



STATE OF  
COLORADO

Ebert - DNR, Jared <jared.ebert@state.co.us>

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## goddard pit #1 M-2018-050

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**Randy Schafer** <randy.schafer@phillipscounty.co>

Wed, Oct 17, 2018 at 8:36 AM

To: "Ebert - DNR, Jared" <jared.ebert@state.co.us>

Cc: R & J Schafer <RJSchafer@haxtuntel.net>, Allen <jsbg@pctelcom.coop>

Jared,

I am attaching the response to your adequacy review of Goddard Pit #1. I can put a hard copy in the mail if necessary. Please let me know if this addresses all the issues or if I need to apply for a short extension. Thanks.

Randy Schafer

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### 2 attachments



**Acknowledgment.pdf**

179K

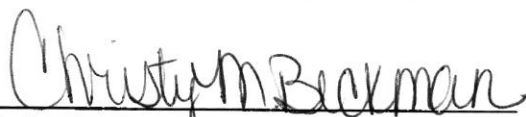


**goddard\_pit\_additional\_information.pdf**

1495K

I hereby acknowledge that on October 17, 2018, Randy Schafer left in this office additional information which the Town of Julesburg is submitting to the Colorado Mined Land Reclamation Board regarding a new gravel pit named the Goddard Pit #1 (M-2018-050) to mine sand and gravel from property located in Sedgwick County in Section 4, T11N, R44W. The additional information is provided at this location so as to be available for public inspection prior to public hearings held by the Colorado Mined Land Reclamation Board concerning this permit request.

It is understood, that by signing for receipt of this application, neither the person signing nor this office assumes any responsibility as to the accuracy of the information which it contains, endorses the application, or assumes any responsibility for it whatsoever.

  
Christy Beckman  
Phillips County Clerk and Recorder

10-17-18  
Date

October 16, 2018

Mr. Jared Ebert  
Environmental Protection Specialist III  
Division of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, CO 80203

**RE: Goddard Pit #1, M-2018-050, 111(c) Permit  
Application Adequacy Review No. 1**

Dear Mr. Ebert:

We received your adequacy review No. 1. We are providing the responses to each of the items. The responses are in bold.

Rule 6.3.1, Exhibit A – Legal Description and Location Map

- 1.) The coordinates provided on the location map differ from the coordinates provided on Page 2 of the application form. Please specify the location of the main entrance to the mine site. This location shall be reported as latitude and longitude or the Universal Transverse Mercator (UTM) Grid.

**I have attached a revised location map. The coordinates previously shown have been removed. They were not intended to show the location of the main entrance.**

Rule 6.3.2, Exhibit B – Site Description

- 2.) Based on the soils series description for the site, there is a viable A and B horizon eight inches deep. Please revise Exhibit B to indicate the soil depth is eight inches at the site or provide further justification for only designating the top four inches as topsoil.

**Exhibit B has been revised to show the soil depth of 8 inches.**

- 3.) Attached is a map that the Division created with the permit boundary depicted and a 200-foot buffer around the proposed affected area. There appears to be more permanent man-made structures within 200 feet of the affected area than was identified in the application. Based on the Division's review, these are the structures within 200 foot of the affected land not included in the application:

- a. Driveway into Reicks property
- b. County Road 28
- c. Driveway into Mendoza property
- d. Two buildings on Mendoza property
- e. Two building on Bieber property
- f. Driveway into Bieber property
- g. Building on Department of Highway's property
- h. Parking Lot on Department of Highways Property
- i. Path on Department of Highway's property.

Please revise exhibit B to list these structures that are located within 200 feet of the affected land.

**I have attached a revised exhibit L and two sheets enumerating all structures regarding the nine references you provided.**

**Rule 6.3.3, Exhibit C – Mining Plan**

- 3.) Based on the soil series information, there appears to be about eight inches of topsoil material available for salvage at the site. Please revise the mining plan to indicate eight inches of topsoil will be salvaged at the site.

**The mining plan has been revised to indicate eight inches of topsoil will be salvaged.**

- 4.) Please clarify if the excavation face will be greater than a 3H:1V ratio? Or, will the material be excavated in such a way as the face of the excavation will never exceed a 3H:1V ratio?

**The material will be excavated in such a way as to maintain a 3H:1V ratio throughout the mining process.**

- 5.) Please describe what limited processing may occur at the site (crushing, screening, washing... etc.)?

**There is no intended processing at the site.**

**Rule 6.3.4, Exhibit D – Reclamation Plan**

- 6.) Please revise Exhibit D to indicate that about eight inches of topsoil will be replaced at the site.

**Exhibit D has been revised to show eight inches of topsoil will be replaced at the site.**

- 7.) Please explain how the seedbed will be prepared to eliminate compacted conditions (e.g. plowed, chiseled, disced).

**Seed bed preparation can depend somewhat on soil moisture and weather conditions. We will plan to disc the seedbed prior to any planting.**

- 8.) Item (I) in Exhibit C indicates the land will be reclaimed as rangeland, however the application form indicates the proposed post mine land use is pastureland, please clarify?

**Exhibit C has been revised to state the land will be reclaimed as pastureland.**

Rule 6.3.5, Exhibit E – Map

*Mining Plan Map*

- 10.) Please see item #3 above. Please depict and label the type of structure and owners of record of any permanent or man-made structure within 200 feet of the affected area.

**A new map is attached showing the type and owners of record of permanent man-made structures within 200 feet of the pit.**

- 11.) Please identify the owner of the substance to be mined and indicate this information on the mining plan map.

**The owners of the substance to be mined are Jay and Melisa Goddard.**

- 12.) Please update the mining plan map to depict the 25 foot buffer.

**Attached is a revised mining plan map showing the 25-foot buffer around the perimeter of the pit.**

- 13.) Please revise the map to include a note that indicates the thickness of topsoil to be replaced over the affected area.

**The map has been revised to show 8" of topsoil to be replaced over the affected area.**

Rule 6.3.6, Exhibit F – List of Other Permit and Licenses Required

- 14.) The Division recommends the operator contact the Colorado Department of Public Health and the Environment to ascertain if a stormwater permit will be needed for the site.

**A storm water management plan will be prepared for this pit if there is a potential for surface water leaving the site. I will be contacting the Department of Public Health and Environment on the issue.**

Rule 6.3.12, Exhibit L – Permanent Man Made Structures

- 15.) As discussed in Item #3 above, there are a number of other structures located within 200 feet of the affected land that were not identified in Exhibit B. For each of these structures, 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.

If the applicant wishes to comply with the requirements of this rule using option "b", you must also provide evidence the applicant attempted to obtain structure damage agreements from the owners of record.

**We are providing notarized agreements between the applicant and each party having an interest in the man-made structures. Six new agreements are attached. Two were previously provided.**

Please let me know if any additional information is needed in response to Adequacy Review #1.  
Thank you.

Sincerely,

  
Randy Schafer

Cc: Allen Coyne, Julesburg Town Manager

Enclosures: Revised location map  
Structure agreement lists and Revised Exhibit L  
Revised Mining Plan  
Revised Exhibit C  
Map showing structures  
Notarized structure agreements for  
Reick property  
Sedgwick County  
Bieber property  
Mendoza property  
Colorado Department of Highways

d) Wildlife

Common species in northeast Colorado could include bird species of Cassin's sparrow, chestnut collared longspur, lark bunting, western meadowlark, ferruginous and Swainsan's hawks, and pheasants. Small mammals that might be found include white-tailed and black-tailed jackrabbit, badger, pronghorn antelope, coyote, swift fox, plains pocket gopher, long-tailed weasel, and several species of mice. Reptiles might include the western rattlesnake, race snake, western box turtle, and six-lined racerunner. Other animals and birds common to Sedgwick County could also be found at the site from time to time. Based on several visits to the site, no significant wildlife was observed. There are no known threatened or endangered species.

EXHIBIT C – Mining Plan

- a) The mining is expected to begin as soon as possible after a permit is obtained. The operation will provide material for newly created Jenkins Street which will lie north of Co. Rd. 28, immediately north and east of the pit. The primary purpose of the pit is to provide material for the street project. However, the pit may be left open for possible additional needs in the next few years. Anticipated life of the pit is indefinite. The town will use material at they work on this specific project, but there may be additional material available for future development needs.
- b) The mining plan is to begin removal of the material beginning toward the east end of the pit area. Mining will move west. Excavation will continue as the need for material continues and as the supply remains available. There is topsoil in the area which averages about 8" in depth. The pit will have the topsoil stripped and stockpiled for re-application during reclamation. Any topsoil stockpile will be seeded with brome grass to prevent soil erosion.
- c) There would appear to be no waste rock or material at the site.
- d) Mining could be as deep as 20 feet, depending on the amount of material used in the Jenkins Street project. Mining depth should be well above existing groundwater. The mining plan is to begin at the east side and proceed west. No slopes will be left greater than 3:1.
- e) The pit will be accessed from County Road 28. A new driveway will be created near the northeast corner of the pit. There will be no shop, plant, or other facilities located at the mine site. The equipment which may be used to mine the gravel will be a scraper, front-end loader, dozer, and trucks. The



material will be utilized as it is mined. If stockpiling does occur it will be placed in the immediate vicinity where mining is occurring. No processing of material is anticipated, but if the need arises, limited processing could occur at the site.

- f) There are no existing disturbances to describe at the site.
- g) There may be internal haul roads which will be reclaimed when the mine is closed. No access roads will be built since the pit immediately adjoins County Road 28.
- h) No water is anticipated in conjunction with the operation. Mining is not expected to encounter any groundwater, but will stop at least one foot above any groundwater that exists. There could be instances when heavy rainfall makes the site too muddy to continue. At those times, mining will simply cease until the site becomes dry enough to mine again.
- i) Mining will not go into the groundwater at the site.
- j) Since no water is to be used, there should be no injury to existing water rights.
- k) No refuse, acid, or toxic producing materials are anticipated at the site. Other mining enterprises in this part of Sedgwick County have never yielded any such materials.
- l) The finished pit will be returned to pastureland. There should be no disturbance to the hydrologic balance.
- m) Limited processing could occur if there is need.
- n) The commodities to be mined are gravel, clay, and sand.
- o) The mined materials will primarily be used for road material for the Jenkins Street project.
- p) No explosives will be used in this operation.

#### EXHIBIT D – Reclamation Plan

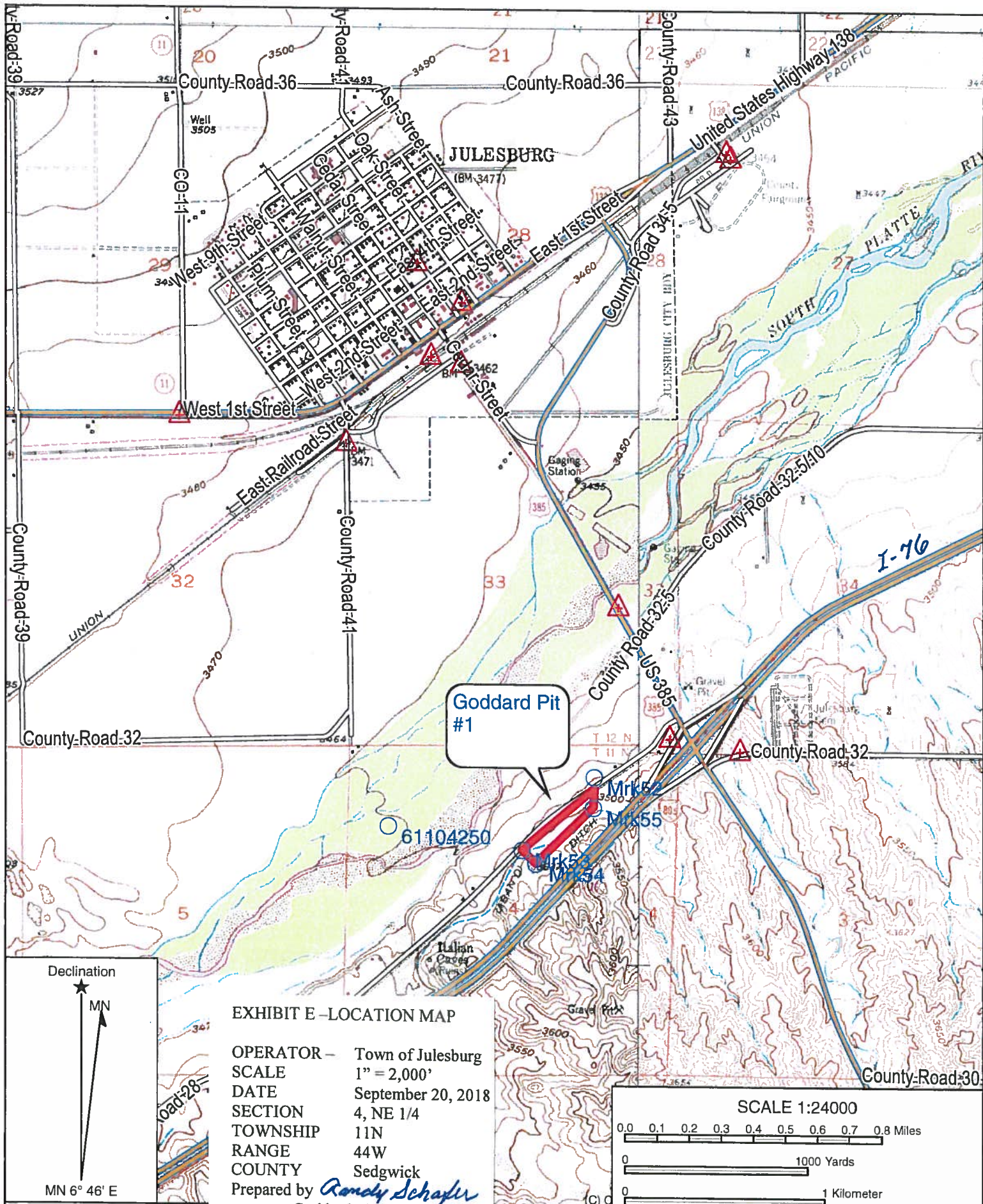
The primary reclamation plan for the pit is to slope all areas at a slope no steeper than 3:1. The entire pit area will then have topsoil replaced, then be seeded according to recommendations received from the Sedgwick County Natural Resource Conservation Service.

- a) The pit area has topsoil averaging 8" in depth. That topsoil will be stockpiled and returned during the reclamation process.
- b) Slopes no greater than 3:1 will be left in the completed pit.
- c) There are no other reclamation treatments to note for this site.

A cost estimate for final reclamation has been not been prepared since this pit is operated by a municipal government.

#### EXHIBIT E – Maps

Location Map  
USGS Quad Map  
Aerial Photo  
Site Map  
Mining Plan Map  
Reclamation Plan Map  
Final Contour Plan



Name: JULESBURG  
 Date: 09/20/18  
 Scale: 1 inch = 2,000 ft.

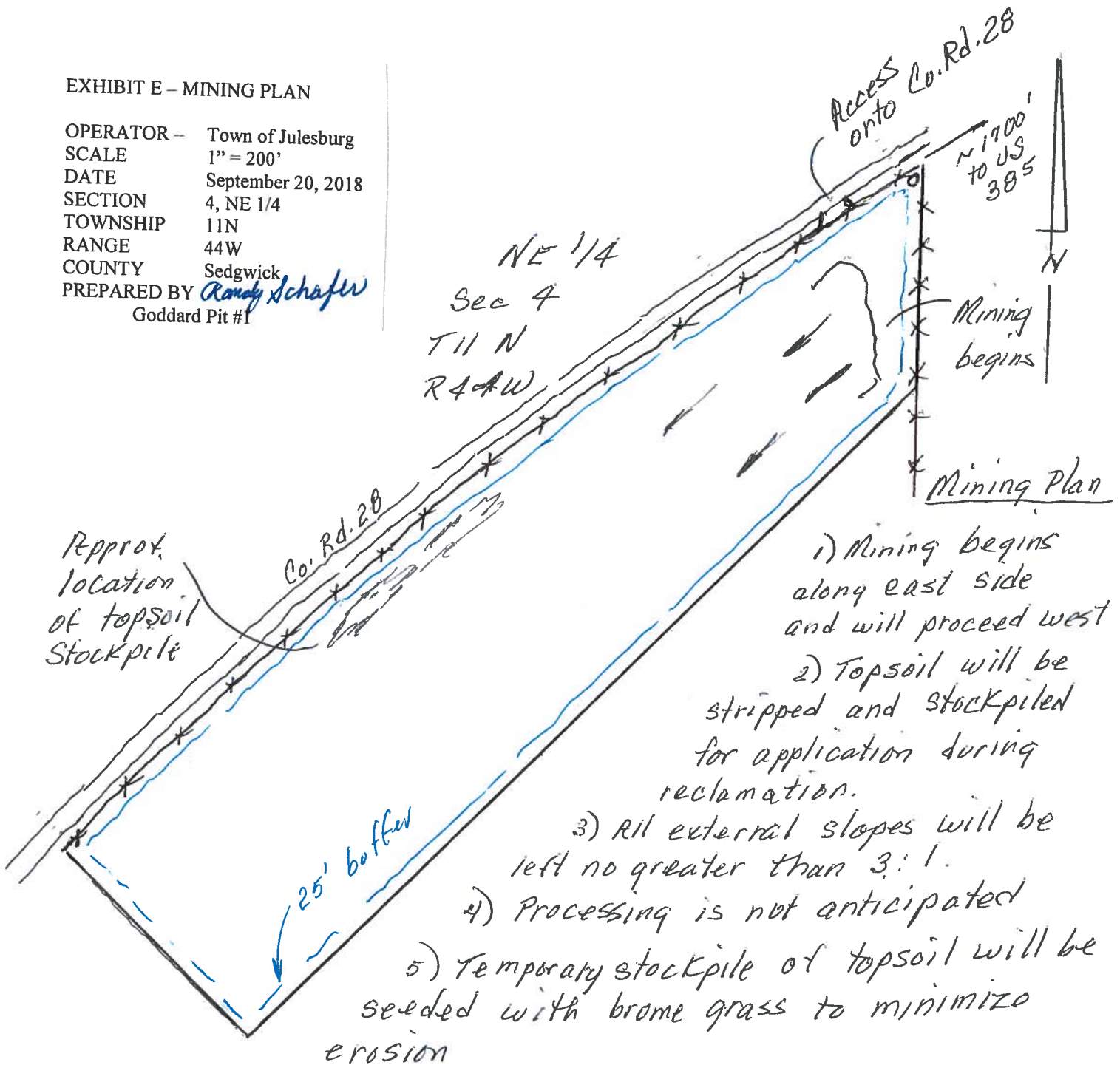
Goddard Pit #1 - Location/Site Map

*Revised  
 10/16/18*



EXHIBIT E - MINING PLAN

OPERATOR - Town of Julesburg  
SCALE 1" = 200'  
DATE September 20, 2018  
SECTION 4, NE 1/4  
TOWNSHIP 11N  
RANGE 44W  
COUNTY Sedgwick  
PREPARED BY *Randy Schaffer*  
Goddard Pit #1



- 1) Mining begins along east side and will proceed west
- 2) Topsoil will be stripped and stockpiled for application during reclamation.
- 3) All external slopes will be left no greater than 3:1.
- 4) Processing is not anticipated
- 5) Temporary stockpile of topsoil will be seeded with brome grass to minimize erosion
- 6) Mining could be as deep as 20' if needed for Jenkins Street project.
- 7) 25' buffer between mining and fences
- 7) There will be a 25' buffer around the perimeter of the entire pit where no mining will occur.

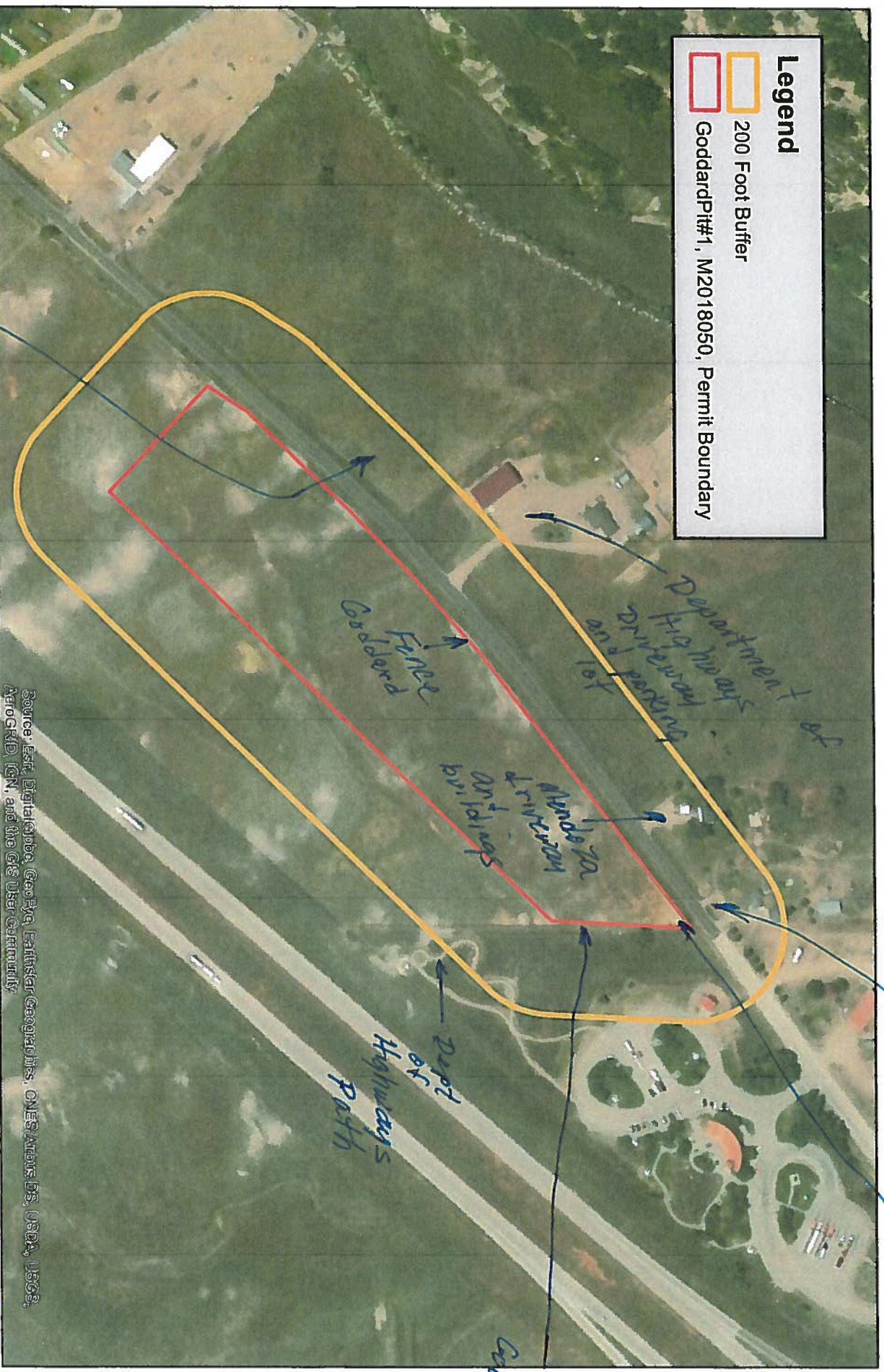
Revised  
10/16/18  
*RS*

# Goddard Pit #1, M-2018-050, 200 Foot Buffer Map

200 Foot Buffer

GoddardPit#1, M2018050, Permit Boundary

Legend



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Reicks

Amended  
10/10/18  
Randy Schaefer

Jared Ebert, DRMS  
October 11, 2018



#### EXHIBIT F – List of Other Permits and licenses required

We have sent a letter to the State Historical Preservation Officer regarding any known issues at the site. Because of the limited size of the pit, impact will be small. No other permits are required.

#### EXHIBIT G – Source of Legal Right-to-Enter

Jay Goddard, owner of the property, is giving permission for the Town of Julesburg to apply for a permit and mine material from this pit. A copy of the contract between the parties is attached.

#### EXHIBIT H – Municipalities within a Two-Mile Radius

The municipal limits of Town of Julesburg lie immediately east of the proposed pit. The Town of Julesburg is the applicant and will be notified during the permit process.

#### EXHIBIT I - Proof of Filing with County Clerk

The application has been filed with the Sedgwick County Clerk. Proof of filing is attached.

#### EXHIBIT J – Proof of Mailing of Notices to Board of County Commissioners and Soil Conservation District

The application has been filed with the Sedgwick County Commissioners and the Sedgwick County Conservation District. Proof of filing is attached.

#### EXHIBIT K - Terms of Governmental Contract

A copy of the contract regarding Jenkins Street is attached

#### EXHIBIT L – Permanent Man-Made Structures

Permanent man-made structures within 200 feet of the pit include:

One power pole	-	Highline Electric
Fence along north and east	-	Jay and Melisa Goddard
Driveway	-	Reicks property

County Road 28	-	Sedgwick County
Driveway and two buildings	-	Mendoza property
Driveway and two buildings	-	Bieber property
Building, parking lot, and path	-	Colorado Department of Highways property

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. One power pole owned by Highline Electric Association
2. Fencing along the north and east sides of the property to be mined
3. Driveway on Reicks property
4. County Road 28
5. Driveway onto Mendoza property and two buildings on Mendoza property

*(Please list additional structures on a separate page)*



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

\*\*\*\*\*

## **Structure Agreement**

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

- 1. Driveway onto Bieber property and two buildings on Bieber property
- 2. Building, parking lot, and path on Department of Highways property,
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_

*(Please list additional structures on a separate page)*

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:

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- 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*)

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

1. Driveway into Reicks property
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

*(Please list additional structures on a separate page)*

**CERTIFICATION**

The Applicant, the Town of Julesburg (print applicant/company name),  
by Allen Coyne (print representative's name), as Town Manager (print  
representative's title), does hereby certify that Neal and Susan Reicks (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 Goddard Pit #1 (operation name),  
File Number M- 2018\_050.

*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 Town of Julesburg Representative Name Allen coyne

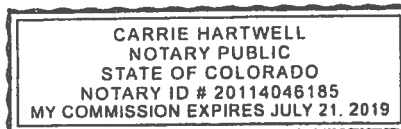
Date 10-12-18 Title Town Manager

STATE OF colorado

COUNTY OF sedgwick<sup>ss</sup>

The foregoing was acknowledged before me this 12<sup>th</sup> day of Oct, 2018, by  
Allen coyne as Town Manager of Town of Julesburg

carrie Hartwell My Commission Expires: July 21, 2019  
Notary Public



**NOTARY FOR STRUCTURE OWNER**

ACKNOWLEDGED BY:

Structure Owner Neal Reicks Name Neal Reicks

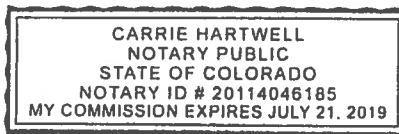
Date 10-12-18 Title owner

STATE OF colorado

COUNTY OF sedgwick<sup>ss.</sup>

The foregoing was acknowledged before me this 12<sup>th</sup> day of Oct, 2018, by  
Neal Reicks as owner of structure.

carrie hartwell My Commission Expires: july 21, 2019  
Notary Public



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

### **Structure Agreement**

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

1. County Road 28
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

*(Please list additional structures on a separate page)*

**CERTIFICATION**

The Applicant, the Town of Julesburg (print applicant/company name),  
by Allen Coyne (print representative's name), as Town Manager (print  
representative's title), does hereby certify that Sedgwick County (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 Goddard Pit #1 (operation name),  
File Number M- 2018\_050.

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Any alteration or modification to this form shall result in voiding this form.*

**NOTARY FOR PERMIT APPLICANT**

ACKNOWLEDGED BY:

Applicant Town of Julesburg Representative Name Allen coyne

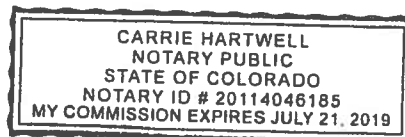
Date 10-12-18 Title Town Manager

STATE OF colorado

COUNTY OF sedgwick<sup>ss.</sup>

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Allen coyne as Town Manager of Town of Julesburg

Carrie Hartwell My Commission Expires: July 21, 2019  
Notary Public



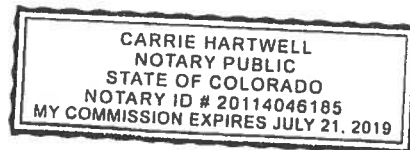
**NOTARY FOR STRUCTURE OWNER**

ACKNOWLEDGED BY:

Structure Owner Sedgwick county Name Donald Schneider Chairman  
Date 10-12-18 Title Sedg. county commissioner  
STATE OF colorado  
COUNTY OF Sedgwick <sup>ss.</sup> chairman

The foregoing was acknowledged before me this 12<sup>th</sup> day of Oct, 2018 by  
Donald as chairman of Sedg. county commissioners  
Schneider

Carrie Hartwell My Commission Expires: July 21, 2019  
Notary Public



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

\*\*\*\*\*

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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. Driveway into Mendoza property
2. Two buildings on Mendoza property
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

*(Please list additional structures on a separate page)*



**CERTIFICATION**

The Applicant, the Town of Julesburg (print applicant/company name),  
by Allen Coyne (print representative's name), as Town Manager (print  
representative's title), does hereby certify that Diana Mendoza (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 Goddard Pit #1 (operation name),  
File Number M- 2018\_050.

*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 Town of Julesburg Representative Name Allen coyne

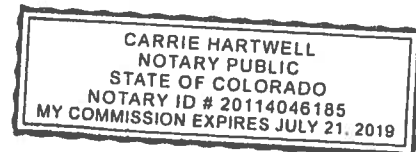
Date 10-15-18 Title Town Manager

STATE OF colorado

COUNTY OF sedgwick<sup>ss.</sup>

The foregoing was acknowledged before me this 15<sup>th</sup> day of oct, 2018, by  
Allen coyne as Town Manager of Town of Julesburg

Carrie Hartwell My Commission Expires: July 21, 2019  
Notary Public



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner Diana Mendez Name Diana Mendez

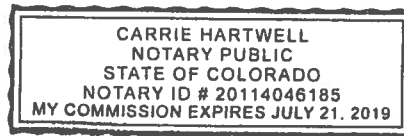
Date 10/15/18 Title owner

STATE OF colorado

COUNTY OF sedgwick ss.

The foregoing was acknowledged before me this 15<sup>th</sup> day of Oct, 2018 by  
Diana Mendez as owner of structure.

Carrie Hartwell My Commission Expires: July 21, 2019  
Notary Public



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. Building on Department of Highway's property
- 2. Parking lot on Department of Highway's property
- 3. Path on Department of Highway's property
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_

*(Please list additional structures on a separate page)*

**CERTIFICATION**

The Applicant, the Town of Julesburg (print applicant/company name),  
by Allen Coyne (print representative's name), as Town Manager (print  
representative's title), does hereby certify that the Colo. Dept. of Highways (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 Goddard Pit #1 (operation name),  
File Number M- 2018\_050.

*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**

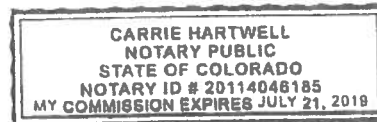
ACKNOWLEDGED BY:

Applicant Town of Julesburg Representative Name Allen Coyne  
Date 10-12-18 Title Town Manager

STATE OF colorado  
COUNTY OF sedgwick <sup>ss.</sup>

The foregoing was acknowledged before me this 12<sup>th</sup> day of Oct, 2018, by  
Allen Coyne as Town Manager of Town of Julesburg

Carrie Hartwell My Commission Expires: July 21, 2019  
Notary Public



**NOTARY FOR STRUCTURE OWNER**

**ACKNOWLEDGED BY:**

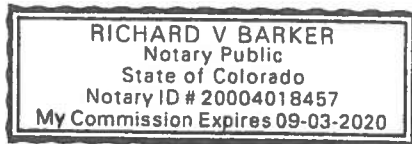
Structure Owner *[Signature]* Name Peter T. Sulmeisters

Date 10/16/18 Title Region 4 Right of Way Manager

STATE OF Colorado )  
 ) ss.  
COUNTY OF Weld )

The foregoing was acknowledged before me this 16th day of October, 20 18, by  
Peter T. Sulmeisters; as Region 4 ROW Manager of the Colorado Dept. of Transportation.

*[Signature]* My Commission Expires: 09/03/2020  
Notary Public



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. Driveway on Bieber property
2. Two buildings on Bieber property
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

*(Please list additional structures on a separate page)*

**CERTIFICATION**

The Applicant, the Town of Julesburg (print applicant/company name),  
by Allen Coyne (print representative's name), as Town Manager (print  
representative's title), does hereby certify that Kenneth and Alta Bieber (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 Goddard Pit #1 (operation name),  
File Number M- 2018\_050.

*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**

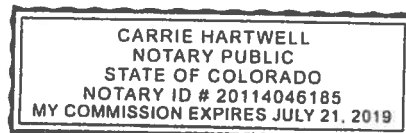
ACKNOWLEDGED BY:

Applicant Town of Julesburg Representative Name Allen Coyne  
Date 10-12-18 Title Town Manager

STATE OF colorado  
COUNTY OF Sedgwick<sup>ss.</sup>

The foregoing was acknowledged before me this 12<sup>th</sup> day of Oct, 2018 by  
Allen Coyne as Town Manager of Town of Julesburg

Carrie Hartwell My Commission Expires: July 21, 2019  
Notary Public



**NOTARY FOR STRUCTURE OWNER**

ACKNOWLEDGED BY:

Structure Owner Kenneth Bieber Name Kenneth E Bieber

Date 10-12-18 Title owner

STATE OF colorado

COUNTY OF sedgwick <sup>ss.</sup>

The foregoing was acknowledged before me this 12<sup>th</sup> day of Oct, 2018, by  
Kenneth Bieber as owner of structure.

Carrie Hartwell My Commission Expires: July 21, 2019  
Notary Public

