

12.C.1. Calculation of Pumping Credit: The first 0.38 acre-feet diverted into the Recharge Pond each Irrigation Season shall be counted as evaporation. Of the remaining water diverted into the Recharge Pond each Irrigation Season, 50% shall be relinquished to the stream to replace return flows associated with historical use of the Subject Water Rights, and 50% will constitute pumping credit.

12.C.2. Carry-Over of Pumping Credit: Pumping credit accrued within an Irrigation Season shall be available through December 31 of the calendar year in which that Irrigation Season occurs, and may be carried over into the next calendar year as follows. The Applicants may pump from Well No. Aug. 1 any pumping credit accrued within that year's Irrigation Season plus any unused pumping credit accrued within the previous year's Irrigation Season, provided the Division Engineer has



approved the calculation of that amount of credit. The volume of water pumped from Well No. Aug. 1 in a calendar year shall be limited to the volume of water available for pumping, which shall be calculated as:

Pumping Available_{currentyear} = $PC_{currentyear} + (PC_{prioryear} - \text{Actual Pumping}_{prioryear})$

Where, PC = pumping credit.

Water recharged in year N shall generate pumping credits in year N and Year N+1 only if unused credits remain. Water recharged in year N may not create pumping credits for use in years subsequent to Year N + 1 unless approved by Court decree or Substitute Water Supply Plan.

12.D. Additional Wells: Additional wells required by the Applicants for use under this plan for augmentation must be obtained through the well permitting process of the office of the State Engineer. The Applicants must prove the need for the additional well by complete statement of purpose to accompany the well permit application. A copy of the statement and application must be provided to the objectors and the objectors shall have 15 days from the date of the Applicants' notice to provide the Division Engineer with comments regarding the Applicants' proposed additional well.

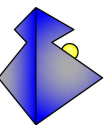
12.E. Measurement and Accounting: All diversions into the Recharge Pond and pumping of Well No. Aug. 1 will be measured. Appropriate records will be maintained and proper reporting and accounting will be performed to insure that Applicants' pumping does not exceed the amount of pumping credit generated by recharge. At a minimum, Applicant shall provide to the Division Engineer by November 15 of each year a summary of recharge and pumping amounts from the immediately preceding November 1 through October 31 period and a calculation of any excess pumping credit from that period that may be applied to the subsequent year's pumping. Upon request, the Applicants shall provide the objectors with copies of the accounting submitted to the Division Engineer for a given year.

CONCLUSIONS OF LAW

13. Incorporation of Findings of Fact: The foregoing Findings of Fact are incorporated into these Conclusions of Law.

14. Jurisdiction: The Court has exclusive jurisdiction over the subject matter of this proceeding pursuant to C.R.S. § 37-92-203, and over all persons or entities affected hereby, whether they have appeared or not.

15. Notice: Full and adequate notice of the claims adjudicated herein has been given in the manner required by law.



00139821-4

Summit Engineering
719-589-6147
Alamosa, CO

Job Number: 1707122CE

16. Change of Water Rights and Plan for Augmentation Contemplated by Law: The change of water rights and plan for augmentation decreed herein are contemplated by law and satisfy the requirements of sections 37-92-101 et seq. C.R.S. The change of water rights and plan for augmentation will not injuriously affect any owner of or person entitled to use water under a vested water right or decreed conditional water right, so long as operated and administered in accordance with the terms of this Decree.

17. Rule 4.29 of the Proposed Rules defines "Sustainable Water Supply" as "a supply of groundwater that is being managed in accordance with sections 37-92-501(4)(a)(I) through (III), C.R.S." This plan for augmentation includes a method or standard for determining, achieving, and maintaining a Sustainable Water Supply. The Applicant has demonstrated that this plan for augmentation reliably determines the Sustainable Water Supply and is sufficient to achieve and maintain a Sustainable Water Supply. This plan for augmentation completely replaces all future aquifer depletions with fully consumable water, thus achieving a Sustainable Water Supply on a continuous basis. Tributary groundwater is not used for any portion of the augmentation supply.

18. The plan for augmentation decreed herein meets all applicable requirements of the Proposed Rules Governing the Withdrawal of Groundwater in Water Division No. 3 (the Rio Grande Basin) that were filed by the State Engineer and published in the September 2015 resume for Water Division No. 3 in Case No. 15CW3024.

RULING OF THE REFEREE

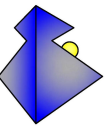
19. Incorporation: The foregoing findings of fact and conclusions of law are incorporated by this reference and modified as necessary to constitute the ruling of the referee and decree of the Court.

20. Approval: The Court hereby approves the change of water rights and plan for augmentation described herein, subject to the terms and conditions of this Decree.

21. Terms and Conditions: The terms and conditions of this decree are adequate to assure that operation of the change of water rights and plan for augmentation described herein will not injuriously affect any owner of or person entitled to use water under a vested water right or decreed conditional water right.

22. Well Permit: The Applicants shall submit a well permit application to the Office of the State Engineer to re-permit Well No. Aug 1 in accordance with the terms and conditions of this Decree.

23. Measuring Devices: To the extent not already in place, Applicants shall install and properly maintain measuring and recording devices as are required by the State and/or Division Engineers for administration of this Decree. To measure water withdrawn from Well No. Aug. 1, the Applicants shall install measuring devices in compliance with the *Rules Governing the Measurement of Ground Water Diversions*



Located in Water Division No. 3, the Rio Grande Basin, as promulgated by the State Engineer on June 30, 2005, and any amendments thereto.

24. Accounting Forms: Applicant shall measure diversions and account for operations under this Decree using accounting form(s) acceptable to the Division Engineer, and shall provide summaries of such accounting as requested by the Division Engineer.

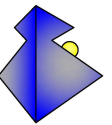
25. Curtailment: Pursuant to C.R.S. § 37-92-305(8), the State Engineer shall curtail all out-of-priority diversions, the depletions from which are not so replaced as to prevent injury to vested water rights.

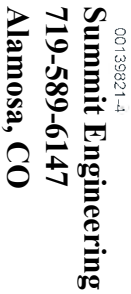
26. Retained Jurisdiction: Pursuant to C.R.S. § 37-92-304(6), the Court shall retain jurisdiction over the change of water rights and plan for augmentation approved herein for a period of five years from the date of this Decree for reconsideration of the question of whether the provisions of this decree are sufficient to prevent material injury to any vested water rights or decreed conditional water rights. The Court's retained jurisdiction may be invoked by any party to this case by the filing of a timely motion or petition with appropriate notice to all parties. The party lodging the petition shall have the burden of going forward to establish the facts alleged in the petition. If this Court finds those facts to be established, Applicant shall bear the burden of proving that (1) any modification sought by Applicant will avoid injury to other appropriators; (2) any modification sought by Objectors is not required to avoid injury to other appropriators; or (3) any term or condition proposed by Applicant in response to any Objector's petition avoids injury to other appropriators.

27. No Precedent Established: This Ruling is the product of compromise and settlement negotiations between the parties hereto and the issues were not actually litigated. Accordingly, nothing in this Ruling shall be construed to preclude any party from litigating, in any different case involving the same or similar issues, any matter determined in this Ruling. The facts of this case are unique and therefore this Ruling is not intended to be, and shall not be, construed as a binding precedent in other cases now pending or hereafter filed in the District Court for Water Division No. 3.

Dated this ____ day of _____, 2017.

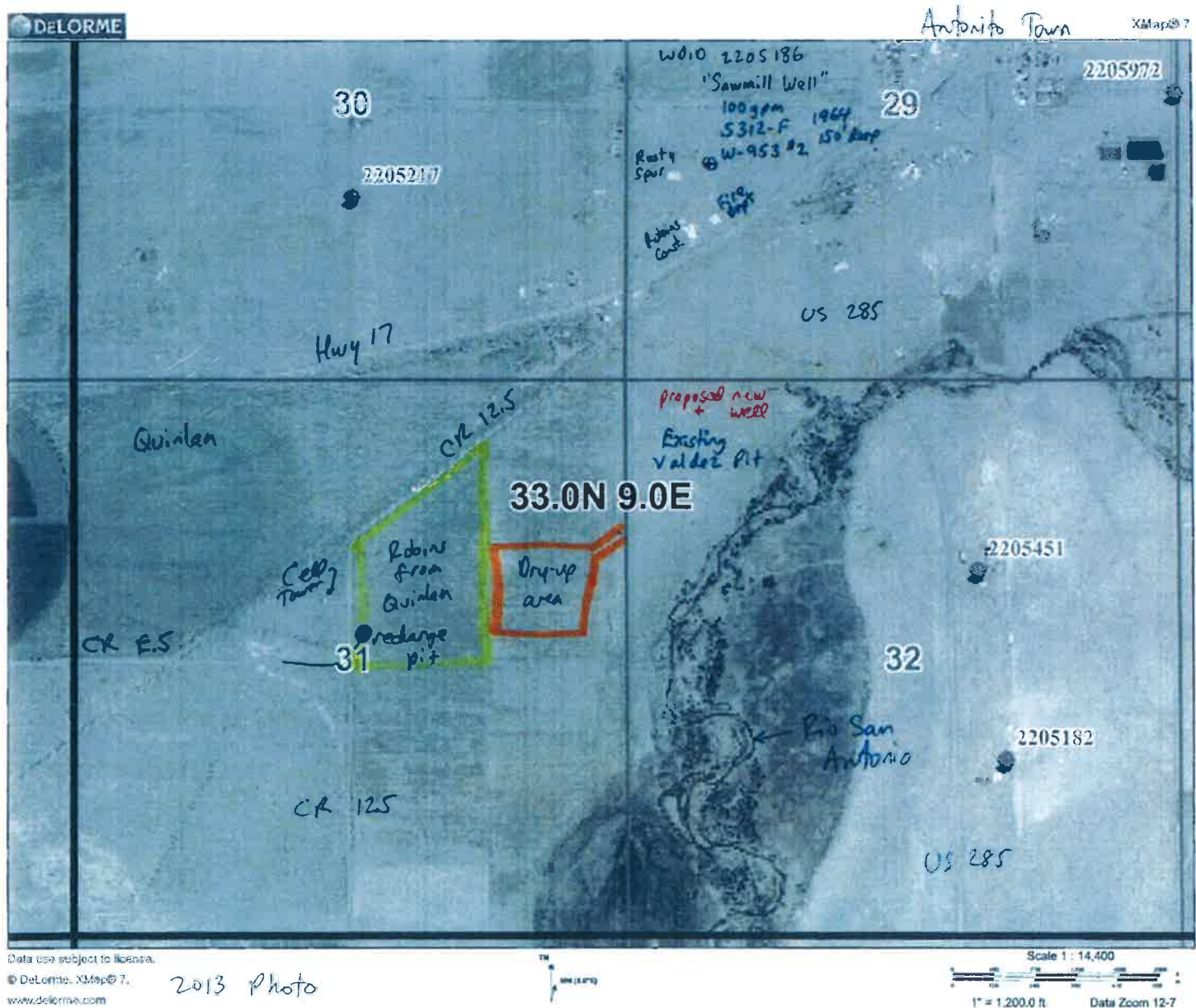
Nicolas Sarmiento
Water Referee
Water Division No. 3





Job Number: 1707122CE

38



CERTIFICATE OF SERVICE

I hereby certify that on the _____ day of xxxxxx, 2017, a true and correct copy of the foregoing *Report and Ruling of the Referee* was served electronically via _____ properly addressed to the following:

Kevin Rein
State Engineer
1313 Sherman Street, Room 818
Denver, CO 80203

Craig W. Cotten
Division Engineer
P. O. Box 269
Alamosa, CO 81101

Gordon J. Bosa, Attorney at Law
P. O. Box 58
Alamosa, CO 81101

By: _____
Clerk of Court or Judicial Assistant

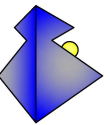
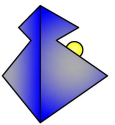


EXHIBIT H

Wildlife Information



Summit Engineering
719-589-6147
Alamosa, CO

Job Number: 1707122CE

STATE OF COLORADO
STATE BOARD OF LAND COMMISSIONERS
Room 300, 1127 Sherman Street
Denver, Colorado 80203

QUESTIONNAIRE
Proposed Mining Lease of State Lands

RETURN BY March 15, 2013

Sand & Gravel Lease Application No. GL 3465 _____

Applicant: Robins Construction, LLP

Randall L. Robins

P.O. Box 212

Antonito, CO 81120

Location: _____ W $\frac{1}{2}$, NE $\frac{1}{4}$ Section 31, Township 33N,
Range 9E (NMPM) _____
Conejos County

Permit Type: Sand & Gravel Extraction

Proposed Mining Method: Open pit mine using a tracked excavator,
loader, crusher, screen
Proposed testing and Development: Sand & Gravel operation. Limited
exploration and testing.

1. Are there any reasons why this tract(s) should not be offered for lease?

Yes _____ No X _____

Explain _____

2. Would a mineral development on this tract(s) be a conflict with current land use?
Long range plans, or zoning? Yes _____ No X _____

Explain _____

3. Other Comments _____

There are no significant risks/impacts to
wildlife or wildlife habitats
Name Rick Basagone PRP Lead Geologist
Title Lead Wildlife Manager District Wildlife Manager
Agency Colorado Parks and Wildlife

Address 0722 S. CL 1E

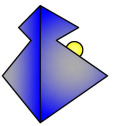
Summit Engineering, CO. 81174 Job Number: 1707122CE
719-589-6147
Alamosa, CO

Date	Phone
(719) 582-6900	09/12/13

Number

Job Number: 1707122CE

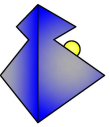
4211



Summit Engineering
719-589-6147
Alamosa, CO

EXHIBIT I

Soils Information



Graypoint series

The Graypoint series consists of deep, well drained soils that formed in moderately fine alluvium that is shallow over sand and gravel. Graypoint soils are on nearly level to moderately sloping alluvial fans. Slopes are 0 to 9 percent. The mean annual precipitation is about 7 inches, and the mean annual air temperature is about 41 degrees F.

Graypoint soils are similar to the San Arcadio soils and are near the Derrick, Dunui, San Arcadio, and Platoro soils. Derrick and Dunui soils are more than 35 percent gravel and cobbles throughout. San Arcadio and Platoro soils are more than 20 inches deep over sand and gravel layers, and San Arcadio soils are only moderately well drained and have moderate salt accumulations.

Typical pedon of Graypoint gravelly sandy loam, 0 to 1 percent slopes, about 700 feet south and 850 feet west of the northeast corner of sec. 5, T. 33 N., R. 9 E.:

A1—0 to 5 inches: brown (10YR 5/3) gravelly sandy loam, dark brown (10YR 4/3) moist; weak fine granular structure; soft, very friable; about 20 percent gravel; moderately alkaline; clear wavy boundary.

B2t—5 to 14 inches: yellowish brown (10YR 5/4) gravelly sandy clay loam, dark yellowish brown (10YR 4/4) moist; weak medium prismatic structure parting to moderate medium subangular blocky; hard, friable; thin nearly continuous clay films on peds and coating gravel; about 25 percent gravel; mildly alkaline; clear wavy boundary.

B3ca—14 to 18 inches: pale brown (10YR 6/3) very gravelly sandy loam, dark brown (10YR 4/3) moist; very weak medium subangular blocky structure; soft, very friable; about 35 percent gravel; calcareous with lime occurring as thin seams and coating underside of gravel; moderately alkaline; clear wavy boundary.

11C—18 to 72 inches: light brownish gray (10YR 6/2) sand and gravel, mostly basalt, grayish brown (10YR 5/2) moist; single grained; loose when dry or moist; calcareous in spots; moderately alkaline.

Depth to uniformly calcareous material normally ranges from 6 to 20 inches. Depth to the sand and gravel layer ranges from 10 to 20 inches. Gravel content ranges from 10 to 35 percent in the major part of the profile and is dominantly one-quarter inch to 3 inches in diameter.

Derrick series

The Derrick series consists of deep, well drained soils that formed in very gravelly and cobbly alluvium over sand, gravel, and cobbles. Derrick soils are on alluvial fans and terraces. Slopes are 0 to 10 percent. The mean annual air temperature is about 41 degrees F, and the mean annual precipitation is about 7 inches.

Derrick soils are near the Graypoint, Dunui, and Platoro soils. Graypoint soils have finer textures and fewer cobbles in the upper part of the soil profile. Dunui soils are gravelly sandy loam in the upper part of the profile. Platoro soils have a clay loam B2t horizon that is less than 35 percent coarse fragments.

Typical pedon of Derrick very cobbly sandy loam, 0 to 1 percent slopes, 150 feet south and 50 feet east of the northwest corner of sec. 31, T. 36 N., R. 8 E.:

A1—0 to 5 inches: pale brown (10YR 6/3) very cobbly sandy loam, dark brown (10YR 4/3) moist; weak fine granular structure; hard, very friable; about 20 percent gravel and 20 percent cobbles; mildly alkaline; clear wavy boundary.

B2t—5 to 12 inches: yellowish brown (10YR 5/4) very gravelly clay loam, dark yellowish brown (10YR 4/4) moist; weak medium prismatic structure parting to moderate medium subangular blocky; hard, firm; very thin patchy clay films on peds; about 30 percent gravel and 20 percent cobbles; mildly alkaline; clear wavy boundary.

C1ca—12 to 17 inches: light brownish gray (10YR 6/2) very cobbly sandy loam, dark grayish brown (10YR 4/2) moist; massive; slightly hard, friable; about 30 percent gravel and 40 percent cobbles; visible secondary calcium carbonate occurring in thin seams and as coatings on undersides of cobbles; calcareous; moderately alkaline; clear wavy boundary.

11C2—17 to 60 inches: very gravelly sand; massive; soft, very friable; calcareous with thin coatings of calcium carbonate on undersides of coarse fragments in upper part of the horizon; moderately alkaline.

Depth to calcareous material ranges from 6 to 20 inches. Depth to unconformable sand and gravel ranges from 11 to 20 inches. Content of rock fragments ranges from 35 percent to about 70 percent in the solum.

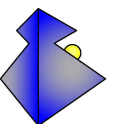
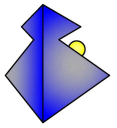


EXHIBIT J

Vegetation Information



CONEJOS COUNTY AREA, COLORADO

99

TABLE 6.--RANGE PRODUCTIVITY AND COMPOSITION--Continued

Soil name and map symbol	Range site	Potential production Kind of year	Production Dry weight lb/acre	Characteristic species	Compo- sition Pct
Bushvalley: 18: Touge part-----	Loamy park-----	Favorable Normal Unfavorable	3,000 2,500 1,500	Arizona fescue----- Parry oatgrass----- Mountain mully----- Rubber rabbitbrush----- Muttongrass-----	35 10 15 5 5
Corlett: 19: Corlett part-----	Sand hummocks-----	Favorable Normal Unfavorable	650 500 300	Fourwing saltbush----- Black greasewood----- Rubber rabbitbrush----- Alkali sacaton----- Indean ricegrass----- Inland saltgrass----- Sand mully-----	30 20 10 8 5 5 5
Hooper part-----	Salt flats-----	Favorable Normal Unfavorable	1,000 750 500	Alkali sacaton----- Black greasewood----- Inland saltgrass----- Rubber rabbitbrush-----	50 30 10 5
Cryaqualis: 110: Cryaqualis part-----	Mountain meadow-----	Favorable Normal Unfavorable	4,000 3,000 2,000	Tufted hairgrass----- Sedge----- Slender wheatgrass-----	40 22 10
Histosols part-----	Mountain meadow-----	Favorable Normal Unfavorable	4,000 3,500 3,000	Sedge----- Tufted hairgrass-----	65 15
Cumbras: 11-----	Foothill loam-----	Favorable Normal Unfavorable	1,500 1,000 700	Western wheatgrass----- Needleandthread----- Blue grama----- Rubber rabbitbrush----- Fourwing saltbush-----	40 15 5 5 5
Derrick: 12, 13-----	Mountain outwash-----	Favorable Normal Unfavorable	700 500 300	Blue grama----- Indian ricegrass----- Winterfat----- Ring mully----- Bottlebrush squirreltail----- Western wheatgrass----- Sand dropseed----- Red threeawn----- Rabbitbrush----- Broom snakeweed----- Fourwing saltbush-----	25 15 10 10 5 5 5 5 5 5 5

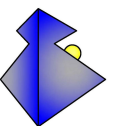


TABLE 6.--RANGE PRODUCTIVITY AND COMPOSITION--Continued

Soil name and map symbol	Range site	Potential production Kind of year	Potential production	Characteristic species	Composition
			Dry weight lb/acre		
Dunali: 115: Dunali part-----	Mountain outwash-----	Favorable Normal Unfavorable	600 450 300	Blue grama----- Bottlebrush squirreltail----- Rabbitbrush----- Indian ricegrass----- Sand dropseed----- Western wheatgrass----- Needleandthread----- Red threeawn----- Fringed sagebrush-----	25 15 15 10 10 5 5 5
Lemanga part-----	Salt meadow-----	Favorable Normal Unfavorable	2,500 2,000 1,500	Alkali sacaton----- Western wheatgrass----- Slender wheatgrass----- Sage----- Rush-----	50 15 15 5 5
Empedrado: 116: Empedrado part--	Rocky foothills-----	Favorable Normal Unfavorable	1,600 1,200 800	Western wheatgrass----- Needleandthread-----	40 15
Curecanti part--	Rocky foothills-----	Favorable Normal Unfavorable	1,000 850 600	Arizona fescue----- Mountain muhly----- Indian ricegrass----- Muttongrass----- Scribner's needlegrass----- Sand dropseed----- Prairie junegrass----- Bottlebrush squirreltail----- Needleandthread	20 10 10 10 8 5 5 5 5
Oarteta: 17, 18-----	Limy bench-----	Favorable Normal Unfavorable	800 600 400	Winterfat----- Fourwing saltbush----- Fringed sagebrush----- Indian ricegrass----- Blue grama----- Rubber rabbitbrush-----	30 15 10 10 10 5
Graypoint: 19, 20-----	Mountain outwash-----	Favorable Normal Unfavorable	800 550 300	Blue grama----- Indian ricegrass----- Bottlebrush squirreltail----- Winterfat----- Western wheatgrass----- Sand dropseed----- Ring muhly----- Fourwing saltbush----- Rabbitbrush----- Broom snakeweed	25 15 10 10 5 5 5 5 5 5
21-----	Salt meadow-----	Favorable Normal Unfavorable	1,800 1,500 1,000	Alkali sacaton----- Sage----- Mat muhly----- Rush----- Black greasewood-----	60 10 5 5 5
Hopper: 22-----	Salt flats-----	Favorable Normal Unfavorable	500 350 250	Black greasewood----- Inland saltgrass----- Rubber rabbitbrush-----	85 5 5
23-----	Salt flats-----	Favorable Normal Unfavorable	1,000 750 500	Alkali sacaton----- Black greasewood----- Inland saltgrass----- Rubber rabbitbrush-----	50 30 10 5

See footnote at end of table.

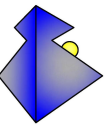
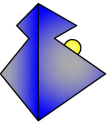


EXHIBIT K

Climate Information



Summit Engineering
719-589-6147
Alamosa, CO

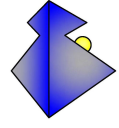
Job Number: 1707122CE

TABLE 1.--TEMPERATURE AND PRECIPITATION DATA

Month	Temperature ¹					Precipitation ¹		
	2 years in					2 years in 10		
	Average daily maximum	Average daily minimum	Average daily	Maximum temperature higher than--	Minimum temperature lower than--	Average number of growing degree days ²	Less than--	More than--
	of	of	of	of	of	In	In	In
January----	37.0	1.2	19.1	56	-26	0	.02	.46
February----	41.9	7.2	24.6	61	-19	15	.06	.43
March-----	49.5	15.9	32.7	69	-9	28	.11	.46
April-----	59.0	23.4	41.2	74	5	105	.15	.71
May-----	68.8	32.6	50.7	83	16	332	.35	1.13
June-----	77.6	40.8	59.2	89	27	576	.10	.94
July-----	81.7	45.5	63.6	90	35	732	.84	2.00
August-----	79.5	43.5	61.5	88	30	667	.63	2.09
September--	74.3	35.7	55.0	86	19	450	.11	1.30
October----	64.5	25.5	45.0	79	6	176	.20	1.26
November---	49.6	13.4	31.5	68	-11	41	.05	.62
December---	38.7	3.7	21.2	59	-23	22	.03	.52
Year-----	60.2	24.0	42.1	91	-27	3,144	6.04	9.59

¹Recorded in the period 1952-74 at Manassa, CO.

²A growing degree day is an index of the amount of heat available for plant growth. It can be calculated by adding the maximum and minimum daily temperatures, dividing the sum by 2, and subtracting the temperature below which growth is minimal for the principal crops in the area (40° F.).



Summit Engineering
719-589-6147
Alamosa, CO

Job Number: 1707172CE

TABLE 2.--FREEZE DATES IN SPRING AND FALL

Minimum temperature ¹	Probability		Last freezing temperature in spring:			First freezing temperature in fall:		
	24° F	28° F	32° F	or lower	or lower	or lower	or lower	or lower
	May 30	June 9	June 22	1 year in 10 later than--	2 years in 10 later than--	5 years in 10 later than--	1 year in 10 earlier than--	2 years in 10 earlier than--
	May 24	June 4	June 18	1 year in 10 later than--	2 years in 10 later than--	5 years in 10 later than--	1 year in 10 earlier than--	2 years in 10 earlier than--
	May 12	May 26	June 9	1 year in 10 later than--	2 years in 10 later than--	5 years in 10 later than--	1 year in 10 earlier than--	2 years in 10 earlier than--
	September 27	September 17	September 30	1 year in 10 earlier than--	2 years in 10 earlier than--	5 years in 10 earlier than--	1 year in 10 earlier than--	2 years in 10 earlier than--
	September 18	September 9	August 30	1 year in 10 earlier than--	2 years in 10 earlier than--	5 years in 10 earlier than--	1 year in 10 earlier than--	2 years in 10 earlier than--
	September 13	September 3	August 13	1 year in 10 earlier than--	2 years in 10 earlier than--	5 years in 10 earlier than--	1 year in 10 earlier than--	2 years in 10 earlier than--
	September 3	August 23	August 3	1 year in 10 earlier than--	2 years in 10 earlier than--	5 years in 10 earlier than--	1 year in 10 earlier than--	2 years in 10 earlier than--

¹Recorded in the period 1952-74 at Kanassa, CO.

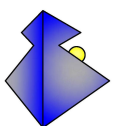
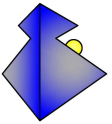


EXHIBIT L

Reclamation Costs

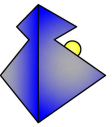


Summit Engineering
719-589-6147
Alamosa, CO

Job Number: 1707122CE

Reclamation Costs

Mobilization/ Demobilization for bulldozer, grader, and UTV attached mechanical seeding/mulching equipment		\$2,000
Grading and shaping	\$500/Ac	\$2,500
Top Soil application	\$500/Ac	\$2,500
Seed and straw mulch	\$100/Ac	\$ 500
Seeding and mulching	\$800/Ac	\$4,000
Total cost for each phase		\$11,500
Cost per Acre		\$ 2,300





San Luis Valley Federal Bank

A Mutual Bank serving the Valley since 1899

IRREVOCABLE LETTER OF CREDIT

The San Luis Valley Federal Bank Bank of
Street: 401 Edison Avenue
City: Alamosa
State: Colorado Zip Code: 81101
Area Code: 719 Telephone: 589.8800

Beneficiary:

LETTER OF CREDIT NUMBER: 2014-03

STATE OF COLORADO Amount U.S. \$24,407.62
MINED LAND RECLAMATION BOARD Date of Issuance: 7/11/14
215 CENTENNIAL BUILDING Initial Expiration Date: 7/11/15
1313 SHERMAN STREET
DENVER, COLORADO 80203

Applicant: Robins Construction, LLLP

Street: 8412 State Highway 285

City: Antonito

State: CO Zip Code: 81120

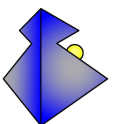
Area Code: 719 Telephone: 376.2351

Gentlemen:

We hereby issue and establish our irrevocable letter of credit, the amount of which is available by beneficiary's draft or drafts drawn upon us, which shall be paid at sight, when accompanied by the following document:

A written statement of the Director ("the Director") of the Division of Reclamation, Mining and Safety of the State of Colorado ("the Division") certifying that he is a duly authorized official acting on behalf of the State of Colorado and that the amount of the accompanying sight draft is due and payable to the State of Colorado pursuant to applicable provisions of Colorado statutes governing mined land reclamation and that Robins Construction, LLLP or its successor has neglected, failed, or refused to pay such

amount although requested to do so by the Director.



401 Edison Ave. ♦ P.O. Box 780
Alamosa, CO 81101-0780
Phone: (719) 589-6653
Surveying & Engineering
719-589-6147
Alamosa, CO

330 Solar Ave. ♦ P.O. Box 248
Monte Vista, CO 81144-0248
Phone: (719) 852-5991
Job Number 1505122CE
Fax: (719) 852-3845

E-mail: slvfed@slvfed.com ♦ www.slvfed.com

3415 Mariposa ♦ P.O. Box 780
Alamosa, CO 81101-0780
Phone: (719) 587-4033
Fax: (719) 587-3545


Each sight draft so drawn and presented shall be honored by us if presented prior to the close of business on the expiration date of this letter of credit. The Bank shall make a payment by wire transfer to the Beneficiary. This credit refers to Robins Construction, LLP's application for a permit to engage in mining and reclamation activities within the State of Colorado.

It is an express condition of this letter of credit that it shall be automatically extended for successive additional periods of one year each, from the initial and each future expiration date unless the San Luis Valley Federal Bank Bank of ("the Bank") shall notify the Director at least 90 days prior to an expiration date in writing by certified mail, at the above address, that the Bank elects not to extend the credit for such additional period. In such event, in addition to his power to draw hereon under the preceding paragraphs, the Director may draw the full or any lesser amount hereof at any time prior to such expiration date by sight draft, or drafts, accompanied by the written statement of the Director certifying that the amount drawn will be held as a cash deposit in lieu of financial warranty, as provided in applicable Colorado statutes governing mined land and reclamation.

The original signed letter of credit and any amendments will be presented to the Bank by the beneficiary along with any draft presented pursuant to this letter of credit, and will be surrendered to the Bank with any draft which draws the full amount, or the balance remaining available, under this letter of credit. Delivery of the original letter of credit, sight draft(s) and all other documents required as a condition precedent for payment, may be made by overnight courier to the Bank. Each payment on a draft shall reduce the aggregate above written amount by the amount drawn.

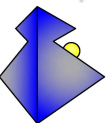
This Letter of Credit is subject to Uniform Customs and Practice for Documentary Credits (2007 Revision), International Chamber of Commerce – Publication No. 600 (the "UCP600") and shall be governed by the laws of the State of Colorado with respect to subject matters not addressed by the UCP600. In the event of an action between the beneficiary and the Bank regarding this letter of credit, the bank submits to the jurisdiction and venue of the Denver District Court, State of Colorado. The Bank agrees to accept service of process in any such action, if service is made by registered or certified mail (return receipt requested) or courier service, postage or delivery fee prepaid, to the address of the Bank set forth above.

If any expiration date specified herein shall fall upon a day other than a regular business day of the Bank, the expiration date shall ipso facto be extended to the close of business on the next successive business day of the Bank.

The San Luis Valley Federal Bank Bank of
By  Date 7-11-14
Shon R. Davis, Chief Operating Officer

- NOTES:
1. The Letter of Credit shall not be in excess of 10 percent of the bank's capital surplus account or in excess of 30 percent if the applicant has more than one Letter of Credit for different permits. To demonstrate this requirement, the issuing bank shall provide a balance sheet certified by a Certified Public Accountant. Generally, this is available in the Bank's most recent Annual Report or Call Report.
 2. The Letter of Credit shall be submitted on the Bank's letterhead.
 3. The Mined Land Reclamation Board or the Office of Mined Land Reclamation may recover the necessary costs, including attorney's fees or fees incurred in foreclosing on or realizing the collateral used in the event this Letter of Credit is forfeited. The face amount of this Letter of Credit shall be increased by five hundred dollars (\$500.00) to cover these costs.

M:\min\share\boardforms\UOC bnd final with UCP600 language (3/12/08)



OBSERVATIONS

This inspection occurred as part of the Division's review process of a transfer of permit (SO-02) for Robins Construction as successor operator. Robins Construction recently purchased the property of the affected lands and is preparing the application for SO-02, to be submitted to the Division in the immediate future. The Valdez Gravel Mine is approved for 30 acres affected land for the extraction and processing of construction materials, as well as the production of concrete and asphalt products. Affected lands will be reclaimed to support rangeland post mining land use. The Division holds \$24,407.62 financial warranty.

Mining activities were active during the inspection. Several bulldozers were grading the pit floor in preparation for the concrete batch plant and asphalt hot mix plant. The batch plant and hot mix plant had been reviewed and approved by Conejos County and the Division (TR-02). Two impoundments had been excavated on the pit floor and prepared for installation of the geosynthetic membranes. The impoundments were rectangular shaped with approximate 3H:1V slopes and 10 feet deep. The impoundments were dry; evidence of ground water being exposed during the pond construction was not observed. Once the liners are installed the ponds will be utilized to support the production of concrete and asphalt products. The site appeared well maintained and stable. Site conditions were similar to those observed during the Division's previous inspection, occurring on November 19, 2013, with the exception of the preparations for the concrete and asphalt plants.

The Division's recent reclamation cost estimation, totaling \$24,407.62, was conducted on March 19, 2014. Current site conditions and reclamation liabilities appeared similar as those addressed in the Division's cost estimation dated March 19, 2014. Therefore, the existing \$24,407.62 financial warranty is sufficient to ensure the completion of reclamation.

Inspection Contact Address

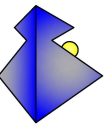
Demetrio and Olive Valdez
Valle Escondido Ranch
P O Box 84
Conejos, CO 81129

ec: Demetrio and Olive Valdez, Valle Escondido Ranch, valdezgravel@aol.com;

Randy Robins, Robins Construction, info@robinsconstruction.com; and

Scott Johnson, Summit Engineering, scott4622@gmail.com

Russ Means, DRMS GIFO at russ.means@state.co.us



STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY Department of Natural Resources

1313 Sherman St., Room 215
Denver, Colorado 80203
Phone: (303) 868-3567
FAX: (303) 832-8106



PERFORMANCE WARRANTY

Operator:

Operation:

Permit Number:

Robins Construction LLC
Robins Consolidated Pit
M-1991-133

This form has been approved by the Mined Land Reclamation Board ("Board") pursuant to the Mined Land Reclamation Act (C.R.S. § 34-32-101 et seq.) ("Hard Rock Act") and associated Rules (2 C.C.R. 407-1) ("Hard Rock Rules") and the Land Reclamation Act for the Extraction of Construction Materials (C.R.S. § 34-32-5-101 et seq.) ("Construction Materials Act") and associated Rules (2 C.C.R. 407-4) ("Construction Materials Rules"). Any alteration or modification of this form, without approval by the Board shall result in the performance warranty being invalid and result in the voiding of any permit issued in conjunction with such invalid performance warranty and subject the operator to cease and desist orders and civil penalties for operating without a permit pursuant to sections 34-32-123, C.R.S. of the Hard Rock Act and 34-32-5-123, C.R.S. of Construction Materials Act.

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, the Colorado Mined Land Reclamation Act, C.R.S. § 34-32-101 et seq. (the "Hardrock Act"), as amended, and the Colorado Land Reclamation Act for the Extraction of Construction Materials, C.R.S. § 34-32-5-101 et seq. (the "Construction Materials Act"), as amended (collectively the "Acts"), provide that no permit may be issued until the Mined Land Reclamation Board (the "Board") receives a performance warranty consisting of the Operator's written promise to comply with the requirements of the Hardrock or Construction Materials Act, whichever is applicable.

WHEREAS, _____ (the "Operator"), has applied for a permit to conduct a mining operation known as _____ (the "Operation") on certain lands in CANON County, Colorado. These lands are described in the permit application, as amended and supplemented, and are referred to herein as the "Affected Lands."

WHEREAS, in its application for the permit, the Operator has agreed to be bound by all requirements of the Hardrock or Construction Materials Act and all applicable rules and regulations of the Board, as amended from time to time.

WHEREAS, the Operator hereby gives the Board this performance warranty pursuant to C.R.S. §§ 34-32-117(2) or 34-32.5-117(2), and herein promises the Board that it will comply with all applicable requirements of the Hardrock or Construction Materials Act.

NOW, THEREFORE, The Operator hereby promises the Board that it will comply with all applicable requirements of the Hard Rock or Construction Materials Act and applicable rules and regulations of the Board.

The Operator hereby promises the Board that it will comply with all of the terms of the application for a permit, as amended and supplemented, as well as any conditions attached to the permit by the Board.

The Operator promises the Board, pursuant to C.R.S. §§ 34-32-112(1)(d) or 34-32.5-112(1)(b)(IV), that it has the lawful authority to enter upon the Affected Lands to conduct mining operations, including, but not limited to, reclamation. The Operator further recognizes the right of the Board to enter to reclaim lands affected by the Operation.

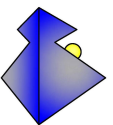
The description of lands herein is for convenience of reference only, and no error in such description, revision of the permitted mining area, or disturbance by the Operator of lands outside of the permitted mining area shall alter or diminish the Operator's obligation hereunder, which shall extend to the reclamation of all such lands disturbed.

The obligation of the Operator hereunder is such that, if the Operator shall successfully comply with the requirements of the Hardrock or Construction Materials Act, applicable rules and regulations, and the permit, then the Board, upon a finding that the Operator has so complied, shall release this performance warranty, and the Operator from its obligation hereunder. The obligation of the Operator hereunder shall continue until released by the Board in accordance with applicable law.

The Operator promises to be responsible for the cost of reclamation up to the amount established by the Board and has attached hereto its financial warranty, in accordance with C.R.S. §§ 34-32-117(3) or 34-32.5-117(3). The Operator agrees that it will maintain a financial warranty (or warranties) covering the Board's estimated costs of reclamation in good standing for the entire life of the permit. If the Operator is a unit of County or Municipal government, or is a department or division of State government, the Operator is not required to submit or post any other instrument of financial responsibility but hereby promises to be responsible for the cost of reclamation up to the amount specified by the Board.

If the Board determines that the Operator is in default under this performance warranty and has failed to cure such default, although written notice of such default and ample time to cure such default have been given, the Operator's financial warranty shall be subject to forfeiture.

This performance warranty may be executed in multiple copies, each of which shall be treated as an original, but together they constitute only one agreement, the validity and interpretation of which shall be governed by the laws of the State of Colorado. The provisions hereof shall bind and inure to the benefit of the parties hereto and their successors and assigns.



SIGNED, SEALED AND DATED this 7 day of July, 2014.

Robins Construction L.L.C. P.
Operator (SEAL)

By: Randall L. Robins

Title: General Partner

NOTARIZATION OF OPERATOR'S ACKNOWLEDGEMENT

STATE OF Colorado)
COUNTY OF Conchos) ss.:

The foregoing instrument was acknowledged before me this 7th day of July, 2014
by Randall L. Robins as General Partner of Robins Construction L.L.C.P.

Notary Public Bart Sowards
My Commission Expires 2-8-15



STATE OF COLORADO
DEPARTMENT OF NATURAL RESOURCES
MINED LAND RECLAMATION BOARD
DIVISION OF RECLAMATION, MINING AND SAFETY

By: _____ Date Executed: _____
Division Director

Rev. 05/12

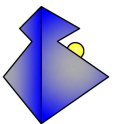
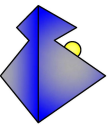


EXHIBIT M

Other Permits and Licenses



Summit Engineering
719-589-6147
Alamosa, CO

Job Number: 1707122CE



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

May 22, 2014

Demetrio and Olive Valdez
Valle Escondido
P.O. Box 84
Conejos, CO 81129

RE: Approval of TR-02, Valdez Gravel Mine, Permit No. M-1991-133

Dear Mr. and Mrs. Valdez:

On May 20, 2014, the Division received an electronic copy of TR-02, addressing a portable hot mix asphalt plant and portable concrete batch plant, both to be located within the pit area. On May 22, 2014, the Division received the \$216 review fee and deemed the application complete for the purposes of filing.

The pit area is incised and exhibits internal drainage. The floor of the pit area is above the elevation of the water table. The proposed revision appears compliant with the applicable requirements of Rule 3.1.6, which requires the operation be conducted in a manner which minimizes impacts to the prevailing hydrologic balance. The revision documents include a copy of Conejos County Resolution No. 2014-AR1, approving the operation for the production of asphalt and concrete products. The County resolution clarifies the proposed use will be protective of surface and ground water resources.

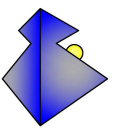
On May 22, 2014, the Division completed its review of the revision and approved TR-02. There is no adjustment to the financial warranty resulting from TR-02.

Sincerely,


Wallace H. Erickson
Environmental Protection Specialist

Ec: Demetrio and Olive Valdez, Valle Escondido;
Linda DeHerrera, Conejos County Land Use Administrator;
Randy Robins, Robins Construction;
Scott Johnson, Summit Engineering; and
Russ Means, DRMS GJFO

1313 Sherman Street, Room 215, Denver, CO 80203 P 303.866.3567 F 303.832.8106 <http://mining.state.co.us>
John W. Hickenlooper, Governor | Mike King, Executive Director | Virginia Brannon, Director



Summit Engineering
719-589-6147
Alamosa, CO

Job Number: 1707122CE



CONEJOS COUNTY RESOLUTION NUMBER C-2013-006

**A RESOLUTION FOR A SPECIAL USE PERMIT
RANDALL & LOU ANN ROBINS
MINING and ASPHALT HOT MIX AND CONCRETE BATCH PLANT**

WHEREAS, Randall and Lou Ann Robins heretofore submitted an application for the purpose of a Zone Change from Rural to Industrial, and

WHEREAS, Randall and Lou Ann Robins heretofore submitted an application for a Special Use Permit for a Mining Operation and an Asphalt Hot Mix and Concrete Batch Plant on the real property hereinafter more particularly described as follows:

Tract 2 Quinlan/Robins Division of Land Located within the West Half of the Northeast Quarter of Section 31; Township 33 North; Range 9 East of the NMPM; Conejos County, Colorado.

WHEREAS, a public hearing was held before the Conejos County Planning Commission on January 30, 2013 and February 14, 2013, upon proper notice to adjoining land owners and publication in a legal newspaper of general circulation in the County of Conejos and thereafter the Planning Commission recommended approval of the Mining Operation and Asphalt Hot Mix and Concrete Batch Plant, and

WHEREAS, a public hearing was held before the Conejos County Board of County Commissioners on Friday, February 15, 2013, upon proper notice to adjoining land owners and publication in a legal newspaper of general circulation in the County of Conejos; and

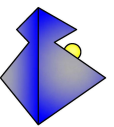
WHEREAS, a hearing was duly conducted by the members of the Board of Conejos County Commissioners at which hearings interested persons were given an opportunity to be heard; and

WHEREAS, the members of the Board of Conejos County Commissioners have concluded that the application for the Zone Change from a Rural to Industrial be denied as the Planning Commission did not make a recommendation, and

WHEREAS, the members of the Board of Conejos County Commissioners have concluded that the a Special Use Permit for a Mining Operation and Asphalt Hot Mix and Concrete Batch Plant is granted; now therefore, be it

RESOLVED, the real property, which is the subject of the Special Use Permit for a Mining Operation and Asphalt Hot Mix and Concrete Batch Plant, is legally described as follows:

Tract 2 Quinlan/Robins Division of Land Located within the West Half of the Northeast Quarter of Section 31; Township 33 North; Range 9 East of the NMPM; Conejos County, Colorado.



RESOLVED, that the Randall and Lou Ann Robins Special Use Permit for a Mining Operation and Asphalt Hot Mix and Concrete Batch Plant is hereby granted with the following conditions:


1. The mining operation will take place with excavation beginning from the southern boundary of the property first and will move to the north.
2. The Mining Operator shall not impede or impair the delivery of irrigation water the adjacent landowner is entitled to receive.
3. A copy of the recorded deed shall be provided to the Land Use Office.
4. The mining operation shall commence upon issuance of a mining permit by the Colorado Division of Reclamation Mining and Safety.
5. No mining operations on Sundays and major holidays with the exception of situations that may result in threat to life or property.
6. The Operator shall make all road improvements of County Road 12.5 east from the property to Highway 285.
7. The Special Uses granted must conform to all requirements of Conejos County Land Use Code, Article 5 – Permits, Division 5.5, Standards of Approval.
8. The Land Use Administrator shall annually review the permitted use for compliance with the conditions set. The review shall take place each year during the month of February.

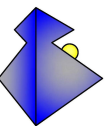
APPROVED on Motion of Commissioner John Sandoval, Second by Commissioner Mitchell Jarvies, and passed on a vote of 3 for and 0 against on the 15th day of February 2013.

THIS RESOLUTION WAS CONSIDERED, DISCUSSED AND ADOPTED ON THE 7th DAY OF March 2013 AT A MEETING OF THE BOARD OF CONEJOS COUNTY COMMISSIONERS AT WHICH A MAJORITY OF THE MEMBERS WERE PRESENT.

ATTEST:


Lawrence Gallegos
Clerk & Recorder


Steven McCarroll, Chairman



- MINING (PERMITS) -

**Air Pollutant Emission Notice (APEN) – and – Application for Construction Permit
– and – Fugitive Particulate Emissions Control Plan**

☐ New Facility ☐ Transfer of Ownership ☐ Change in Production ☒ No Change Air Permit Existing
All sections of this APEN and application must be completed prior to submitting to the Division for both new and existing facilities. An application with missing information may be determined incomplete and may result in longer engineering processing times.

* New Transfer of ownership or company name change of a permit, you must also submit a Construction Permit Application form.

Permit Number	0475, 2016, XI*	AIRS Number	
Company Name	Robins Construction	Company Location	
Facility Name	Robins Portable	Company Location	
Facility Location	3113 County Rd D 3	Company Location	
Billing Address	P O BOX 212 Antonito CO	Zip Code	81120
Person in Contact:	Barndt Robins Mike Rippet	Phone Number:	719.576.2122
E-Mail Address:	br602@robinsconstruction.com	Fax Number:	719.576.2841

Please print the description of the activity: (Also, please provide a site map)
We are a small sand and gravel operation that produces about 14,000 to 18,000 tons of material per year

If facility is NOT yet constructed
What is the projected start-up date?

Normal Operation of this Source
8 Hours per day 3 Days per week 20 Weeks per year

Seasonal Throughput (% of Annual)

Dec - Feb	12%	Mar - May	31%	June - Aug	45%	Sept - Nov	10%
-----------	-----	-----------	-----	------------	-----	------------	-----

Estimated Maximum Annual Production 14,000 Tons Per Year
Continuously Produced (Please be consistent with the Division of Minerals and Geology permit)

- ☒ Aggregate Sand and Gravel
☐ Stone
☐ Coal
☐ Minerals or Metals
☐ Other

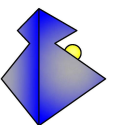
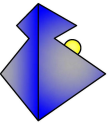


EXHIBIT N

Source of Legal Right-To-Enter



Summit Engineering
719-589-6147
Alamosa, CO

Job Number: 1707122CE

Robins Consolidated Pit

Grant Access

05/21/2014

We, the undersigned, Randall L. Robins and Lou Ann Robins, do hereby grant access to Robins Construction LLP at the property described at Reception Number 0448 in the Office of the Conejos County Clerk and Recorder.

Further, we understand and acknowledge that Robins Construction LLP will be the operator of the Sand and Gravel mining operation and will also operate, or cause to have operated, concrete batch plant(s) and asphalt hot mix plant(s) at this location with the attendant truck and heavy equipment traffic generated.

Randall L. Robins
July 20, 2017

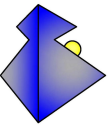
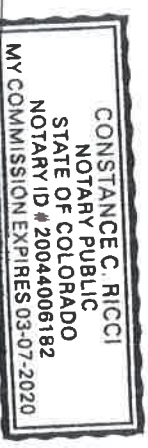
Lou Ann Robins
July 20, 2017

State of Colorado

County Conejos

The foregoing instrument was acknowledged before me
this 20th day of July, 2017.

3/7/20
exp. 8 Commission

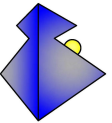


Summit Engineering
719-589-6147
Alamosa, CO

Job Number: 1707122CE

EXHIBIT O

Owners of Record of Affected Land (Surface Area) And Owners of Substance to Be Mined



**Summit Engineering
719-589-6147
Alamosa, CO**

Job Number: 1707122CE

WARRANTY DEED

THIS DEED, Made this 23rd day of May, 2014, by Demetrio A. Valdez and Olive K. Valdez, of the County of Conejos and State of Colorado, of the First Part, and Randall Robins and Lou Ann Robins, whose legal address is P.O. Box 212, Antonio, Colorado 81120, of the Second Part:

WITNESSETH, that the said Parties of the First Part, for and in consideration of an Agreement between the parties, to the said Parties of the First Part in hand delivered by the said Party of the Second Part, the receipt whereof is hereby confessed and acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm unto the said Party of the Second Part, its heirs and assigns forever, all the following described lot or parcel of land, situate, lying and being in the County of Conejos and State of Colorado, to wit:

Add. Bk
Appt. G
Folder
Sales
Plat: Bk
Computer
1) Sales
2) Adm.
3) Cana

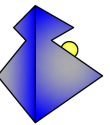
The Consolidated Pit Purchase Tract as shown on the Plat of the Robins Construction Pit Purchase, recorded May 21, 2014, under Reception No. 0448 in the records of the Conejos County Clerk and Recorder, described by metes and bounds on the attached Exhibit A.

TOGETHER with all and singular the hereditaments, appurtenances and water rights thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the said Parties of the First Part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

RESERVING UNTO GRANTOR easements for access to the balance of Grantor's property over that property herein conveyed as shown on the Plat of the Robins Construction Pit Purchase, recorded May 21, 2014, under Reception No. 0448 in the records of the Conejos County Clerk and recorder, described by metes and bounds on the attached Exhibit B.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the said Party of the Second Part, its successors and assigns forever. And the said Parties of the First Part, for themselves, their heirs, executors, and administrators do covenant, grant, bargain and agree to and with the said Party of the Second Part, its successors and assigns, that at the time of the executing and delivery of these presents they are well seized of the premises above conveyed, have good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and have good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments and encumbrances of whatever kind or nature soever, except subject to those matters of record and 2014 real estate taxes

and the above bargained premises in the quiet and peaceable possession of the said Party of the Second Part, its successors and assigns, against all and every person or persons lawfully claiming



or to claim the whole or any part thereof, the said Parties of the First Part shall and will
WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF the said Parties of the First Part have hereunto set their hands
and seals the day and year first above written.

Demetrio A. Valdez
Demetrio A. Valdez

Olive K. Valdez
Olive K. Valdez

STATE OF COLORADO)
COUNTY OF Conajas) ss.

The foregoing instrument was acknowledged before me this 23rd day of May, 2014,
by Demetrio A. Valdez and Olive K. Valdez.

My commission expires: 2-8-15

Witness my hand and official seal.

Bart Sowards
Notary Public
Address: Conajas, CO 81129



WHEN RECORDED RETURN TO:

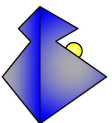


EXHIBIT A

CONSOLIDATED PTT PURCHASE TRACT

A 66.213 Acre Tract of land situated in the NE ¼ Section 31 and the NW ¼ Section 32, T.33 N., R.9 E., N.M.P.M., Conejos County Colorado, and more particularly described as follows;

Beginning at the Northwest Corner of said Section 32, a 3¼" diameter aluminum tablet stamped "Summit PLS 14840" and affixed to a ¾" diameter steel bar 30" in length set firmly in the ground in an existing 4 strand barbed wire fence as shown on the plat of the Quinlan-Robins Division of land at reception number 12000046 filed in the office of the Conejos County Clerk and Recorder;

Thence N 89°43'36" E along the North line of said Section 32 a distance of 931.63 feet to an angle point;

Thence S 34°11'54" E a distance of 363.29 feet to an angle point;

Thence N 89°48'00" E a distance of 538.31 feet to an angle point;

Thence S 32°54'51" W a distance of 1,432.66 feet to an angle point;

Thence S 89°48'00" W a distance of 1044.00 feet to a point on an existing 4 strand barbed wire fence, said fence being co-linear with an existing 1 phase overhead electrical power line;

Thence S 53°14'16" W a distance of 247.56 feet to an angle point;

Thence S03°57'31" W a distance of 921.56 feet to a point;

Thence S 89°39'24" W a distance of 913.46 feet to a point on the East line of Tract 2 of said Quinlan-Robins Division of Land Plat, and from whence the Center-East 1/16th corner, a 3¼" diameter aluminum tablet stamped "Davis PLS 36003" and affixed to a ¾" diameter steel bar 30" in length set firmly in the ground bears S 00°06'53" E a distance of 100.00 feet;

Thence N 00°06'53" W along the said East line of Tract 2 of the Quinlan-Robins Division of Land a distance of 923.38 feet;

Thence N 89°54'52" E a distance of 895.21 feet to an angle point;

Thence N 53°14'16" ^(W) a distance of 357.72 feet to and angle point, and a point on the said existing 4-strand, barbed wire fence being co-linear with the said 1-phase overhead electrical power line;

Thence N 03°57'31" E along said existing 4-strand, barbed wire fence and 1-phase overhead electrical power line a distance of 1,438.05 feet to a point on the North line of said Section 31;

Thence N 89°55'31" E along the North line of said Section 31 a distance of 44.74 feet to the Point of Beginning and containing 66.213 Acres, more or less.

MSN
Dg SW

AK
K

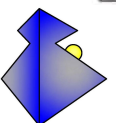


EXHIBIT B

ACCESS EASEMENT DESCRIPTION

Beginning at the Northeast corner of a strip of land 30 feet in width, a point on the north line of said Section 31, from whence the NE Corner of said Section 31, T.33N., R.9E., N.M.P.M. bears N 89°55'31" E a distance of 14.67 feet;

Thence S 03°57'01" ^N~~W~~E along a line east of, and parallel to, said existing 4-strand, barbed wire fence co-linear with a 1-phase overhead electrical power line a distance of 1,503.95 feet to the southeast terminus of said 30 foot wide access easement;

Thence S 89°48'00" W along the southerly terminus of said 30 foot wide access easement a distance of 30.09 feet to the southwest corner of said easement;

Thence N 03°57'01" ^N~~W~~E along the westerly line of said easement, being co-linear with the said 4-strand, barbed wire fence and 1-phase overhead electrical power line a distance of 1,504.01 feet to the northwest corner of said easement and a point on the north line of said Section 31;

Thence N 89°55'31" ^N~~W~~E along the said North line of Section 31 a distance of 30.07 feet to the Point of Beginning.

DR *DR*

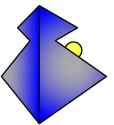
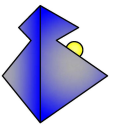


EXHIBIT P

Municipalities Within Two Miles



Summit Engineering
719-589-6147
Alamosa, CO

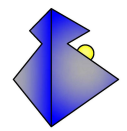
Job Number: 1707122CE

71

*Mining Pit Permit
Robins Construction, LLP*

I. Town of Antonito
307 Main Street
Antonito, CO 81120
719-376-2355

Prepared By: Summit Engineering Co



Job Number: 4805
Summit Engineering
719-589-6147
Alamosa, CO

Job Number: 1707122CE



Follow-up to recent phone communications, Robins Construction

Erickson - DNR, Wally <wally_erickson@state.co.us>

Thu, May 1, 2014 at 11:19 AM

To: RANDY ROBINS <randy@robinsconstruction.com>, Info <info@robinsconstruction.com>, Scott Johnson <scott4622@gmail.com>

Cc: Russ Means - DNR <russ.means@state.co.us>, shad.peabody@skanska.com

Randy and Scott:

Herein I attempt a follow-up to recent phone communications and address outstanding questions. I'm also attempting to include Shad Peabody, Skanska, but I'm guessing at his email address.

Regarding the procurement of Valdez Gravel Mine, M-1991-133:

- Congratulations. The existing 112c permit is approved for 30 acres affected lands for the extraction of construction materials. The permit is not approved for asphalt plant, but could be revised through Technical Revision (TR) process to incorporate an asphalt plant. Ditto for concrete plant and both could be addressed under same TR, if the TR specifically includes both. The TR must be submitted in accordance with Rule 1.9, and with \$216 review fee. Please include a map showing the proposed location(s) of the processing facilities, located within the existing permit boundary. Generally, the Division defers to local government for location of asphalt and concrete plants (more of a zoning and land use issue than technical environmental issue). Therefore, Division review of the TR would be expedited if it included approval document from Conejos County. The permit is held by Demetrio Valdez and the permit may be revised only by the permittee. Therefore, the TR must be signed and submitted by the permittee. The Division will not accept any revision to the permit from Robins Construction until Robins transfers the permit and becomes the successor operator.

- There is an outstanding bond issue at the Valdez Gravel Mine. The Division currently holds \$16,465.41. The Division has recently reviewed current cost of reclamation totaling \$24,407.62. Deadline for providing the bond increase (\$7,942.21) is May 19, 2014. You have indicated your intent to pay the increase on Demetrio's behalf. Looks like you have two options; you can give the money to Demetrio and Demetrio must submit an updated Financial Warranty, OR you can submit a third party bond with Demetrio's cooperation. Please direct any/all questions for completion of bond forms to Barbara Coria, (303) 866-3567 extension 8148.

Regarding a proposed concrete and asphalt production facility on a nearby land parcel and not associated with any specific mining operation:

- Please submit your proposal in writing, with a map showing the location of the proposed facility and include a copy of the local government approval. The Division will review your written proposal and respond in writing.

Please let me know if I missed anything or if you still have questions.

Wally

—

Wally Erickson

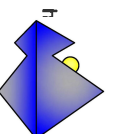
Environmental Protection Specialist

Durango Field Office

Summit Engineering

Job Number: 1707122CE

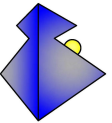
73



736-589-0147
Alamosa, CO

EXHIBIT Q

Proof of Mailing of Notices to County Commissioners And Conservation District



**Summit Engineering
719-589-6147
Alamosa, CO**

Job Number: 1707122CE

U.S. Postal Service® CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

ALAMOSA, CO 81101

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Sent To Conjoes County Bear Conservation		City, State, ZIP+4® Alamosa, NM 87810	
Street and Apt. No., or PO Box No. 1414 Mosh, 101 S. Craft			
Total Postage and Fees \$7.29			
Postage \$1.19			
<input type="checkbox"/> Adult Signature Restricted Delivery \$ <input type="checkbox"/> Adult Signature Requested \$ <input type="checkbox"/> Certified Mail Restricted Delivery \$ <input type="checkbox"/> Return Receipt (electronic) \$ <input type="checkbox"/> Return Receipt (hardcopy) \$ <input type="checkbox"/> Return Receipt (hardcopy) \$			
Extra Services & Fees (check box, add fee as appropriate) \$2.75			
Certified Mail Fee \$3.35			
Postmark Here 0721 03		07/19/2017	

7036 2720 0000 0349 9232

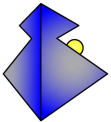
U.S. Postal Service® CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

CONEJOSE, NM 81129

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Sent To Conjoes Box 157		City, State, ZIP+4® Alamosa, NM 87810	
Street and Apt. No., or PO Box No. Box 157			
Total Postage and Fees \$7.29			
Postage \$1.19			
<input type="checkbox"/> Adult Signature Restricted Delivery \$ <input type="checkbox"/> Adult Signature Requested \$ <input type="checkbox"/> Certified Mail Restricted Delivery \$ <input type="checkbox"/> Return Receipt (electronic) \$ <input type="checkbox"/> Return Receipt (hardcopy) \$ <input type="checkbox"/> Return Receipt (hardcopy) \$			
Extra Services & Fees (check box, add fee as appropriate) \$2.75			
Certified Mail Fee \$3.35			
Postmark Here 0721 03		07/19/2017	

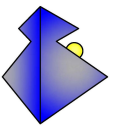


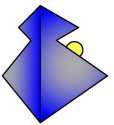
Summit Engineering
719-589-6147
Alamosa, CO

Job Number: 1707122CE

EXHIBIT R

Proof of Filing With County Clerk or Recorder





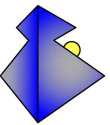
Summit Engineering
719-589-6147
Alamosa, CO

Job Number: 1707122CE

77

EXHIBIT S

Permanent Man Made Structures



Summit Engineering
719-589-6147
Alamosa, CO

Job Number: 1707122CE

An example Structure Agreement which meets the requirements of the Statutes is shown below.

Structure Agreement

This letter has been provided to you as the owner of a structure on or within two hundred (200) feet of a proposed mine site. The State of Colorado, Division of Reclamation, Mining and Safety ("Division") requires that where a mining operation will adversely affect the stability of any significant, valuable and permanent man-made structure located within two hundred (200) feet of the affected land, the Applicant shall either:

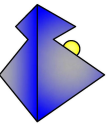
- a) Provide a notarized agreement between the Applicant and the Person(s) having an interest in the structure, that the Applicant is to provide compensation for any damage to the structure; or
- b) Where such an agreement cannot be reached, the Applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- c) Where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility. (*Construction Materials Rule 6.3.12 and Rule 6.4.19 & Hard Rock/Metal Mining Rule 6.3.12 and Rule 6.4.20*)

The Colorado Mined Land Reclamation Board ("Board") has determined that this form, if properly executed, represents an agreement that complies with Construction Materials Rule 6.3.12(a), Rule 6.4.19(a), and C.R.S. § 34-32.5-115(4)(e) and with Hard Rock/Metal Mining Rule 6.3.12(a), Rule 6.4.20(a), and C.R.S. § 34-32-115(4)(d). This form is for the sole purpose of ensuring compliance with the Rules and Regulations and shall not make the Board or Division a necessary party to any private civil lawsuit to enforce the terms of the agreement or create any enforcement obligations in the Board or the Division.

The following structures are located on or within 200 feet of the proposed affected area:

1. fence Common to Jacob Rogers
2. fence Common to Demetrio Valdez
3. Power Line owned by Xcel Energy
4. _____
5. _____

(Please list additional structures on a separate page)



CERTIFICATION

The Applicant, Robins Construction LLC (print applicant/company name),
by Randy Robins (print representative's name), as General Partner (print
representative's title), does hereby certify that Jacob Rogers (structure owner) shall
be compensated for any damage from the proposed mining operation to the above listed structure(s)
located on or within 200 feet of the proposed affected area described within Exhibit A, of the Reclamation
Permit Application for Robins Consolidated Pit (operation name),
File Number M-1991-133

*This form has been approved by the Colorado Mined Land Reclamation Board pursuant to its
authority under the Colorado Land Reclamation Act for the Extraction of Construction Materials and
the Colorado Mined Land Reclamation Act for Hard Rock, Metal, and Designated Mining Operations.
Any alteration or modification to this form shall result in voiding this form.*

NOTARY FOR PERMIT APPLICANT

ACKNOWLEDGED BY:

Applicant Robins Construction LLC Representative Name Randall K. Robins

Date July 24, 2017 Title General Partner

STATE OF Colorado)

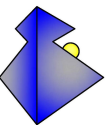
) ss.

COUNTY OF Garage)

The foregoing was acknowledged before me this 24th day of July, 2017, by
Randall K. Robins as General Partner of Robins Construction LLC.

Naomi Keys Notary Public My Commission Expires: April 8, 2019

NAOMI KEYS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19914004823
MY COMMISSION EXPIRES 04-08-2019



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner Public Service Co Name Melinda Lee

Date 7/25/2017 Title Sr. Agent

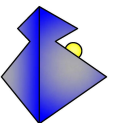
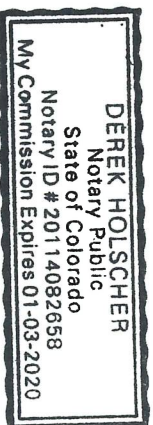
STATE OF Colorado)

) ss.

COUNTY OF Denver)

The foregoing was acknowledged before me this 25 day of July, 2017, by
Melinda Lee as Sr. Agent of Public Service Company
of Colorado

Derek Holscher Notary Public My Commission Expires: 1-3-2020



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner

Valle Escandida Ranch Name

Date

7/24/2017

Title

Deepest ally

STATE OF

Colorado)

COUNTY OF Denver) ss.

The foregoing was acknowledged before me this 24th day of

September A. Valdez as Owner

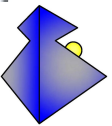
of Valle Escandida Ranch, 2017, by

Notary Public Naomi Keys

My Commission Expires:

April 8 2019

NAOMI KEYS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19914004823
MY COMMISSION EXPIRES 04-08-2019



Summit Engineering
719-589-6147
Alamosa, CO

Job Number: 1707122CE