



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

1313 Sherman Street, Room 215
Denver, CO 80203

December 8, 2017

Mr. Bill Schenderlein
Blue Earth Solutions, Inc.
P.O. Box 2427
Fort Collins, CO 80522

**Re: Connell Resources, Inc.; Harmony Windsor Site; File No. M-2017-056;
Receipt of Incomplete 110 Construction Materials Reclamation Permit Application
Package**

Mr. Schenderlein:

On November 29, 2017, the Division of Reclamation, Mining and Safety (Division/DRMS) received the 110 Construction Materials Reclamation Permit Application package for the Harmony Windsor Site, File No. M-2017-056. Preliminary review of the information received determined the following items must be received before the Division can consider the application as being submitted and technical review can begin:

Application Form

1. The Division requires the permit application list the exact company name registered with the Colorado Secretary of State, "Serfer Land Ventures, LLC."
 - a. Please revise the company name on Page 1, Item #1 on the application form, to indicate "Serfer Land Ventures, LLC."
 - b. Please revise the company name on the Applicant/Operator correspondence information section on Page 2 of the application form to indicate "Serfer Land Ventures, LLC."
 - c. Please revise the company name on the name of owner of the subsurface rights of the affected land and the name of owner of the surface of affected land sections on Page 3 of the application form to indicate "Serfer Land Ventures, LLC."
 - d. Please revise the company name on the Applicant/Operator or Company Name section and the notary section of the certification page, Page 8 of the application form, to indicate "Serfer Land Ventures, LLC."



2. Please revise the "Authorization Letter for Blue Earth Solutions, LLC" to indicate the exact company name registered with the Colorado Secretary of State office, "Serfer Land Ventures, LLC."
3. Please revise the "Property and Mining Site Access Agreement" to indicate the exact company name registered with the Colorado Secretary of State office, "Serfer Land Ventures, LLC."

6.3.7 Exhibit G - Source of Legal Right-to-Enter

4. The Division did not receive the second page, 2 of 2, of the Seller Affidavit as part of the permit application package. Please provide the Division a copy of page 2 of the Seller Affidavit submitted as the basis for legal right to entry to the site and to conduct mining and reclamation.

6.3.9 Exhibit I - Proof of Filing with County Clerk

5. Please provide an affidavit or receipt indicating the date on which the revised application pages in response to this letter were placed with the Weld County Clerk and Recorder.

The application will not be considered filed until the information listed above is received and found sufficient to begin our review. A decision date will be established 30 days from the date of receipt of all of the requested information. Additionally, if you have already published notice you will need to republish notice, after the Division considers the application submitted. Republication must occur once within ten (10) days of the submittal date. We will notify you when you should initiate republication of your notice. The final date for receiving comments is ten (10) days after the date of publication or the next regular business day.

You have sixty (60) days from the above date to submit all necessary documents that the Office needs for an application to be considered filed. If, at the end of the sixty day period, the application has not been determined to be filed with the Office, the Office shall deny the application and terminate the application file.

The response due date is February 6, 2018.

This letter shall not be construed to mean that there are no other technical deficiencies in your application. The Division will review your application to determine whether it is adequate to meet the requirements of the Act after submittal of all required items.

December 8, 2017

If you have any questions, please contact me at peter.hays@state.co.us or (303) 866-3567 Ext. 8124.

Sincerely,



Peter S. Hays

Environmental Protection Specialist

Enclosure - Edited application form pages, Secretary of State summary page

Ec: Wally Erickson; Division of Reclamation, Mining & Safety
John Warren; Connell Resources, Inc.

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Summary

Details			
Name	SERFER LAND VENTURES, LLC.		
Status	Good Standing	Formation date	02/07/2000
ID number	20001025466	Form	Limited Liability Company
Periodic report month	August	Jurisdiction	Colorado
Principal office street address	4315 E HARMONY RD, FORT COLLINS , CO 80528, United States		
Principal office mailing address	n/a		

Registered Agent	
Name	TODD D. SEUFER
Street address	4315 E HARMONY RD, FORT COLLINS, CO 80528, United States
Mailing address	n/a

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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

RECEIVED

NOV 29 2017



M-2017-056
PSH, WHE

DIVISION OF RECLAMATION
MINING AND SAFETY
CONSTRUCTION MATERIALS

LIMITED IMPACT (110) OPERATION RECLAMATION PERMIT APPLICATION FORM

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

Permit # M-2017-056 (Please reference the file number currently assigned to this operation)

☒ New Application (Rule 1.4.5) ☐ Amendment Application (Rule 1.10)
☐ Conversion Application (Rule 1.11)

Permit # M - - - - - (provide for Amendments and Conversions of existing permits)

The application for a Construction Materials Limited Impact (110) Operation Reclamation Permit contains three major parts: (1) the application form; (2) Exhibits A-J, Exhibit L, Addendum 1, any sections of Exhibit 6.5 and Geotechnical Stability Exhibit, as required by the Office, and outlined in Rules 6.1, 6.2, 6.3, 6.5, and 1.6.2(1)(b); and (3) the application fee. When you submit your application, be sure to include one (1) complete signed and notarized ORIGINAL and one (1) copy of the completed application form, two (2) copies of Exhibits A-J, Exhibit L, Addendum 1, and appropriate sections of 6.5 (Geotechnical Stability Exhibit), as required, and a check for the application fee described under (4) below. Exhibits should NOT be bound or in a 3-ring binder; maps should be folded to 8 1/2" X 11" or 8 1/2" X 14" size. To expedite processing, please provide the information in the format and order described in this form.

GENERAL OPERATION INFORMATION

Type or print clearly, in the space provided, ALL information described below.

1. **Applicant/operator or company name (name to be used on permit):** Serfer Land Ventures LLC
 - 1.1 Type of organization (corporation, partnership, etc.): Limited Liability Company
2. **Operation name (pit, mine or site name):** Harmony Windsor Site
3. **Permitted acreage (new or existing site):** 9.9 permitted acres
 - 3.1 Change in acreage (+) 0 acres
 - 3.2 Total Acreage in Permit Area 9.9 acres
4. **Fees:**
 - 4.1 New Application: \$1258.00 application fee
 - Amendment Fee (C.R.S. 34-32.5-125(11)): \$827.00 application fee
5. **Primary commodity(ies) to be mined:** sand gravel
 - 5.1 Incidental commodity(ies) to be mined: 1. n/a / 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: Construction Materials
Anticipated end use of incidental commodity(ies) to be mined: n/a

11. Correspondence Information:

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

Contact's Name: Chris Serbousek Title: Managing Member
Company Name: Serfer Land Ventures LLC
Street/P.O. Box: 4315 East Harmony Road P.O. Box: _____
City: Fort Collins
State: Colorado Zip Code: 80528
Telephone Number: (303) - 419-6781
Fax Number: () -

PERMITTING CONTACT (if different from applicant/operator above)

Contact's Name: Bill Schenderlein Title: Project Manager
Company Name: Blue Earth Solutions, LLC
Street/P.O. Box: _____ P.O. Box: 2427
City: Fort Collins
State: Colorado Zip Code: 80522
Telephone Number: (970) - 227-2803
Fax Number: () -

INSPECTION CONTACT

Contact's Name: Kevin Anderson Title: Aggregate Development Manager
Company Name: Connell Resources, Inc.
Street/P.O. Box: 7785 Highland Meadows Parkway P.O. Box: _____
City: Fort Collins
State: Colorado Zip Code: 80528
Telephone Number: (970) - 223-3151
Fax Number: (970) - 223-3191

CC: STATE OR FEDERAL LANDOWNER (if any)

Agency: _____
Street: _____
City: _____
State: _____ Zip Code: _____
Telephone Number: () -

CC: STATE OR FEDERAL LANDOWNER (if any)

Agency: _____
Street: _____
City: _____
State: _____ Zip Code: _____
Telephone Number: () -

7. **Name of owner of the subsurface rights of affected land:** Serfer Land Ventures LLC
8. **Name of owner of the surface of affected land:** Serfer Land Ventures LLC
9. **Type of mining operation:** ☒ Surface ☐ Underground ☐ In-situ
10. **Location information:** The center of the area where the majority of mining will occur:

COUNTY: Weld

PRINCIPAL MERIDIAN (check one): ☒ 6th (Colorado) ☐ 10th (New Mexico) ☐ Ute

SECTION (write number): S 6

TOWNSHIP (write number and check direction): T 6.0 ☒ North ☐ South

RANGE (write number and check direction): R 67.0 ☐ 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): _____
In the Town of Windsor, south of Harmony Road approximately 2 miles east of the Town of Timnath

11. **Primary Mine Entrance Location** (report in either Latitude/Longitude OR UTM):

Latitude/Longitude:

Example: (N) 39° 44' 12.98"
(W) 104° 59' 3.87"

Latitude (N): deg 40 min 31 sec 2 12.00 (2 decimal places)
Longitude (W): deg 104 min 56 sec 21 99.00 (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) NAD83 Zone 13

Easting _____

Northing _____

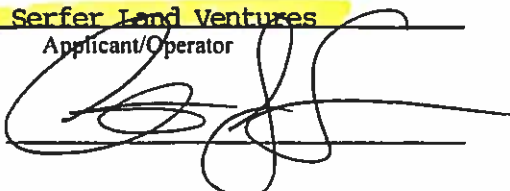
Certification:

As an authorized representative of the applicant, I hereby certify that the operation described has met the minimum requirements of the following terms and conditions:

1. All necessary approvals from local government have been applied for (Section 34-32.5-110(1)(a)(VIII)).
2. To the best of my knowledge, all significant, valuable and permanent man-made structure(s) in existence at the time this application is filed, and located within 200 feet of the proposed affected area have been identified in this application (Section 34-32.5-115(4)(e), C.R.S.). (NOTE: For 110 operations, the affected area includes all lands delineated by the permit boundary.)
3. No mining operation will be located on lands where such operations are prohibited by law (Section 34-32.5-115(4)(f), C.R.S.).
4. As the applicant/operator, I do not have any mining/exploration operations in the State of Colorado currently in violation of the provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials (Section 34-32.5-120, C.R.S.).
5. I understand that statements in the application are being made under penalty of perjury and that false statements made herein are punishable as a Class 1 misdemeanor pursuant to Section 18-8-503, C.R.S. 1984.

This form has been approved by the Mined Land Reclamation Board pursuant to section 34-32.5-110, C.R.S., of the Colorado Land Reclamation Act for the Extraction of Construction Materials. Any alteration or modification of this form shall result in voiding any permit issued on the altered or modified form and subject the operator to cease and desist orders and civil penalties for operating without a permit pursuant to section 34-32.5-123, C.R.S.

Signed and dated this 21 day of November, 2017.

Serfer Land Ventures
Applicant/Operator
Signed: 
Title: Chris Serbousek, Managing Member

If Corporation Attest (Seal)

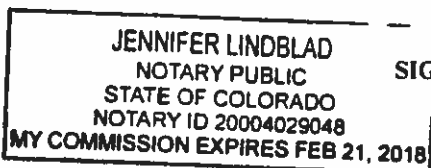
Signed: _____
Corporate Secretary or Equivalent
Town/City/County Clerk

State of Colorado
County of Larimer) ss.

The foregoing instrument was acknowledged before me this 21st day of November 2017, by Chris Serbousek as Managing Member of Serfer Land Ventures


Notary Public

My Commission expires: 2-26-18



SIGNATURES MUST BE IN BLUE INK

November 21, 2017

Division of Reclamation, Mining, and Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

**RE: Property and Mining Site Access Agreement
Serfer Land Ventures LLC – Harmony Windsor Site**

To whom it may concern:

Serfer Land Ventures LLC (4315 E. Harmony Road, Fort Collins, CO 80528) is the property owner and Connell Resources, Inc. (7785 Highland Meadows Parkway, Fort Collins, CO 80528) is the current contractor and Division of Reclamation, Mining and Safety (DRMS) permit holder for the Harmony Gardens Site, M-2017-021, in Weld County, Colorado.

Serfer Land Ventures and Connell Resources hereby grant access to Serfer Land Ventures LLC and their contractors to cross the Harmony Gardens Site property and M-2017-021 permit area during mining and reclamation of the proposed Harmony Windsor Site.

Serfer Land Ventures LLC

Connell Resources, Inc.

Chris Serbousek
Name (Printed)
Name (Signature)

Managing Member
Title

11/21/17
Date

John Warren
Name (Printed)
Name (Signature)

Vice President
Title

11/21/17
Date

November 13, 2017

Division of Reclamation, Mining, and Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

RE: **Serfer Land Ventures LLC – Harmony Windsor Site**
Authorization Letter for Blue Earth Solutions, LLC

To whom it may concern:

We authorize Blue Earth Solutions, LLC, P.O. Box 2427, Fort Collins, Colorado, 80522, to perform work and submit material for the Harmony Windsor Site on behalf of **Serfer Land Ventures LLC.**

Serfer Land Ventures LLC

Chris Serbousek

Name (Printed)

Name (Signature)

MANAGING MEMBER

Title

11/15/17

Date