

STATE OF  
COLORADO

Lennberg - DNR, Patrick &lt;patrick.lennberg@state.co.us&gt;

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**Higgins Pit II, Permit # M-2012-013**

1 message

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**John & Brenda Higgins** <jbhiggins@esrta.com>  
To: "Lennberg - DNR, Patrick" <patrick.lennberg@state.co.us>

Thu, Feb 7, 2019 at 1:43 PM

Hello Patrick.

Please find attached the four items that will suffice for the Incompleteness Notice, dated 01/17/2019. Again, thank you for all your help in this matter.

I know we'll have more to do, but hopefully this will move us forward so we can begin advertising in the local newspaper.

Brenda Higgins

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**4 attachments****Scan\_20190207.jpg**  
1248K**Scan\_20190207\_2.jpg**  
1281K



**Scan\_20190207\_3.jpg**  
1384K



**Scan\_20190207\_4.jpg**  
2004K

# STATE OF COLORADO

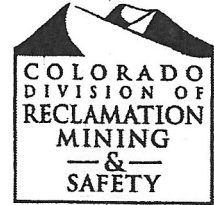
DIVISION OF RECLAMATION, MINING AND SAFETY  
Department of Natural Resources

1313 Sherman St., Room 215  
Denver, Colorado 80203  
Phone: (303) 866-3567  
FAX: (303) 832-8106

RECEIVED

FEB 07 2019

LINCOLN COUNTY  
CLERK & RECORDER



CONSTRUCTION MATERIALS  
REGULAR (112) OPERATION  
RECLAMATION PERMIT APPLICATION FORM

by Mundy Butts, deputy

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

Permit # M - 2012-013 - (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 - 2012-013 - (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):** JOHN & BRENDA HIGGINS
  - 1.1 Type of organization (corporation, partnership, etc.): SMITHBURG FAMILY PARTNERSHIP, LLLP
2. **Operation name (pit, mine or site name):** HIGGINS PIT II
3. **Permitted acreage (new or existing site):**

	<u>52.44</u> permitted acres
3.1 Change in acreage (+)	<u>17.86</u> acres
3.2 Total acreage in Permit area	<u>70.52</u> acres
4. **Fees:**

4.1 New Application	<u>\$2,696.00</u> application fee
4.2 New Quarry Application	<u>\$3,342.00</u> quarry application
4.4 Amendment Fee	<u>\$2,229.00</u> amendment fee
4.5 Conversion to 112 operation (set by statute)	<u>\$2,696.00</u> conversion fee
5. **Primary commodity(ies) to be mined:** SAND GRAVEL
  - 5.1 Incidental commodity(ies) to be mined:
    1. NONE 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 BASE MATERIAL
  - 5.3 Anticipated end use of incidental commodity(ies) to be mined: N/A



6. **Name of owner of subsurface rights of affected land:** SMITHBURG FAMILY PARTNERSHIP, LLP  
If 2 or more owners, "refer to Exhibit O".

7. **Name of owner of surface of affected land:** SMITHBURG FAMILY PARTNERSHIP, LLP

8. **Type of mining operation:** ☒ Surface ☐ Underground

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

COUNTY: LINCOLN

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

SECTION (write number):

S 9

TOWNSHIP (write number and check direction): T 9 ☐ North ☐ South

RANGE (write number and check direction): R 55 ☐ 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): \_\_\_\_\_

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 39 min 27 sec 73.19 (2 decimal places)

Longitude (W): deg 103 min 54 sec 96.85 (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

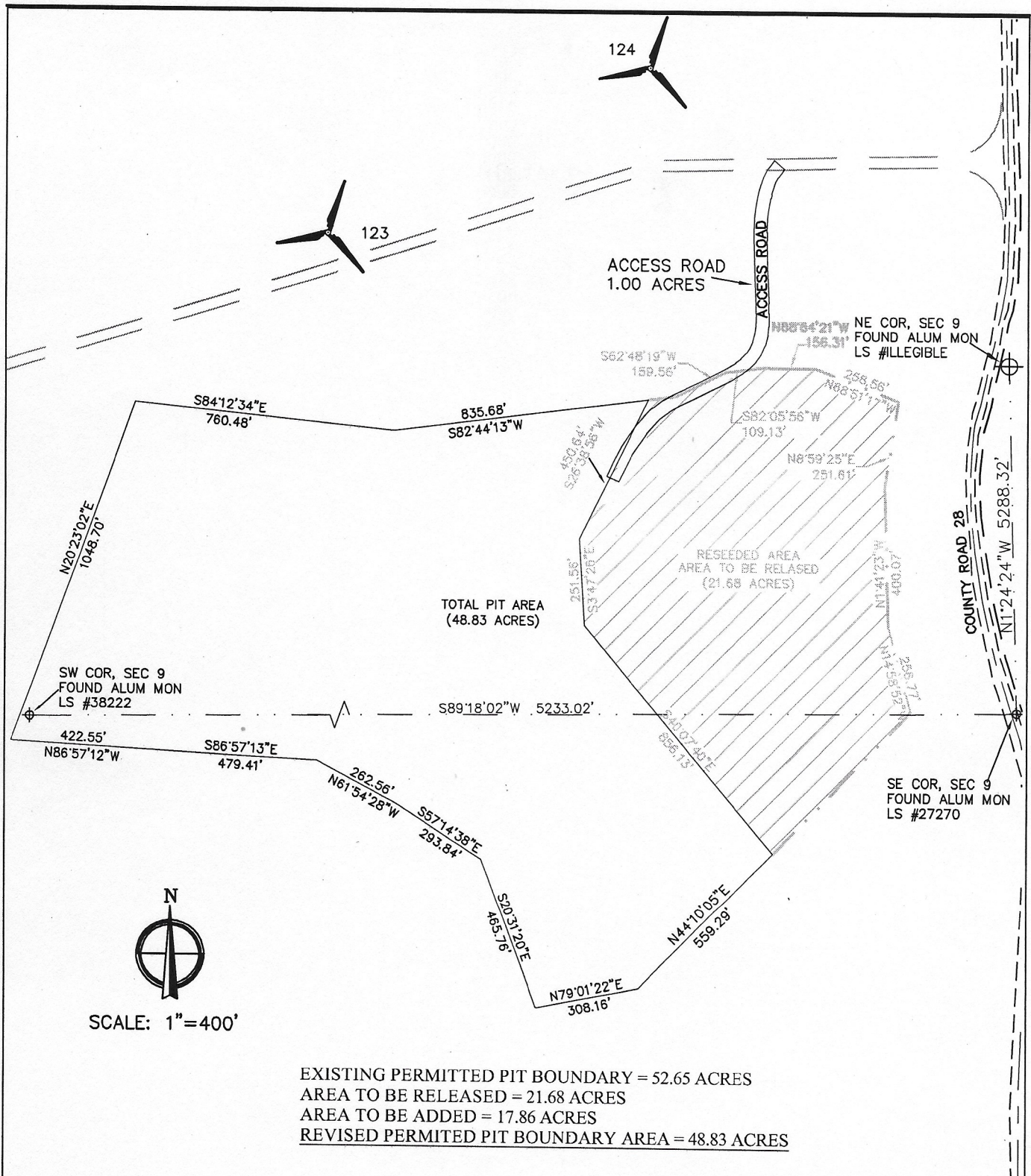
UTM Datum (specify NAD27, NAD83 or WGS 84) Nad 83 Zone 13


Easting \_\_\_\_\_

Northing \_\_\_\_\_



# EXHIBIT C



 <b>FRANE SURVEYING INC.</b> Physical Address: 34834 Annie Cir. Mail to: Box 2372, Elizabeth, CO 80107 Ph. 303-243-0037 www.franesurveying.com	PROJECT OWNER: SMITHBURG FAMILY PARTNERSHIP, LLLP Lincoln & Elbert Counties	SHEET TITLE: HIGGINS PIT 2 JOB #: 192-16-PIT	SHEET NO.: 01 DATE: 01/29/19
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# EXHIBIT N

ACCOUNT # R001521  
Parcel # 258309100016  
TAX DISTRICT: 105

## PROPERTY TAX NOTICE 2018 TAXES DUE IN 2019

JAMES COVINGTON  
TREASURER  
P.O. Box 7  
Hugo, CO 80821

7194

Lincoln  
County

TAX AUTHORITY	TAX LEVY	TEMP TAX CREDIT	GENERAL TAX	VALUATION	ACTUAL	ASSESSED												
GENOA CEMETERY DISTRICT	0.16800	0.33200	\$3.29	LAND	\$67,467	\$19,566												
GENOA/HUGO SCHOOL GENERAL	17.10000	0.00000	\$334.58	BLDGS/IMPR	\$0	\$0												
GENOA/HUGO SCHOOL BOND	0.00000	0.00000	\$0.00	PERSONAL	\$0	\$0												
GENOA/HUGO BEST BOND	7.35600	0.00000	\$143.93	TOTAL	\$67,467	\$19,566												
HIGH PLAINS SOIL CONSERVA	0.00000	0.00000	\$0.00	SR EXEMPTION	\$0	\$0												
LINCOLN COUNTY	10.75000	12.00000	\$210.34	NET TOTAL	\$67,467	\$19,566												
COUNTY GENERAL HOSPITAL	4.00000	0.00000	\$78.26															
LINCOLN COUNTY	18.25000	0.00000	\$357.08															
HOSPITAL	2.50000	0.00000	\$48.92															
<b>MESSAGES</b>																		
<p><b>SENIOR PROPERTY TAX EXEMPTION</b></p> <p>For those who qualify, 50 percent of the first \$200,000 in actual value of their primary residence is exempted. The state pays the exempted portion of the property tax. Once approved, the exemption remains in effect for future years, and the applicant need not reapply.</p> <p>To qualify, taxpayers must be at least 65 years old on January 1 of the year the application is filed and must have owned and lived in their home for 10 consecutive years. Application deadline is July 15. An application may be obtained by contacting the Lincoln County Assessor's Office at 719-743-2358 during office hours Monday - Friday, 8 a.m. - 4 p.m. or logging onto the Assessor's website at <a href="http://www.lincolncountyco.us">www.lincolncountyco.us</a>.</p>																		
TOTALS	NET LEVY →	60.12400	\$1,176.40															
		ADMIN FEES	\$0.00															
		GRAND TOTAL	\$1,176.40															
<b>LEGAL DESCRIPTION OF PROPERTY</b>																		
ALL LESS 2 AC & 15 AC TR IN NE4NE4 SEC. 9; N2 N OF CRIPRR SEC. 16; N2 N CRIPRR LESS 3 AC TR IN S2N2 SEC 17 T9S R55W OF THE 6TH P.M. LINCOLN COUNTY, COLORADO PIT#M2012013 COMMERCIAL PIT 86.20 ACRES				<p>Unpaid prior year taxes:</p> <p>No</p> <p>Contact Treasurer's Office immediately if a number appears above.</p> <table border="1"> <thead> <tr> <th>PAYMENT</th> <th>DUE DATE</th> <th>AMOUNT</th> </tr> </thead> <tbody> <tr> <td>FIRST HALF</td> <td>FEB 28, 2019</td> <td>\$588.20</td> </tr> <tr> <td>SECOND HALF</td> <td>JUNE 15, 2019</td> <td>\$588.20</td> </tr> <tr> <td>FULL PAYMENT</td> <td>APRIL 30, 2019</td> <td>\$1,176.40</td> </tr> </tbody> </table>			PAYMENT	DUE DATE	AMOUNT	FIRST HALF	FEB 28, 2019	\$588.20	SECOND HALF	JUNE 15, 2019	\$588.20	FULL PAYMENT	APRIL 30, 2019	\$1,176.40
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SITUS ADDRESS:																		

SMITHBURG FAMILY PARTNERSHIP, LLLP, A LTD LIABILITY  
27451 COUNTY ROAD 3H  
GENOA, CO 80818

- County Treasurer is not responsible for erroneous payments. If in doubt, please check with your mortgage company to determine who is to make the tax payment. Failure to do so could result in delayed processing of your account.
- Please write your account number(s) on your check for the properties your check is making payment on. This will ensure the proper credit is applied to the proper account.

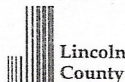
IN ABSENCE OF STATE LEGISLATIVE FUNDING, YOUR SCHOOL MILL LEVY WOULD HAVE BEEN 38.1890

RETAIN TOP PORTION FOR YOUR RECORDS

The Treasurer's Office is required by law to send the tax statement to the owner of record.

IF YOUR TAXES ARE PAID BY A MORTGAGE COMPANY,  
KEEP THIS STATEMENT FOR YOUR RECORDS.

TAX PAYMENT MUST BE POSTMARKED BY DUE DATE



RETURN THIS COUPON FOR SECOND HALF PAYMENTS

Your cancelled check is  
your best receipt and saves  
you tax dollars.

☐ Check here if receipt requested

### INFORMATION REQUEST

Your email address \_\_\_\_\_  
Your phone number \_\_\_\_\_

Return this coupon with payment to:  
LINCOLN COUNTY TREASURER  
P.O. BOX 7 • HUGO, CO 80821  
OR PAY ONLINE AT  
[lincolncountyco.us/treasurer/treasurer](http://lincolncountyco.us/treasurer/treasurer)

ACCOUNT NUMBER  
R001521

☐ IS YOUR ADDRESS INCORRECT?

Check this box for address correction and make changes ON THE BACK.

2018 TAXES DUE IN 2019

SECOND HALF DUE BY JUNE 15, 2019

\$588.20

SMITHBURG FAMILY PARTNERSHIP, LLLP, A LTD LIABILITY  
27451 COUNTY ROAD 3H  
GENOA, CO 80818

PROPERTY  
OWNER  
OF  
RECORD