

40586 Co. Rd. 21
Haxtun, CO 80731

March 8, 2019

Mr. Elliott Russell
Environmental Protection Specialist
Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, CO 80203

**RE: Adequacy Review Response AM-01,
Ensminger Pit #2, Permit No. M-2010-036**

Dear Mr. Elliott:

We are in receipt of your adequacy review dated February 5, 2019. Responses are given below to each item. Responses are in bold.

GENERAL

1. As required by Rule 1.6.2(d) and 1.6.5(2), please submit proof of publication in a newspaper of general circulation in the locality of the proposed mining operation.

Proof of publication from the Holyoke Enterprise is attached.

2. As required by Rule 1.6.2(1)(e), submit proof of the notice to all owners of record of surface and mineral rights of the affected land and the owners of record of all land surface within 200 feet of the boundary of the affected land. Proof of notice may be return receipts of a Certified Mailing or by proof of personal service.

Proof of notice to owners of record of surface and mineral rights and all land surface owners within 200 feet of the boundary are attached. Kenton Crossland, adjoining landowner, did not claim his notice. His address is correct. The letter to Robert Crossland was returned for incorrect address. A new letter was sent as indicated in the tracking information. The post office tracking information for Mary Ann Dominguez, adjoining landowner, indicates it is still in transit. It was, however, delivered. Both Mr. Ensminger and I received a call from her asking about the project.

3. The Division received comments from History Colorado. This letter is attached for review. Please acknowledge the letter, address any comments within the letter, and make changes to the application as necessary.

We hereby acknowledge receipt of the letter from History Colorado. Should human remains be discovered during mining activities, the requirements under CRS 24 80, part 13 shall be adhered to.

EXHIBIT C – Pre-Mining and Mining Plan Map(s) of Affected Lands (Rule 6.4.3):

4. In accordance with Rule 6.4.3(g), please show the owner's name, type of structure, and location of all structures contained on the area of affected land and within 200 feet of the affected land. The pipeline owned by Tallgrass Energy is identified and labeled on the Exhibit C – Site Map, however the Division observed an overhead utility line located in the southwest portion of the site which is not. Additionally, the owner of County Road 1 and County Road 3 is not labeled nor is the County Road 16 identified and labeled. Please revise the Exhibit C – Site Map and resubmit it for further review.

The Exhibit C- Site map has been revised and is attached. The revision added the overhead utility line in the southwest area and references County Roads 1, 3, and 16 as structures lying within 200.

5. The Applicant appears to be proposing a mining plan with a 200-foot buffer on the inside of the west permit boundary, a 130-foot buffer on the inside of the north permit boundary, a 130-foot buffer on the outside of the east permit boundary, and a 200-foot buffer on either side of the Tallgrass Energy pipeline. Please clearly identify all of these areas on one of the Exhibit C maps. The Division requests the Applicant clearly delineate the buffer areas by using a cross-hatching or other means on the map.

The buffers, as defined above, are highlighted on the attached revised Exhibit C – Site map.

EXHIBIT D -Mining Plan (Rule 6.4.4):

6. Please provide further detail regarding the potential on-site processing as mentioned in Exhibit D.

Since the majority of the material is being used to make concrete, the possibility exists that material might be screened at the site. To date, that hasn't happened.

7. Since the Operator intends to continue to operate as a phased mining/bonding approach, please commit to contacting the Division for approval prior to disturbing any new tracts. The request shall include the estimated reclamation costs that would be required for opening the additional tract. The Division will review and calculate a new Financial Warranty amount, issuing a Surety Increase revision if necessary. Once the additional amount is posted the Operator will be approved for the new tract.

We are committing to contacting the Division for approval prior to opening any new tracts. Said request for approval will include an estimated reclamation cost for opening that tract. Mining will not begin until Financial Warranty has been approved.

Please note that the Operator may, at any point throughout the life of the mining operation, request a Surety Reduction for completed reclamation tasks or an Acreage Reduction for portions of the permit that have achieved final reclamation.

As previously mined tracts are reclaimed and released, requests will be made for Surety Reduction.

EXHIBIT E - Reclamation Plan (Rule 6.4.5):

8. The reclamation plan references an attached Phillips County Natural Resource Conservation Service recommendation regarding the reclamation seed mixture, however, this recommendation was not included in the amendment application. Please provide the Phillips County Natural Resource Conservation Service recommendation.

The NRCS recommendation was obtained when the pit first opened (Hansel Pit #1) and is on file with the Division from previous approval. A copy is attached.

EXHIBIT E - Reclamation Plan (Rule 6.4.5):

9. Please identify the location, on the Exhibit F Reclamation Plan Map, of the two driveways which will remain for use by the landowner as discussed in the reclamation plan.

The two driveways have been added to Exhibit F which is attached.

10. The final contour map appears to show sloping occurring within the 130-foot buffer along the northern permit boundary. Please revise this map to show post-mining topography precluded from this buffer area.

The contour map has been revised and is attached.

EXHIBIT L - Reclamation Costs (Rule 6.4.12):

11. Exhibit L references an effective mined area of 83.9 acres within the 108.0 acre permitted, however the Exhibit L calculation notes state the maximum disturbed area within the permit will be 76.4 acres (11.8 of which are the creek bed). Please explain the acreage discrepancy and revise the application as necessary.

108 acres are total within the permit. When buffers are subtracted, the effective mined area is 83.9 acres. Of the 83.9 acres to be reclaimed, 11.8 acres lie within the creek bed and will not be reclaimed. That leaves 72.1 acres to be reclaimed. I have revised the estimates in Exhibit L to use 72.1 acres. The revisions are attached.

12. The Division will calculate a cost estimate based on the responses to this adequacy letter. You will be provided copy of that reclamation cost estimate for review before the decision date.

No further response needed.

EXHIBIT M – Other Permits and Licenses (Rule 6.4.13):

13. Exhibit M references an attached zoning permit from Phillips County, however, this permit was not included in the amendment application. Please provide the Phillips County zoning permit.

A copy of the zoning permit is attached.

EXHIBIT N – Sources of Legal Right to Enter (Rule 6.4.14):

14. During the completeness review the Application provided sufficient information associated with the legal right to enter to call the application complete for filing, however, please now provide the mineral deed of Marion Warren to demonstrate her deed does not specifically include sand and gravel within her mineral rights.

A copy of the mineral deeds for Donald Warren, spouse of Marion Warren, are attached. We did communicate with Mrs. Warren. Following our letter of December 16, no additional claim has been made regrading mineral rights.

EXHIBIT R – Proof of Filing with County Clerk and Recorder (Rule 6.4.18):

15. Please note that any changes or additions to the application must also be reflected in the public review copy placed at the local County Clerk and Recorder by the Operator. Submit proof that the public review copy has been updated with a copy of the response to this adequacy letter.


Proof of filing of this letter and all attachments with the Phillips County Clerk is attached.

EXHIBIT S - Permanent Man-Made Structures (Rule 6.4.19):

16. During the pre-operational inspection, the Division observed four additional structures that are not accounted for in Exhibit S. Exhibit S did not include County Road 3, County Road 16, and County Road 1 on the east, north, and west sides of the permit, respectively. Additionally, Exhibit S didn't include an overhead utility line located in near the southwest corner of the permit. Please submit documentation in accordance with Rule 6.4.19 for these structures.

Documentation for the man-made structures within 200 feet of the area to be mined are attached. The Phillips County Commissioners granted a waiver allowing mining within 130' of County Roads 16 and 3. There is a buffer extending 200' east of Co. Rd. 1 which should preclude any need for a structure agreement. The power poles and power line lying east of Co. Rd. 1 are also within the 200' buffer lying east of Co. Rd. 1. I am attaching a statement from Highline Electric, owner of the power poles, that there will be no negative effect from the operation.

Please let me know if additional information is needed at this time. My mailing address is shown above. I can be reached during working hours at 970-854-3778 or by cell phone at 970-520-0502 Thank you for your consideration.

Sincerely,

Randy Schafer
Consultant

Enclosures: Proof of Publication
 Proof of Notice to landowners
 Revised Exhibit C – Site Map
 Mineral Deeds for Marion Warren
 Correspondence with Mrs. Warren
 Revised Contour Map with driveways
 Revised Cost Estimates for Exhibit L
 Structure agreement for power lines
 Seeding recommendation from NRCS
 Proof of notice to the Phillips County Clerk
 Copy of the zoning permit

cc: Phillips County Clerk
 Rick Ensminger

PROOF OF PUBLICATION

THE HOLYOKE ENTERPRISE

Publication fee \$ 49.74

Holyoke, Colorado

STATE OF COLORADO, }

COUNTY OF PHILLIPS, }

ss.

Case No. —

I, Brenda Brandt, do solemnly swear that I am Publisher of THE HOLYOKE ENTERPRISE, a weekly newspaper published in Phillips County, Colorado, and having a general circulation therein. The said newspaper has been published continuously and uninterrupted in Phillips County for a period of more than fifty-two consecutive weeks next prior to the first publication of the annexed legal notice or advertisement. That said newspaper has been admitted to the United States mails as second class matter under the provisions of the Act of March 3, 1879, or any amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said weekly newspaper for the period of 4 insertions; that the first publication of said notice was in the issue of said newspaper dated December 6 20 18 and the last publication of said notice was in the issue of said newspaper dated December 27 20 18.

Brenda K. Brandt

Publisher

Subscribed and sworn to before me this 27th day of December, 20 18.
My commission expires 1-26-19

Ashley Sullivan
Notary Public

ASHLEY SULLIVAN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20114005272
MY COMMISSION EXPIRES JANUARY 26, 2019

LEGAL NOTICE

Rick Ensminger, 241 S. Utah, Haxtun, Colorado (970-774-6108), has filed an application to expand an existing Construction Materials Regular Impact (112) with the Colorado Mined Land Reclamation Board under provisions of the Colorado Mined Land Reclamation Act for the extraction of construction materials. The proposed mine is known as the Ensminger Pit #2 and is located in the N 1/2 of Section 31, T7N, R47W of the 6th P.M., Phillips County, Colorado. The proposed date of expansion is as soon as possible, and the proposed date of completion is indefinite. The proposed future use of the land is wildlife habitat. Additional information and tentative hearing date may be obtained from the Mined Land Reclamation Board, Room 215, 1313 Sherman St., Denver, Colorado, 80203 (303-866-3567), or the Phillips County Clerk, Phillips County Courthouse, Holyoke, CO, on the above-named applicant.

Written comments must be filed with the Mined Land Reclamation Board by Jan. 16, 2019.

Published Holyoke Enterprise
First Publication: Dec. 6, 2018
Last Publication: Dec. 27, 2018

Tracking Number: 70171450000178164075

Expected Delivery on **THURSDAY 20**

[See Product Information](#)

Status

Delivered

December 20, 2018 at 11:14 am
Delivered
HAXTUN, CO 80731

Tracking Number: 70171450000178164082

Your item was delivered to an individual at the address at
DENVER, CO 80237.

Status

Delivered

December 24, 2018 at 12:53 pm
Delivered, Left with Individual
DENVER, CO 80237

Tracking Number: 70171450000178164099

On Time

Expected Delivery on **WEDNESDAY 1**

[See Product Information](#)

Status

Delivered

December 19, 2018 at 9:23 am
Delivered WRAY, CO 80758

U.S. Postal Service™
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For delivery information, visit our website at www.usps.com®.

HAXTUN, CO 80731

OFFICIAL USE

Certified Mail Fee	\$3.45	
Extra Services & Fees (check box, add fee as appropriate)		
<input type="checkbox"/> Return Receipt (hardcopy)	\$1.50	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.50	
Total Postage and Fees	\$5.45	

Sent To *Rick and Barbara Ensmine*
Street and Apt. No., or PO Box No.
City, State, ZIP+4®
*241 S. Utah
Haxton, CO 80731*

0235 09
Postmark Here
12/17/2018

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

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DENVER, CO 80237

OFFICIAL USE

Certified Mail Fee	\$3.45	
Extra Services & Fees (check box, add fee as appropriate)		
<input type="checkbox"/> Return Receipt (hardcopy)	\$1.50	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.50	
Total Postage and Fees	\$5.45	

Sent To *Mrs. Marion Warren*
Street and Apt. No., or PO Box No.
City, State, ZIP+4®
*4875 S. Maricao St, #601
Denver, CO 80237-3479*

0235 09
Postmark Here
12/17/2018

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

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WRAY, CO 80758

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Certified Mail Fee	\$3.45	
Extra Services & Fees (check box, add fee as appropriate)		
<input type="checkbox"/> Return Receipt (hardcopy)	\$1.50	
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<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.50	
Total Postage and Fees	\$5.45	

Sent To *Tallgrass Energy Partners*
Street and Apt. No., or PO Box No.
City, State, ZIP+4®
*Attn: Arlyn Davis P.O. Box 6
Wray, CO 80758*

0235 09
Postmark Here
12/17/2018

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

Tracking Number: 70171450000178164099

On Time Expected Delivery on **WEDNESDAY 19** DECEMBER 2018

Status

Delivered

December 19, 2018 at 9:23 am
Delivered
WRAY, CO 80758

Previous page

Tracking Number: 70171450000178164105

Your item was delivered to an individual at the address at CO 80731.

Status

Delivered

January 4, 2019 at 11:47 am
Delivered, Left with Individual
HAXTUN, CO 80731

7017 1450 0001 7816 4105

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com .	
OFFICIAL USE	
Certified Mail Fee \$3.45	0235 09
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$0.00	
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<input type="checkbox"/> Certified Mail Restricted Delivery \$0.00	
<input type="checkbox"/> Adult Signature Required \$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery \$0.00	
Postage \$0.50	
Total Postage and Fees \$3.45	
Sent To <i>Robert Crossland</i>	
Street and Apt. No., or PO Box No. <i>40006 Co Rd. Kf</i>	
City, State, ZIP+4® <i>Wray, CO 80758-913</i>	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Tracking Number: 70171450000178164112

Your item has been delivered to the original sender at 1:19 80731.

Status

Delivered

January 22, 2019 at 1:19 pm
Delivered, To Original Sender
HAXTUN, CO 80731

7017 1450 0001 7816 4112

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com .	
OFFICIAL USE	
Certified Mail Fee \$3.45	0235 09
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$0.00	
<input type="checkbox"/> Return Receipt (electronic) \$0.00	
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<input type="checkbox"/> Adult Signature Required \$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery \$0.00	
Postage \$0.50	
Total Postage and Fees \$3.45	
Sent To <i>Kenton Crossland</i>	
Street and Apt. No., or PO Box No. <i>31 Harper Drive</i>	
City, State, ZIP+4® <i>Wheatland, WY 82201</i>	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Tracking Number: 70171450000178164136 E

SATURDAY 22 DECEMBER 2018

Status Delivered

December 22, 2018 at 2:37 pm
Delivered, Left with Individual
GENEVA, IL 60134

7017 1450 0001 7816 4136

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
GENEVA, IL 60134	
Certified Mail Fee \$3.45	0235 19
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$1.50	
<input type="checkbox"/> Return Receipt (electronic) \$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery \$0.00	
<input type="checkbox"/> Adult Signature Required \$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery \$0.00	
Postage \$0.50	Postmark Here
Total Postage and Fees \$5.45	12/17/2018
Sent To Linda Varvis	
Street and Apt. No., or PO Box No. 220 Euclid Ave	
City, State, ZIP+4® Geneva, IL 60134-1409	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Tracking Number: 70171450000178164143 Expected Delivery on

TUESDAY 18 DECEMBER 2018

Status Delivered

December 18, 2018 at 10:01 am
Delivered
HOLYOKE, CO 80734

7017 1450 0001 7816 4143

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
HOLYOKE, CO 80734	
Certified Mail Fee \$3.45	0235 09
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$1.50	
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Postage \$0.50	Postmark Here
Total Postage and Fees \$5.45	12/17/2018
Sent To High Plains Conservancy	
Street and Apt. No., or PO Box No. P O Box 305	
City, State, ZIP+4® Holyoke, CO 80734-0305	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Tracking Number: 70171450000178164150

Your item was delivered at 8:33 am on December 21, 20

Status

Delivered

December 21, 2018 at 8:33 am
Delivered
HAXTUN, CO 80731

7017 1450 0001 7816 4150

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
HAXTUN, CO 80731	
Certified Mail Fee \$3.45	0235 09
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$1.50	
<input type="checkbox"/> Return Receipt (electronic) \$0.00	
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<input type="checkbox"/> Adult Signature Required \$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery \$0.00	
Postage \$0.50	Postmark Here
Total Postage and Fees \$5.45	12/17/2018
Sent To George Linda Fersz	
Street and Apt. No., or PO Box No. 2217 Highway 59	
City, State, ZIP+4® Haxtun, CO 80731-9730	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Tracking Number: 70171450000178164167

Your item was delivered to an individual at the address at 1
FLEMING, CO 80728.

Status

Delivered

December 20, 2018 at 10:44 am
Delivered, Left with Individual
FLEMING, CO 80728

7017 1450 0001 7816 4167

U.S. Postal Service™
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FLEMING, CO 80728

Certified Mail Fee	\$3.45	0235 09 Postmark Here 12/17/2018
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	
<input type="checkbox"/> Return Receipt (hardcopy)	\$1.50	
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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.50	
Total Postage and Fees	\$5.45	

Sent To
Street and Apt. No., or PO Box No.
City, State, ZIP+4®
Fleming CO 80728

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

Tracking Number: 70171450000178164174 **Expected Delivery on**

FRIDAY 21 DECEMBER 2018

Status Delivered

December 21, 2018 at 11:48 am
Delivered, Front Desk/Reception/Mail Room
DENVER, CO 80203

7017 1450 0001 7816 4174

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DENVER, CO 80203

Certified Mail Fee	\$3.45	0235 09 Postmark Here 12/17/2018
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	
<input type="checkbox"/> Return Receipt (hardcopy)	\$1.50	
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Postage	\$0.50	
Total Postage and Fees	\$5.45	

Sent To
State of Colorado
Street and Apt. No., or PO Box No.
City, State, ZIP+4®
Denver, CO 80203-2206

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

Tracking Number: 70171450000178164198

Your item was picked up at the post office at 9:56 am or
Status

Delivered

January 28, 2019 at 9:56 am
Delivered, Individual Picked Up at Post Office
IDALIA, CO 80735

7017 1450 0001 7816 4198

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IDALIA, CO 80735

Certified Mail Fee	\$3.45	STERLING 0324 04 JAN 23 2019 Postmark Here USPS 01/23/2019
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	
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<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$1.00	
Total Postage and Fees	\$5.95	

Sent To
Robert Crossland
Street and Apt. No., or PO Box No.
City, State, ZIP+4®
Idalia, CO 80735-9741

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

Tracking Number: 70171450000178164129

Your package will arrive later than expected, but is still on its way. It is currently in transit to the next facility.

Status

In-Transit

December 23, 2018

In Transit to Next Facility

This was received by Mary Ann Dominguez. She called me and Mr. Ensminger to explain what the project was.

7017 1450 0001 7816 4129

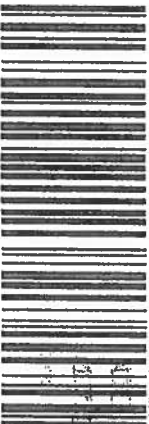
U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
DENVER, CO 80207	
Certified Mail Fee	\$3.45
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$1.50
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<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.50
Total Postage and Fees	\$5.45
Sent To <u>Mary Ann Dominguez</u>	
Street and Apt. No., or PO Box No. <u>3603 Dexter Street</u>	
City, State, ZIP+4® <u>Denver, CO 80207-1032</u>	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

0235 09
Postmark Here
12/17/2018

S
Randy Schafer
40586 County Road 21
Haxtun, CO 80731

7-1-22

CERTIFIED MAIL®



7017 1450 0001 7816 4112



1000

82201-8969

R2304W120154-09

\$5.45

U.S. POSTAGE PAID
FCM LETTER
HOLYOKE, CO
80734
DEC 17, '18
AMOUNT

ATX

9/90

Kenton Crossland
31 Haeberte Drive
Wheatland WY

9

NIXIE

808 DE 1

0001/16/19

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

UNC

EC: 00750305786

2176-04620-17-16

4092

Garay & Vicky Feesz 4065

130' Buffer for Co Rd. 3

4053

Adjoining Landowner - State of Colorado

Adj. Land

Jeanne Menard
200' Buffer for Co Rd. 1

No Mining

200' Each

Side Pipeline

4.5 Ac

4.5 Ac

4.5 Ac

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Co Rd. 1

Phillips County Road

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3.67 Ac

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Book 208
Page 528
Filed for record the 19th day of March, A. D. 1974, at 10:27 o'clock A. M.
Reception No. 174934

Mary Louise Evans
RECORDED
By _____ DEPUTY

Know all Men by these Presents, That, whereas, the following described real property, viz:

Reserving $\frac{1}{2}$ All Oil, Gas and Other Minerals in: NW $\frac{1}{4}$ 31-7-47
80 Mineral Acres,

situated in the County of Phillips and State of Colorado, was subject to taxation for the year ~~(1973)~~ A. D. 1969 year ~~(1973)~~ afore

And, Whereas, The taxes assessed upon said property for the
remained due and unpaid at the date of the sale hereinafter named;

And, Whereas, The Treasurer of the said County did, on the 7th day of December, A. D. 1970
by virtue of the authority vested in him by law, at the sale begun and publicly held on the 7th day of December
A. D. 1970, expose to public sale at the office of the Treasurer in the County aforesaid, in substantial conformity with the requirements of
statute in such case made and provided, the real property above described for the payment of the taxes, penalty interest, and costs then due
remaining unpaid on said property;

And, Whereas, At the time and place aforesaid, Donald S. Warren
of the County of Yuma and State of Colorado bid on all of the above descri
property the sum of Six DOLL
and Ninety CENTS, being the whole amount of taxes, penalty interest, and costs then due and remaining unpaid upon
property for said year, and the said Donald S. Warren legal per cent. per annum for the
having offered in his said bid to accept interest upon the said sum at the rate of legal per cent. per annum for the
six months, and at the rate of legal per cent. per annum for the next six months, and thereafter at the rate of legal
per cent. per annum, and the said rate of interest being the lowest rate of interest at which any person offered to pay the said taxes, penalty inter
and costs so due upon said property for said year, and payment of the said sum having been made by him to the said Treasurer, the said
erty was stricken off to him at that price;

*And, Whereas, The said Donald S. Warren has paid subsequent taxes on
property to the amount of Eighteen DOLLAR
thirty-nine CENTS;

And, Whereas, More than three years have elapsed since the date of the said sale, and the said property has not been redeemed therefr
provided by law;

And, Whereas, The said property was valued for assessment said year, at the amount of \$80.00

And, Whereas, All the provisions of the statutes prescribing prerequisites to obtaining tax deeds have been fully complied with, and a
of record, and filed in the office of the Treasurer of said County;

Now, Therefore, I, Glen E. Stenson, Treasurer of the County aforesaid, for
consideration of the sum to the Treasurer paid as aforesaid, and by virtue of the statute in such case made and provided, have granted, barg
and sold, and by these presents do grant, bargain, and sell the above and foregoing described real estate unto the said Donald S. Warren,

his heirs and assigns, forever, subject to all the rights of redemption by minors, or incompetent persons, i
vided by law.

In Witness Whereof, I, Glen E. Stenson, Tr
as aforesaid, by virtue of the authority aforesaid, have hereunto set my hand and seal this 19th
day of March, A. D. 1974.

Certificate No. 7071 Book No. 5 Tax Sale Record.

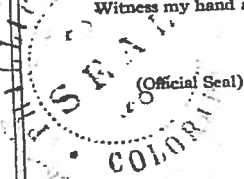
*Strike out in accordance with fact.

STATE OF COLORADO,
County of Phillips } ss.

The foregoing instrument was acknowledged before me this 19th day of MARCH, 1974
by Glen E. Stenson as treasurer of said county.

Witness my hand and official seal.

My commission expires _____



Mary Louise Evans
County Clerk & Recd

Filed for record on 19th day of March A. D. 1974, at 11:00 A. M.
Description No. 1749337

Book Page
Mary Louise Evans RECORDED
By _____ DEPUT

Know all Men by these Presents, That, whereas, the following described real property, viz:

Reserving $\frac{1}{4}$ All Oil, Gas and Other Minerals in: NE $\frac{1}{4}$ 31-7-47
80 Mineral Acres,

situated in the County of Phillips and State of Colorado, was subject to taxation for the year ~~(or years)~~ A. D. 1969

And, Whereas, The taxes assessed upon said property for the _____ year ~~(or years)~~ afore-
remained due and unpaid at the date of the sale hereinafter named;

And, Whereas, The Treasurer of the said County did, on the 7th day of December, A. D. 1970
by virtue of the authority vested in him by law, at the sale begun and publicly held on the 7th day of December
A. D. 1970, expose to public sale at the office of the Treasurer in the County aforesaid, in substantial conformity with the requirements of
statute in such case made and provided, the real property above described for the payment of the taxes, penalty interest, and costs then due
remaining unpaid on said property:

And, Whereas, At the time and place aforesaid, Donald S. Warren
of the County of Yuma and State of Colorado bid on all of the above descr-
property the sum of Six DOLL-
and ninety-one CENTS, being the whole amount of taxes, penalty interest, and costs then due and remaining unpaid upon
property for said year, and the said Donald S. Warren
having offered in his said bid to accept interest upon the said sum at the rate of legal per cent. per annum for the
six months, and at the rate of legal per cent. per annum for the next six months, and thereafter at the rate of legal
per cent. per annum, and the said rate of interest being the lowest rate of interest at which any person offered to pay the said taxes, penalty int-
and costs so due upon said property for said year, and payment of the said sum having been made by him to the said Treasurer, the said
erty was stricken off to him at that price:

And, Whereas, The said Donald S. Warren has paid subsequent taxes on
property to the amount of Eighteen DOLLAR
Thirty-nine CENTS:

And, Whereas, More than three years have elapsed since the date of the said sale, and the said property has not been redeemed therefr
provided by law:

And, Whereas, The said property was valued for assessment said year at the amount of \$80.00

And, Whereas, All the provisions of the statutes prescribing prerequisites to obtaining tax deeds have been fully complied with, and ar
of record, and filed in the office of the Treasurer of said County:

Now, Therefore, I, Glen E. Stenson, Treasurer of the County aforesaid, for
consideration of the sum to the Treasurer paid as aforesaid, and by virtue of the statute in such case made and provided, have granted, barg
and sold, and by these presents do grant, bargain, and sell the above and foregoing described real estate unto the said Donald S. Warren,

his heirs and assigns, forever, subject to all the rights of redemption by minors, or incompetent persons, a
vided by law.

In Witness Whereof, I, Glen E. Stenson, Tre-
as aforesaid, by virtue of the authority aforesaid, have hereunto set my hand and seal this 19th
day of March, A. D. 1974.

Commission No. 7071 Book No. 5 Tax Sale Record.

*Strike out in accordance with fact.

STATE OF COLORADO,
County of Phillips } ss.
The foregoing instrument was acknowledged before me this 19th day of March, 1974
by Glen E. Stenson as treasurer of said county.
Witness my hand and official seal.

My commission expires _____

Mary Louise Evans
County Clerk & Recorder

405686 Co. Rd. 21
Haxtun, CO 80731

December 16, 2018

Mrs. Marion Warren
4875 S. Monaco Street, Apt #601
Denver, CO 80237-3479

Dear Mrs. Warren,

Rick Ensminger has asked me to address sand and gravel and how they are viewed in relation to mineral interests.

I am the county administrator/county planner for Phillips County. In that role and as a private consultant, I have made over 75 applications for the county and many private individuals in eastern Colorado over the last thirty years.

The facts for this application are that Rick and Barb Ensminger are the landowners of the N1/2 of Section 31, T7N, R47W in Phillips County, Colorado. Rick operates a gravel pit along the creek through that half-section and have made application to the Colorado Division of Reclamation, Mining and Safety Board to enlarge the boundaries of the existing gravel pit.

On Mr. Ensminger's behalf, I received your comment that you own 50 percent of the minerals but have no signed lease and have not been receiving a royalty. The landman who helps you with your oil and gas interests called and indicated, in his opinion, that sand and gravel are minerals. Based on my experience and on research of Colorado and federal law, sand and gravel have not been determined to be part of mineral interests unless they are specifically cited in the reservation.

While a number of the applications I have submitted over the years have had mineral interest holders, none of them have ever claimed that sand and gravel were part of their claim.

Research on the issue in relevant Colorado and federal case law indicates that sand and gravel are not minerals. Your reservation stipulates "all oil, gas, and other minerals." Colorado case

law indicates that unless sand and gravel are specifically cited in the reservation, they are not deemed part of the mineral interest but part of the surface ownership. I am attaching two references. One is taken from *Kinnie v. Keith* (Colorado 128 P.3d 297 (2005)). The second is an article entitled Now Is It a Mineral? The Supreme Court Takes Another Look at Sand and Gravel. It cites a number of cases but makes a determination on sand and gravel in its conclusion.

Based on these determinations, sand and gravel are part of the surface ownership since they were not specifically cited in your reservation.

Sincerely, on behalf of Mr. Rick Ensminger,

A handwritten signature in black ink that reads "Randy Schafer". The signature is written in a cursive, flowing style.

Randy Schafer
Consultant

cc: Rick Ensminger

Attachments: Excerpts from *Kinnie v. Keith*

Conclusion from Now Is It a Mineral? The Supreme Court Takes Another Look at Sand and Gravel

Kinney v. Keith

128 P.3d 297 (2005)

Stephen H. KINNEY and Rocky Mountain Bluebird Ranch, a California corporation, Plaintiffs-Appellants, v. Raymond E. KEITH, Brenda M. Keith, Thomas K. Colbert, Virginia N. Colbert, and Mountain Gravel and Construction Co., a/k/a Mountain Gravel and Construction, Inc., a Colorado corporation, Defendants-Appellees.

No. 04CA1406.

Colorado Court of Appeals, Division V.

December 1, 2005.

*300 Jon Lewis Kelly, Cortez, Colorado; Charles G. Kinney, Oakland, California, for Plaintiffs-Appellants.

Dufford, Waldeck, Milburn & Krohn L.L.P., Nathan A. Keever, Grand Junction, Colorado, for Defendants-Appellees.

" *304 There is a diversity of judicial thought on the recurring question of whether ordinary gravel and common sand, which are primarily used, as they are in the instant case, as aggregates in the mixing of concrete, are minerals. The general rule appears to be that gravel and common sand are not included within the meaning of the word "mineral" as that term is used in conveyances either granting or reserving mineral interests:

Generally, the courts appear to find no intention on the part of those entering into a "mineral" conveyance to include ordinary building sand in the category of minerals unless there appears some positive intention to do so. This seems to be particularly true in areas where sand and gravel are common but where the most usual subjects of mineral conveyances are oil and gas. Also, where a large part of the surface is occupied by sand and gravel, the courts are likely to find that inclusion of these materials in the term "minerals" would tend to swallow up the

surface grant. The general tenor of the cases considering whether gravel is to be considered as a "mineral" within the meaning of a conveyance reserving or granting minerals appears to be that since gravel is a material of much less value than most other mineral substances, and also is not peculiarly identifiable chemically from other substances, no intention to convey gravel will ordinarily be found in the absence of language or circumstances specifically indicating such intention."

NOW IS IT A MINERAL? THE SUPREME COURT TAKES ANOTHER LOOK AT SAND AND GRAVEL

© 2004 Christopher Hayes Bjork Lindley Little PC

III. Conclusions

"Ordinary sand and gravel are not generally considered to be minerals in private party transactions where "minerals" are conveyed or reserved. Sand and gravel are minerals if the parties to a private transaction intend them to be and clearly state their intention. They are minerals if the United States is claiming them under the mineral reservation from patents issued under the Stock Raising Homestead Act. The decision appears to have limited the holding, but did not overturn it. Therefore, reservations of minerals from patents under other land grant statutes must be reviewed to determine whether Congress clearly and unambiguously intended that sand and gravel be reserved; it is not possible to state generally that all reservations of minerals under federal patents either include or exclude sand and gravel."

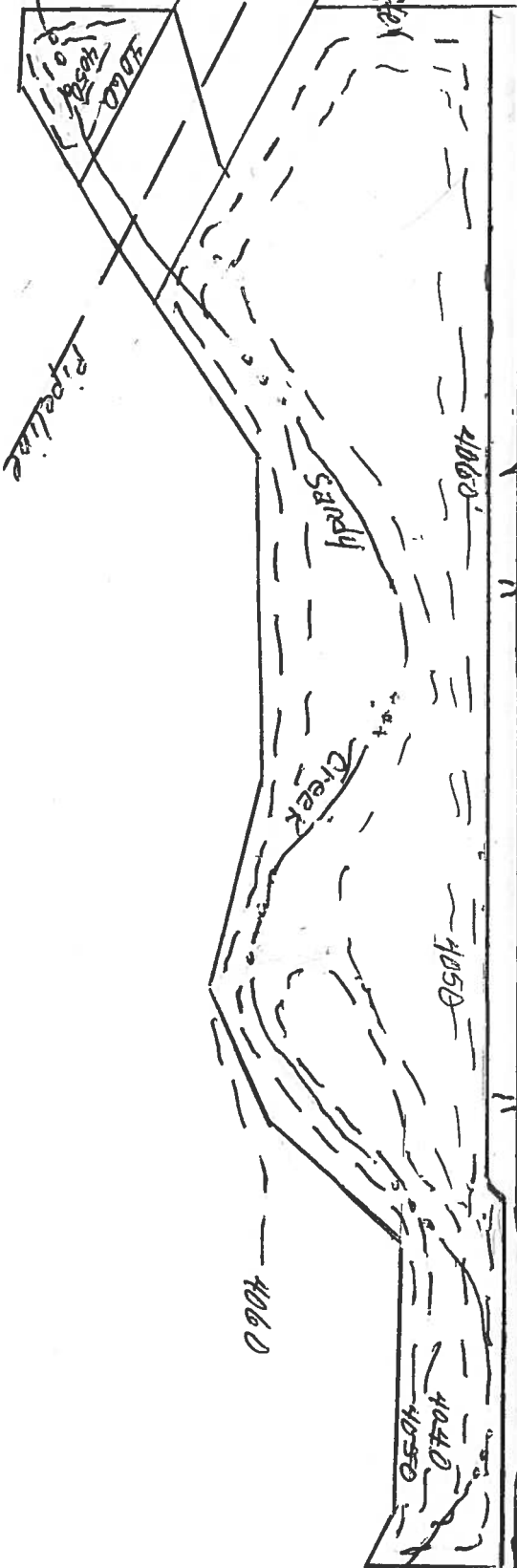
BedRoc Ltd. LLC Western N

LOGAN CO
PHILLIPS CO

Co. Rd. 1

Co. Rd. 16

130' N 41'



N 1/2 Sec. 31

T 77N, R 47W

Co. Rd. 3

EXHIBIT F - FINAL CONTOUR PLAN

OPERATOR - Rick Ensminger
SCALE 1" = 600'
CONTOUR INTERVAL 10 feet
DATE September 1, 2018
SECTION 31, N 1/2
TOWNSHIP 7N
RANGE 47W
COUNTY Phillips
PREPARED BY
Ensminger Pit #2

Revised
2/18/19
changed contours
on north to
reflect 130' buffer
Randy Schapler

Revised 2/18/19

Amended Ensminger Pit #2 Calculation Notes

Calculations are based on work to a maximum of 83.9 affected acres which should be the maximum disturbed. Of the 83.9 acres, 11.8 actually are creekbed which will not be reclaimed, leaving 72.1 net acres.

Backfilling and grading

12,790 ft.	Perimeter involved	x	60 ft.	(slope distance)	=	767,400 sq.ft.
767,400 sq.ft.		x	0.42 ft.	(depth)	=	322,308 cu.ft.
322,308 cu.ft.		/	27 cu.ft.		=	11,937 CY

72.1 Ac.		x	43,560 sq.ft.	Area in Acre	=	3,140,676 sq.ft.
			Area previously calculated		+	<u>767,400</u> sq.ft.
						3,908,076 sq.ft.
			Depth	x	<u>1</u> ft.	3,908,076 cu.ft.

3,908,076 cu.ft.		/	27 cu.ft.		=	144,744 CY
					+	<u>11,937</u> CY
			Total Cubic Yards to move			156,681 CY

Dozer will move 795 CY/Hour

156,681 CY		/	795	CY/hour	=	197.1 Hrs.
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Replace Topsoil

0.42 ft.	(inches of. topsoil)	x	3,140,676		=	1,319,084 cu.ft.
			(Total Area)			
1,319,084 cu.ft.		/	27 cu.ft.		=	48,855 CY

Replace Overburden (minimum anticipated)

0.5 ft.	(approx. feet of overburden)	x	3,140,676		=	1,570,338 cu.ft.
			(Total Area)			
1,570,338 cu.ft.		/	27 cu.ft.		=	58,161 CY

Speedy Mover will move 117 CY/Hour

48,855 CY						
<u>58,161</u> CY						
107,016 CY		/	117	CY/Hour	=	914.7 Hrs.

Cost Estimate for Reclamation

Revised 02/18/2019

The maximum area in the amended Ensminger Pit #2 that could require seeding is 72.1 acres. That is the total affected area minus the dry creek bed which will not be seeded. The site will be graded and sloped as it is mined. There is minimal topsoil at the site. Banks will be reclaimed. Stockpiled topsoil will be re-applied to the excavations outside the flow area. A cover crop will be established on the areas outside the creek and on disturbed banks. After the cover crop is established, the grass will be planted as recommended by the local Natural Resource Conservation Service. The cost units below already include labor and fuel. The cover crop, manuring, and grass seeding cost were obtained from the Natural Resource Conservation Service and have been based on Conservation Reserve Program costs. The other unit costs were obtained from a local contractor who is equipped to perform reclamation if Rick Ensminger were to default on the reclamation plan.

Ensminger Pit #2, as amended

<u>Task</u>	<u>Volumes</u>	<u>Units</u>	<u>Unit Cost</u>	<u>Item Cost</u>
Backfill and Grade to 2:1 slopes	197.1	Hours	\$125.00	\$24,637.50
Replace Topsoil/Overburden				
Tractor/Speedy Mover	914.7	Hours	\$75.00	\$68,602.50
Revegetate Site				
Cover crop	72.1	Acres	\$50.00	\$3,605.00
Grass seeding	72.1	Acres	\$50.00	\$3,605.00
Seed	757.05	Lbs.	\$9.70	\$7,343.39
	(72.1 acres x 10.5 # PLS/Acre)			
Mobilization				
Tractor/Speedy Mover	2	Hours	\$75.00	\$150.00
Dozer	2	Hours	\$125.00	\$250.00
TOTAL				\$108,193.39

Total Estimated Cost	/	Total Affected Area	=	Estimated Cost per Acre
\$108,193.39		72.1		\$1,500.60

Estimated Financial Assurance	Est. Acreage	x	Est. Cost/Ac	=	Fin. Assur.
Area 1	9.9		\$1,500.60		\$14,855.96
Area 2	11.2		\$1,500.60		\$16,806.74
Area 3	10		\$1,500.60		\$15,006.02
Area 4	10		\$1,500.60		\$15,006.02
Area 5	10		\$1,500.60		\$15,006.02
Area 6	4.5		\$1,500.60		\$6,752.71
Area 7	16.5		\$1,500.60		\$24,759.93
TOTAL	72.1				\$108,193.39

Areas 2 through 5 will extend into the newly amended area (acreages are estimates).

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. Power poles along east edge of County Road 1, south of Co. Rd. 16 from the
2. Tallgrass pipeline to the north side of Sandy Creek (east edge of Section 31,
3. T7N, R47 W of the 6th P.M., Phillips County, Colorado).
4. Phillips County Roads 1, 3, and 16
5.

(Please list additional structures on a separate page)



HIGHLINE ELECTRIC ASSOCIATION

P.O. Box 57, 1300 South Interoccean, Holyoke, Colorado 80734 970-854-2236 Fax: 970-854-3652

February 25, 2019

To whom it may concern,

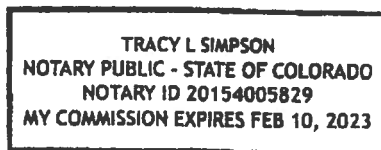
The mining of Rockland Ensminger Pit #2 in the N1/2 of section 31, T7N, R47W as presented in the aerial photo and the mining drawing, will have no negative effect to the 7 poles along the northwest side of the section.

Rance Ferguson
Operations Manager
Highline Electric Association

State Of Colorado
County of Phillips

The foregoing instrument was acknowledged before me this 21st day of September, A.D. 2018 by Rance Ferguson as Operations Manager of Highline Electric Association, a Colorado Corporation.

Witness by hand and official seal.


Notary Public

A Touchstone Energy® Cooperative

Highline Electric Association is an equal opportunity provider and employer

Phillips County Commissioners Minutes
April 19, 2010

Present were County Commissioners Jerry Beavers -Chairman, Quentin "Bud" Bieseemeier, and Susan Roll Walters and County Administrator Randy Schafer.

The meeting opened at 9:00 a.m. with the Pledge of Allegiance.

A motion was made by Susan Roll Walters, second by Bud Bieseemeier, to approve the minutes of March 31, 2010, as corrected. Motion carried.

A motion was made by Susan Roll Walters, second by Bud Bieseemeier, to approve the minutes of April 2, 7, and 9, 2010 as presented. Motion carried.

The board met with Mary Tomky, Holyoke Chamber Director. She has been serving as the county representative on the NE Colorado Travel Region board. In past years, the county has been paying \$250 and the Chamber from Haxtun and Holyoke are dividing the remaining \$250 in dues. Mary indicated she was resigning as the county representative. She also reported that the Holyoke Chamber would not be able to pay their \$125 share this year.

A motion was made by Bud Bieseemeier, second by Susan Roll Walters, to work with the Raising Ranchers 4-H Club to clean, plant, and weed the four flower beds on the Courthouse Square. The county will purchase the flowers, fertilizer, and supplies. Motion carried.

A motion was made by Bud Bieseemeier, second by Susan Roll Walters, to approve the hiring of Tonya Lemly as a Caseworker Supervisor. She will be placed on SS Grade 73, Step 2, effective April 6, 2010 at a salary of \$35,024.38 (\$2,918.70 per month). She will be eligible for a step increase as soon as she completes the caseworker supervisor training and has received a satisfactory performance appraisal. Motion carried.

A motion was made by Susan Roll Walters, second by Bud Bieseemeier, to grant a waiver from the 200' setback requirement on the Tim Hansel gravel mining permit. The board hereby approves a setback of 130' south of the original, straight north section line and 130' from the east section line of Section 31, T7N, R47W. Motion carried.

Randy brought the board up to date on the Courthouse Steps project. The Colorado Historical Fund has approved the plans and specifications so we can proceed to bid. Prepared advertisements would have bids returning May 14, 2010. If bids for demolition are too high, the county may decide to do that portion with county forces.

The board was saddened to hear of the illness and death of Robert Patten, Road Worker in District #1.

Bill Andrews had reported the loss of the cardboard open front storage shed on April 13 due to high winds. The claim is being submitted to our insurance. We will get an estimate from George Woolf on replacement as it was originally configured. Some changes in design may be necessary as we put the storage unit back in place.

Randy explained that NCDC, the firm who converted data for the Communications Center, is no longer in business. They originally converted 911 information, but did not convert our parcels into shape files. Assessor Doug Kamery has obtained three quotes from outside firms to complete conversion of our autocad parcel files into shape files for use in ArcGIS. The quotes run from \$9,000 to \$40,000. Randy will do some additional research and try to have choices to move us forward at our next meeting.

Beau Waln had visited with Randy about becoming a volunteer fireman. The county currently has no policy preventing this. Beau indicated the Holyoke Fire Chief was only anticipating that he would be called out on weekends or evenings. The board felt the membership was fine.

The Haxtun Corn Festival sent a request for \$5,000 toward the 2010 Corn Festival. The board has already budgeted \$4,000 for 2010.

The board approved replacement of the cracked window in the downstairs Courthouse men's restroom. Estimated cost is \$279.15.

The board met with leaders and 4-H members from the Holyoke Centennial 4-H Club. They volunteered to paint the east beef barn if the county was willing to buy the supplies. The board indicated they would like to accept the offer, but may want to review needs at the fairgrounds before deciding which project to pursue.

U.S. Department of Agriculture
Natural Resources
Conservation Service

CO-ECS-5
180-12-11
January 2006

Grass Seeding: Part I - Planned

Planner:	Loamy Plains & Loamy Slopes - CP4D - Joe Crowder			Date:	6-May-10
Producer:	Phillips County	Reseeding Gravel Pit reclamation			
MLRA:	72	Contract/Agreement #:	N 1/2 31-7-47 Phillips County	Item Num:	
Seeding Operation:	Acres to be seeded:	9.9			
	Seedbed Prep:	Limited: less than 3 tillage operations	Cropland:	non-irrigated	
	Planting Dates:	Nov 1 - April 30			
	Planting Depth (in.):	1/2"			
	Drill Type:	Grass			
	Drill Spacing (in.):				
Fertilizer:	Pounds per acre recommended			(planned and applied requires practice standard 590)	
	Nitrogen (N)	Phosphorus (P)	Potassium (K)		
	None	None	None		
Weed Control:	Dates:	Summer following planting	(planned and applied requires practice standard 595)		
	Description:	mechanical			
Cover:	Amount:				
	Description:				
	Application Method:				

Seed Recommendations:

Species	Variety (table 6: PMTN 59)	PLS Rates Irr/Non-Irr	PLS/Ac to use (100%)	% In mix	Rate (PLS lb/ac)	Acres to be seeded	Total PLS
Western wheatgrass	Arriba, Berton	16.0 / 8.0	16.0	10	1.6	9.9	15.8
Switchgrass	NE-28, Pathfinder, Blackwell	4.0 / 2.0	4.0	50	2.0	9.9	19.8
Big bluestem	Bison, Champ, Kaw	11.0 / 5.5	11.0	20	2.2	9.9	21.8
Yellow indiangrass	Cheyenne, Holt, Llano	10.0 / 5.0	10.0	10	1.0	9.9	9.9
Alfalfa	Ladak, Ranger	8.0 / 4.0	8.0	10	0.8	9.9	7.9
Totals			49.0	100.0	7.6	9.9	75.2

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

Double drilled seeding rate to obtain broadcast seeding rate.

Certified Planner:

Joe Crowder

Date: May 6, 2010

	
This conservation plan addresses the client's needs and meets the identified resource concerns.	
<i>Joe Crowder</i> Joe Crowder Certified Conservation Planner, ID No. 200	5/6/10 Date Approved

BUILDING PERMIT

221 S INTEROCEAN AVE, HOLYOKE, CO 80734

PHILLIPS COUNTY

COLORADO

NUMBER 2019-003

PERMIT FEE \$30.00

DATE 2-19-19

USE TAX -

TOTAL DUE 30.00 paid

Owner RICK ENSMINGER

Mailing Address 241 S. Utah

City/State/Zip Haxton, CO 80731 Phone 970-774-7403

Contractor N/A

Phone _____

Legal Description of Land Part N1/2 Section 31, T7N, R47W

Intended Use of Building Gravel Pit (Expansion of Ensminger Pit #2)

Present Zoning A-2

Class of Work ☐ New ☒ Addition ☐ Alteration

☐ Repair ☐ Move

Total cost of project _____ X .52 _____ X .01 _____
(UBCFactor) (County Sales Tax) (Use Tax Due)

Size of Building N/A Size of Lot 108 Acres

Water Source N/A Sewer Facilities N/A

Required Setbacks: N/A Front _____ Side _____

_____ Rear _____ Side _____

Special Conditions: Follow state permit

Approved by: Randy Schaefer Validation Date: 2/19/19

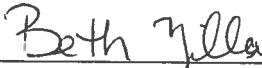
I hereby acknowledge that on March 12, 2019, Randy Schafer provided additional information regarding the Ensminger Pit #2 application for expansion which was submitted to the Colorado Mined Land Reclamation Board. The pit is located in Phillips County and known as the Ensminger Pit #2 (part of the N 1/2 of Section 31, T7N, R47W of the 6th P.M.). The application and any additional material are 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 the receipt of this application, neither the person signing nor this office assumes any responsibility as the accuracy of the information which it contains, endorses the application, or assumes any responsibility for it whatsoever.

Phillips County Clerk and Recorder

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