



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources
1313 Sherman Street, Room 215
Denver, Colorado 80203

M-2019-056

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NOV 01 2019

DIVISION OF RECLAMATION,
MINING AND SAFETY

CONSTRUCTION MATERIALS

SPECIAL OPERATION 111(1)(b)

RECLAMATION PERMIT APPLICATION FORM

The application for a Construction Materials Special 111 Operation Reclamation Permit contains four major parts: (1) the application form; (2) Exhibits A-L, Addendum 1, and any sections of Exhibit 6.5 (Geotechnical Stability Exhibit), as required by the Office, and outlined in Rules 6.1, 6.2, 6.3, 6.5, and 1.6.2(1)(b); (3) the application fee; (4) the Performance Warranty and Financial Warranty.

When you submit your application, be sure to include one **completed, signed and notarized ORIGINAL** and one copy of the completed application form, two copies of Exhibits A-L, Addendum 1, appropriate sections of Exhibit 6.5 (Geotechnical Stability Exhibit), as required, a check for the \$400.00 application fee, and the fully executed Performance Warranty and Financial Warranty. Exhibits should **NOT** be bound or in 3-ring binders; maps should be folded to 8 1/2" X 11" or 8 1/2" X 14" size. To expedite processing, please provide the information in the format and order described in this form.

GENERAL OPERATION INFORMATION

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

1. **Applicant/operator or company name (name to be used on the permit):**

H-2 Enterprises, LLC

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

2. **Operation name (pit, mine or site name):** Lord Reservoir

3. **Permitted acreage:** (must be 30 acres or less)

20

4 Permitted Acres

4. **Fees:**

4.1 New Application

\$400.00 Application Fee

5. **Primary commodity(ies) to be mined:** Overburden Fill Dirt

6. **Name of owner to the surface of affected land:** Turnpike, LLC

7. **Name of owner to the subsurface rights of affected land:** Turnpike, LLC

8. **Location information:** The **center** of the area where the majority of mining will occur:

COUNTY: Weld

PRINCIPAL MERIDIAN (check one):



6th (Colorado)



10th (New Mexico)



Ute

SECTION (write number):

S 4

TOWNSHIP (write number and check direction):

T 1



North



South

RANGE (write number and check direction):

R 63



East



West

QUARTER SECTION (check one):

☐ NE



NW



SE



SW

QUARTER/QUARTER SECTION (check one):

☐ NE



NW



SE



SW



9. **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 _____ min _____ sec _____._____ (2 decimal places)

Longitude (W): deg _____ min _____ sec _____._____ (2 decimal places)

OR

Example: (N) 39.73691°

(W) -104.98449°

Latitude (N) 40 07333 (5 decimal places)

Longitude (W) -104 45158 (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) _____ Zone _____

Easting _____

Northing _____

11. **Primary Present Land Use (check only one):**

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

10. **Primary Future (Post-mining) Land Use (check only one):**

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

12. **Duration of Project:**

12.1 Estimated beginning date of excavation: 06/05/2019

12.2 Estimated completion date of excavation: 12/15/2019

13. **Correspondence Information:**

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

Contact's Name: Doug Cook Title: Director
Company Name: H-2 Enterprises, LLC
Street/P.O. Box: 4626 Weld County Road 65 P.O. Box: _____
City: Keenesburg State: CO Zip Code: 80643
Telephone Number: (720) - 388-0155 Fax Number: (303) - 732-0510
Email Address: dcook@h-2e.com

PERMITTING CONTACT (if different from applicant/operator above)

Contact's Name: same as above Title: _____
Company Name: _____
Street/P.O. Box: _____ P.O. Box: _____
City: _____ State: _____ Zip Code: _____
Telephone Number: () - Fax Number: () -
Email Address Name: _____

INSPECTION CONTACT (if different from applicant/operator above)

Contact's Name: same as above Title: _____
Company Name: _____
Street/P.O. Box: _____ P.O. Box: _____
City: _____ State: _____ Zip Code: _____
Telephone Number: () - Fax Number: () -
Email Address: _____

CC: STATE OR FEDERAL LANDOWNER (if any)










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

CC: STATE OR FEDERAL LANDOWNER (if any)

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

Responsibilities as a Permittee:

Upon application approval and permit issuance, this application becomes a legally binding document. Therefore, there are a number of important requirements which you, as a permittee, should fully understand. These requirements are listed below. **Please read and initial each requirement**, in the space provided, to acknowledge that you understand your obligations. If you do not understand these obligations then please contact this Office for a full explanation.

-  1. Your obligation to reclaim the site is not limited to the amount of the financial warranty. You assume legal liability for all reasonable expenses which the Board or the Office may incur to reclaim the affected lands associated with your mining operation in the event your permit is revoked and financial warranty is forfeited;
-  2. The Board may suspend or revoke this permit, or assess a civil penalty, upon a finding that the permittee violated the terms or conditions of this permit, the Act, the Mineral Rules and Regulations, or that information contained in the application or your permit misrepresent important material facts;
-  3. If your mining and reclamation operations affect areas beyond the boundaries of an approved permit boundary, substantial civil penalties may result to you as permittee;
-  4. Any modification to the approved mining and reclamation plan from those described in your approved application requires you to submit a new permit application and obtain approval from the Board or Office;
-  5. It is your responsibility to notify the Office of any changes to your address or phone number;
-  6. Upon permit issuance and prior to beginning on-site mining activity, you must post a sign at the entrance of the mine site, which shall be clearly visible from the access road, with the following information (Rule 3.1.12):
 - a. the name of the operator;
 - b. a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and,
 - c. the permit number.
-  7. The boundaries of the permit boundary area must be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries prior to site disturbance;
-  8. It is a provision of this permit that the operations will be conducted in accordance with the terms and conditions listed in your application, as well as with the provisions of the Act and the Rules and Regulations in effect at the time the permit is issued.
-  9. Annually, on the anniversary date of permit issuance, you must submit an annual fee (\$200), and an annual report which includes a map describing the acreage affected and the acreage reclaimed to date. You must also submit any monitoring required by the Reclamation Plan to be submitted annually on the anniversary date of the permit approval. Annual fees are for the previous year a permit is held. For example, a permit with the anniversary date of July 1, 2019, the annual fee is for the period of July 1, 2018 through June 30, 2019. Failure to submit your annual fee and report by the permit anniversary date may result in a civil penalty, revocation of your permit, and forfeiture of your financial warranty. It is your responsibility, as an operator, to continue to pay your annual fee to the Office until the Board releases you from your responsibility.

Certification:

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

1. All necessary approvals from local government have been applied for (Section 34-32.5-111(1)(a)(IX));
2. This entire mining operation will not affect more than 30 acres;
3. This mining operation will not adversely affect the stability of any significant, valuable and permanent man-made structure(s) located within two hundred (200) feet of the affected lands. (However, where there is an agreement between the applicant/operator and the persons having an interest in the structure that damage to the structure is to be compensated for by the applicant/operator (Section 34-32.5-115(4)(e), C.R.S.), then mining may occur within 200 feet. Proof of an agreement must be submitted to the Office prior to the decision date.)
4. No mining operation will be located on lands where such operations are prohibited by law (Section 34-32.5-115(4)(f), C.R.S.);
5. As the applicant/operator, I do not have any mining/exploration operations in this state of Colorado currently in violation of the provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials (Section 34-32.5-120, C.R.S.) as determined through a Board finding.
6. I understand that statements in the application are being made under penalty of perjury and that false statements made herein are punishable as a Class 1 misdemeanor pursuant to Section 18-8-503, C.R.S..

This form has been approved by the Mined Land Reclamation Board pursuant to section 34-32.5-111, C.R.S., of the Colorado Land Reclamation Act for the Extraction of Construction Materials. Any alteration or modification of this form shall result in voiding any permit issued on the altered or modified form and subject the operator to cease and desist orders and civil penalties for operating without a permit pursuant to section 34-32.5-123, C.R.S.

Signed and dated this 7th day of October, 2019.

H-2 Enterprises, LLC

Applicant/Operator

If Corporation Attest (Seal)

By: 
Title: **Doug Cook - Director**

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

State of Colorado)
County of Weld) ss.

The foregoing instrument was acknowledged before me this 7th day of October, 2019,
by _____ as **Doug Cook - Director** of **H-2 Enterprises, LLC**
(Name) (Title) (Applicant/Operator)


Notary Public

My Commission expires _____

SIGNATURES MUST BE IN BLUE INK

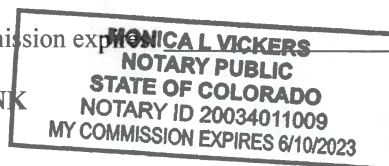


EXHIBIT A - Legal Description and Location Map
Rule 6.3.1

1) Legal Description:

- a. County: Weld
- b. Principal Meridian (check one): ☒ 6th (Colorado) ☐ 10th (New Mexico) ☐ Ute
- c. Section (write number): 4
- d. Township (write number and check direction): T 1 ☒ North ☐ South
- e. Range (write number and check direction): R 63 ☐ East ☒ West
- f. Quarter Section (check one): ☐ NE ☐ NW ☐ SE ☒ SW
- g. Quarter/Quarter Section (check one): ☐ NE ☐ NW ☐ SE ☒ SW
- h. Approximate elevation (write number): 4870 Feet
- i. Direction and miles to nearest town/city 2 miles west of Prospect Valley, CO

Additional location details: _____

Travel 2 miles west from Hwy 79 on Hwy 52, at WCR 65 turn North on to access road

Note: Where available, the street address or lot number(s) shall be given.

2) Primary Mine Entrance Location (report in either Latitude/Longitude OR UTM):

Latitude/Longitude:

Degrees Minutes Seconds (DMS):

Latitude (N): deg _____ min _____ sec _____ (2 decimal places)

Longitude (W): deg _____ min _____ sec _____ (2 decimal places)

OR

Decimal Degrees (DD):

Latitude (N) 40 .07333 (5 decimal places)

Longitude (W) -104 .45158 (5 decimal places)

OR

Universal Transverse Mercator (UTM):

UTM Datum (specify NAD27, NAD83 or WGS 84) _____ Zone _____

Easting _____

Northing _____

3) Location Map showing the location of the mine site on a USGS Quad (1:24,000 Scale) or equivalent map.

☒ Attached

EXHIBIT B – Site Description
Rule 6.3.2

1) Primary present land use (check one):

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

Additional land use information:

Adding sprinkler pivot to land

2) Current vegetative cover (check all that apply):

- | | | |
|---|----------------------------------|--|
| <input checked="" type="checkbox"/> Grasses | <input type="checkbox"/> Trees | <input type="checkbox"/> No vegetative cover |
| <input type="checkbox"/> Shrubs | <input type="checkbox"/> Pasture | <input type="checkbox"/> Other: _____ |

3) Current Soil Characteristics:

Sandy loam

(This information is publically available and free. It may be obtained through the local office of the Natural Resources Conservation Service or obtained from websoilsurvey.sc.egov.usda.gov)

4) Are there any permanent manmade structures (homes, roads, bridges, power lines, fences, etc.) located within two hundred (200) feet of the permit boundary: (☐) Yes or (☒) No

Structure: _____	Owner: _____
Structure: _____	Owner: _____
Structure: _____	Owner: _____
Structure: _____	Owner: _____

*Attach separate sheet if there are additional structures

5) Are there any streams, springs, lakes, stock water ponds, ditches, reservoirs, and aquifers that would receive drainage directly from the mine: (☒) Yes or (☐) No

If yes, please describe the water features: _____

irrigation reservoir

6) (Optional) Please attach a Wildlife Statement prepared by the Colorado Parks and Wildlife.

7) (Optional) Additional site description information:

EXHIBIT C - Mining Plan
Rule 6.3.3

The purpose of the mining plan is to describe how mining will affect the permit area for the duration of the operation.

1) **Estimated dates of commencement:** 06/05/2019 **and completion:** 12/15/2019

Note: Reclamation of all affected lands shall be completed within 12 months after issuance of the permit. An Operator possessing a 111(1)(b) Reclamation Permit must convert to the appropriate regular construction materials permit if extraction and export of materials from the site are not completed within 12 months after the issuance of the permit.

2) **Depth of topsoil to be salvaged (check one):**

☒ 4-6 inches ☐ 6-8 inches
☐ 8-10 inches ☐ 10-12 inches
☐ Other: _____
☐ N/A, explain: _____

3) **Description of how topsoil will be stockpiled and stabilized:**

Stockpiled with scraper tractors and stabilized with tackifier.

4) **Thickness of overburden needed to be moved:** _____ feet or x N/A

5) **Thickness of deposit to be mined:** 1-2 feet

6) **How will the mine be accessed:** (☒) existing roads (☐) new roads will be created

a. Please describe the existing roads:

Access North of WCR 65 and Hwy 52 will be used. Dirt road with tracking pad at entrance.

b. If there will be new roads or road improvements, please describe the new roads and road improvements (note, new roads must be included in permitted acreage):

7) **Will water be needed during the mining operation (check one):** (☐) Yes or (☒) No

a. If yes, please describe the source of the water and how much water will be used during the operation:

8) Will groundwater be encountered and/or surface water intercepted or disturbed (check one):

(☐) Yes or (☒) No.

a. If yes, please describe:

9) (Optional) Please provide additional information about the Mining Plan:

Re-contour grade for installation of center pivot sprinkler.

EXHIBIT D - Reclamation Plan
Rule 6.3.4

The purpose of the Reclamation Plan is to describe the timing, procedures, criteria and materials that will be used to reclaim the affected land to the proposed future land use. This plan must be correlated to Exhibit E - Map.

1) Primary future (Post-mining) land use (check one):

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

**Note: The Colorado Parks & Wildlife (CPW) must be consulted where wildlife use is the proposed future land use.

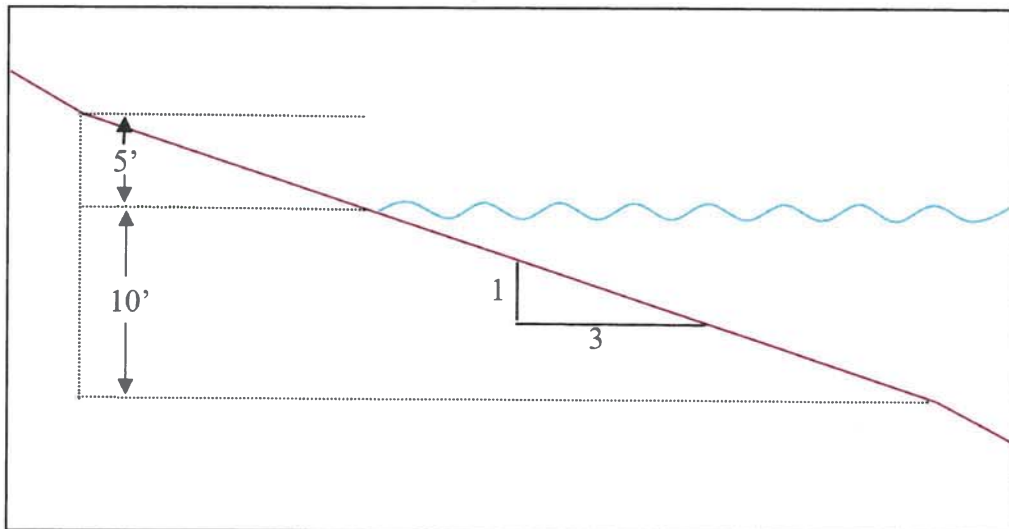
2) Please provide a general description of how the mined area will be reclaimed:

De-compacted disc for seedbed prep, drill seed

3) Specify which ponds, streams, roads and buildings, if any, will remain after reclamation. These features must be shown on the Exhibit E- Map:

N/A

Note: if ponds are a part of the Reclamation Plan, slopes from 5 vertical feet above to 10 vertical feet below the expected average water level cannot be steeper than 3H:1V; remaining slope lengths may not be steeper than 2H:1V (see example sketch below).



- 4) What will the final grade of the reclaimed slopes be (horizontal:vertical): 1H : 50V
 (Note: If the Applicant proposes slopes steeper than 3H:1V (example 1H:1V, 2H:1V, etc.), please include a justification and a description on how the slope will be stabilized:
Seed permanent with permanent alpha grass mix

- a. Please provide a general description of the backfilling and grading:

Tractors with scrapers will place topsoil, then landplane for final grade

- 5) Depth of topsoil to be replaced (check one):

☒ 4-6 inches ☐ 6-8 inches
☐ 8-10 inches ☐ 10-12 inches
☐ Other: _____
☐ N/A, explain: _____

- 6) Explain how the seedbed will be prepared to eliminate compacted conditions:

Parabolic agriculture ripper

- 7) Please provide a seed mix recommendation from the local office of the Natural Resources Conservation Service (specify the quantity of each grass and forb species as pounds of pure live seed [PLS] per acre) or pick a seed mix from the following list that best represents the climate zone at the mine; (check one):

- a. ☒ Dryland Quick Establishment

This general seed mixture is a combination of drought tolerant and adaptable grasses, which can establish quickly to control erosion. This mix is ideal for sites with an elevation less than 8,000 feet and is adapted to arid conditions.

Seed Mix	Species	Scientific Name	PLS Application Rate
Grasses	Intermediate Wheatgrass	<i>Thinopyrum intermedium</i>	2.50
	Slender Wheatgrass	<i>Elymus trachycaulus</i> ,	2.00
	Pubescent Wheatgrass	<i>Thinopyrum intermedium</i>	3.00
	Russian Wildrye	<i>Psathyrostachys juncea</i>	3.00
	Western Wheatgrass	<i>Pascoprum smithii</i>	2.00
	Sand Dropseed	<i>Sporobolus cryptandrus</i>	0.25

b. ☐ **Zone 1, Eastern Plains**

Site Description: The elevation of the plains is 6,000 feet or below. The general region is the Front Range, surrounding Denver Metro area and the Eastern Plains. Annual precipitation generally 12-18 inches per year. The average annual high temperature is 69°F with average annual low temperature of 37°F.

Seed	Common Name	Scientific Name	PLS Application
Grasses	Sideoats Grama	<i>Bouteloua curtipendula</i>	1.80
	Buffalograss	<i>Buchloe dactyloides</i>	6.25
	Western Wheatgrass	<i>Pascoprum smithii</i>	2.76
	Blue Grama	<i>Bouteloua gracilis</i>	0.49
	Green Needlegrass	<i>Stipa viridula</i>	1.44
	Little Bluestem	<i>Schizachyrium scoparium</i>	1.16
Forbs	Upright prairie coneflower	<i>Ratibida columnifera</i>	0.25

c. ☐ **Zone 2, Foothills (Lower Montane)**

Site Description: The elevation of the foothills ranges from 6,000 to 7,500 feet. The general region is the transition zone between the plains and the montane. Annual precipitation ranges from 12 to 18 inches per year. The average annual high temperature is 60°F with average annual low temperature of 29°F.

Seed	Common Name	Scientific Name	PLS Application
Grasses	Blue Grama	<i>Bouteloua gracilis</i>	0.49
	Needle and thread	<i>Hesperostipa comata</i>	2.30
	Western Wheatgrass	<i>Pascorum smithii</i>	2.76
	Little Bluestem	<i>Schizachyrium scoparium</i>	1.54
	Indian Ricegrass	<i>Oryzopsis hymenoides</i>	1.38
Forbs	Palmer's penstemon	<i>Penstemon palmeri</i>	0.20

d. ☐ **Zone 3, Pinyon-juniper (Sagebrush Steppe, Western Plateau)**

Site Description: The elevation of the foothills ranges from 6,000 to 7,500 feet. The general region is the transition zone between the plains and the montane. Annual precipitation average is around 9 inches per year. The average annual high temperature is 65°F with average annual low temperature of 40°F.

Seed	Common Name	Scientific Name	PLS Application
Grasses	Indian Ricegrass	<i>Acnatherum hymenoides</i>	1.85
	Western Wheatgrass	<i>Pascopyrum smithii</i>	2.76
	Needle and thread	<i>Hilaria jamesii</i>	3.03
	Galleta	<i>Elymus elymoides</i>	2.19
	Basin wild rye	<i>Leymus cinereus</i>	3.03
Forbs	Scarlett globemallow	<i>Sphaeralcea coccinea</i>	0.25

e. ☐ **Zone 4, Montane**

Site Description: The elevation of the Montane zone ranges from 7,500 to 9,300 feet. The general areas include the mountain resort towns and surrounding areas such as Georgetown, Steamboat Springs, Pagosa Springs, Crested Butte, Etc. Annual precipitation ranges from 18 to 60 inches per year. The average annual high temperature is 54°F with an average annual low temperature of 25°F.

Seed Mix	Common Name	Scientific Name	PLS Application Rate
Grasses	Mountain brome	<i>Bromus carinatus</i>	1.93
	Bluebunch wheatgrass	<i>Psuedoroegneria spicata</i>	3.71
	Idaho fescue	<i>Festuca idahoensis</i>	0.79
	Prairie junegrass	<i>Koeleria macrantha</i>	0.15
	Sandberg bluegrass	<i>Poa secunda</i>	0.37
Forbs	Common yarrow	<i>Achillea millefolium</i>	0.25

f. ☐ **Zone 5, Sub-Alpine**

Site Description: The elevation of the Sub-Alpine zone ranges from 9,300 to 11,400 feet. The general areas include but are not limited to Lake County, Summit County and areas adjacent to the Continental Divide. Annual precipitation is 40 inches per year and above. Average annual high temperature is 49° with average annual low temperature of 21°F.

Seed	Species	Scientific Name	PLS Application
Grasses	Mountain muhly	<i>Muhlenbergia montana</i>	0.23
	Fringed Bromegrass	<i>Bromus ciliatus</i>	2.00
	Prairie junegrass	<i>Koeleria macrantha</i>	0.15
	Elk sedge	<i>Carex geyeri</i>	2.90
	Idaho fescue	<i>Festuca idahonesis</i>	0.80
Forbs	Silvery Lupine	<i>Lupinus argenteus</i>	0.25

g. ☐ **Zone 6, Alpine**

Site Description: The elevation of the Alpine zone range is 11,400 feet and above. The general area includes all areas above timberline. Annual precipitation ranges from 20 to 25 inches per year. Average annual high temperature is 52°F and an average annual low temperature of 18°F.

Seed	Species	Scientific Name	PLS Application
Grasses	Tufted hairgrass	<i>Deschampsia cespitosa</i>	0.40
	Alpine bluegrass	<i>Poa alpine</i>	0.40
	Spike trisetum	<i>Trisetum spicatum</i>	0.17
	Alpine timothy	<i>Phleum alpinum</i>	0.35

8) **How will the selected seed mixture be seeded (check one):**

☒ Drilled ☐ Broadcast**
☐ Other: _____

** - The PLS seeding rates on the seed mixtures provided in Question 7 above and standard drill seeding rates should be doubled if the seed is to be broadcast.

9) **State the type, application rate, and soil incorporation methods of fertilizer, if any:**

30-0-0, liquid 4 gallons/acre, applied w/drill seeder

10) **State the species, establishment method (type/size), and number of each shrub and/or tree to be established per acre, if any:**

None

11) State the type, application rate, and crimping method of mulch, if any:

None

12) (Optional) Please provide additional information about the Reclamation Plan:

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

EXHIBIT E - Maps

Rule 6.3.5

The Operator/Applicant must provide at least two maps which clearly describes the features associated with the Mining Plan and the components of the Reclamation Plan. The Mining Plan Map and the Reclamation Plan Map must satisfy the general map requirements of Rule 6.2.1(2), and illustrate the information specified under Rules 6.3.2(b), 6.3.3, 6.3.4, and 6.3.5. The maps must show the name of the Applicant, signed and dated, an appropriate scale not larger than 1 inch = 50 feet nor smaller than 1 inch = 660 feet, legend, title, and a north arrow. Multiple maps may be used to depict the required information below. It may be helpful to include an aerial photo and label the required information on the aerial photo. The Applicant may choose to use the following two optional templates for the Mining Plan Map and Reclamation Plan Map or attach separate maps.

1) Mining Plan Map Checklist:

- a. ☒ Outline and label the permit boundaries;
- b. ☒ Label the surface and subsurface owner(s) of the permit area;
- c. ☒ Label all surface owners within 200 feet of the permit boundary;
- d. ☒ Show all permanent man-made structures within the permit boundary and within two hundred (200) feet of the permit boundary and label the owners of the structures;
- e. ☒ Outline and label all major surface features to be used in the project (existing and proposed roads, pit boundary, and topsoil, overburden, and product stockpiles);
- f. ☒ Indicate the direction that the construction material extraction will proceed; and
- g. ☒ Show the existing topography (contour lines of sufficient detail are required to portray the direction and rate of slope of the affected land).

2) Reclamation Plan Map Checklist:

- a. ☒ Show the proposed gradient of all reclaimed slopes (horizontal:vertical) sufficient to describe the post mine topography;
- b. ☒ If ponds are a part of the Reclamation Plan, outline the final shore configuration of the ponds and shallow areas if the future land use is for wildlife;
- c. ☒ State the average thickness of replaced overburden;
- d. ☒ State the average thickness of replaced topsoil;
- e. ☒ Depict any features which will remain after mining is completed, if applicable; and
- f. ☒ Outline areas where seeding will occur or different seed mixtures will be used.



Legend

- Parcels
- Highway
- Road
- Road
- Highway
- County Boundary

Notes

Lat 40.06349 N
Lon 104.47129 W



1: 23,173



3,862.2 0 1,931.12 3,862.2 Feet

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

REPLACED

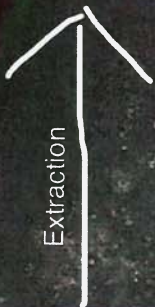


13T 547174 4435502

Q Word/Address/Lat,Lng/UTM

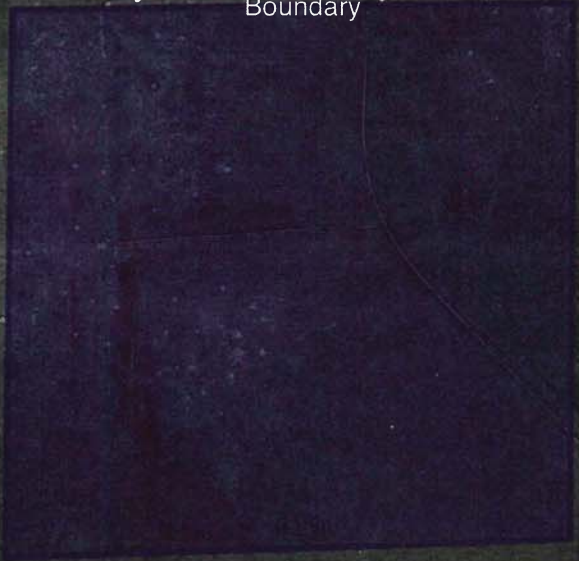
Lord Reservoir

Topsoil



Extraction

Boundary



Gifford Property

Surface & Subsurface
Owner: Turnpike Limited
Liability Company
Operator: H-2 Enterprises, LLC

300ft

REPLACED

1:55 PM Mon Oct 7

50%



13T 547175 4435502

Word/Address/Lat,Lng/UTM

Lord Reservoir



1H:50V
Replaced Topsoil: 2-4"

12

52

12

52

12

65

Google

300ft

EXHIBIT F - Other Permits and Licenses
Rule 6.3.6

- 1) Please identify which of the following permits, licenses and approvals which are held or will be sought in order to conduct the proposed mining and reclamation operations (check all that apply):**

<input type="checkbox"/> County zoning and land use permits	<input type="checkbox"/> City zoning and land use permits
<input type="checkbox"/> Effluent discharge permits	<input type="checkbox"/> Air quality emissions permits
<input type="checkbox"/> Radioactive source materials licenses	<input type="checkbox"/> Explosives permits
<input type="checkbox"/> Permit to construct a dam	<input type="checkbox"/> Well permits
<input type="checkbox"/> Highway access permits	<input type="checkbox"/> State Historic Preservation Office
<input type="checkbox"/> U.S. Forest Service permits	<input type="checkbox"/> Bureau of Land Management permits
<input type="checkbox"/> Disposal of dredge and fill material (404) permits	
<input type="checkbox"/> Other: _____	

- a. (Optional) If available, please enclose with this application copies of the permits, licenses and approvals identified above or provide proof of filing.**

**EXHIBIT G - Source of Legal Right to Enter
Rule 6.3.7**

1) Name of owner(s) to the surface of affected land:

Turnpike Limited Liability Company

2) Name of owner(s) to the subsurface rights of affected land:

Turnpike Limited Liability Company

- 3)** Provide a description of the basis for legal right of entry to the site and to conduct mining and reclamation for Owners of Record described in Rule 1.6.2(1)(e)(i). This may be a copy of access lease, deed, abstract of title, or a current tax receipt. A signed statement by the Landowner(s) and acknowledged by a Notary Public stating that the Operator/Applicant has legal right to enter and is also acceptable.

Turnpike Limited Liability Company

October 7th, 2019

This document is to confirm that H-2 Enterprises, LLC does have our permission to enter the property located at WCR 65, 40.07333N and -104.45158W, for the purposes stated in this application.

SIGNED, SEALED AND DATED this 7th day of October, 2019.

Owner: Turnpike Limited Liability Company

Signature: [Signature]

Name: Tyrus Huwa

Title: Managing Member

NOTARIZATION OF OWNER'S AGREEMENT

STATE OF Colorado)

) ss.

COUNTY OF Weld)

The foregoing instrument was acknowledged before me this 7th day of October, 2019

(Day) (Month) (Year)

by Tyrus Huwa as Managing member

(Name) (Title)

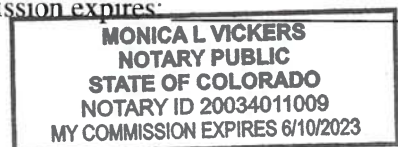
of H-2 Enterprises LLC

(Operator)

[Signature]

NOTARY PUBLIC

My Commission expires: _____



**EXHIBIT H - Municipalities Within a Two Mile Radius
Rule 6.3.8**

- 1) Please list all municipalities (mailing address and telephone of the governing body) located within a two mile radius of the mine:**

Municipality: N/A
Address: _____
Telephone: _____

Municipality: N/A
Address: _____
Telephone: _____

**EXHIBIT I - Proof of Filing with County Clerk
Rule 6.3.9**

- 1) Please provide an affidavit or receipt indicating the date on which the mine application was placed with the local County Clerk and Recorder for public review, pursuant to Subparagraph 1.6.2(1)(c).**

Note: There is a template below for proof of filing with the local County Clerk and Recorder. The Division will accept the completed template OR proof of delivery in the form of a signed certified mail return receipt.

Proof of Filing with County Clerk

Carly Koppes

I, _____ the County Clerk for Weld County;
have received the application package for a 111(1)(b) Reclamation Permit under provisions of the
Colorado Land Reclamation Act for the Extraction of Construction Materials and have made the
materials available for public review. The proposed mine is known as the (Name of the Mine)
Lord Reservoir, and is located at or near Section 4,
Township 1, Range 63, _____ Principal Meridian.

Carly Koppes

10-7-19.

Signature

Date

CARLY KOPPES
WELD COUNTY CLERK & RECORDER
1402 NORTH 17TH AVENUE
P O BOX 459
GREELEY, COLORADO 80632



Copy

December 9, 2019

Weld County Clerk & Recorder

1402 N. 17th Ave.

Greeley, CO 80631

RE: Addition to Application Presented on October 7, 2019

To Whom It May Concern,

Please see the enclosed, updated maps to accompany the application that was presented to your office on October 7, 2019. These maps were update per a letter received from the Colorado Division of Reclamation, Mining and Safety and are being provided to you in accordance with their directions. If you have any questions, please feel free to call.

Sincerely,

Alison Gorrell

Legal Assistant & Licensing Coordinator

(720) 463-9811

CARLY KOPPES
WELD COUNTY CLERK & RECORDER
1402 NORTH 17TH AVENUE
P O BOX 459
GREELEY, COLORADO 80632

12-11-2019



CARLY KOPPEL
WELD COUNTY CLERK & RECORDER
1402 NORTH 17TH AVENUE
P O BOX 459
GREELEY, COLORADO 80632

January 7, 2020

Carly Koppes
1/8/2020

Weld County Clerk & Recorder

1402 N. 17th Ave.

Greeley, CO 80631

RE: Addition to Application Presented on October 7, 2019

To Whom It May Concern,

Please see the enclosed, updated map to accompany the application that was presented to your office on October 7, 2019. This map was updated per a letter received from the Colorado Division of Reclamation, Mining and Safety and are being provided to you in accordance with their directions. If you have any questions, please feel free to call.

Sincerely,

Alison Gorrell

Legal Assistant & Licensing Coordinator

(720) 463-9811

**EXHIBIT J - Proof of Mailing of Notices to Board of County
Commissioners and Soil Conservation District
Rule 6.3.10**

- 1) Please provide proof that notices of the permit application were sent to the Board of County Commissioners and, if the mining operation is within the boundaries of a Soil Conservation District, to the Board of Supervisors of the Soil Conservation District, pursuant to Subparagraph 1.6.2(1)(a)(ii).

Note: There are two templates below for the proof of notice for the County Commissioners and Soil Conservation District. The Division will accept copies of the completed templates OR proof of delivery in the form of a signed certified mail return receipts.

NOTICE OF FILING APPLICATION
FOR COLORADO MINED LAND RECLAMATION PERMIT
FOR CONSTRUCTION MATERIALS SPECIAL OPERATION 111(1)(b)

NOTICE TO THE BOARD OF COUNTY COMMISSIONERS
Weld COUNTY

H-2 Enterprises, LLC (the "Applicant/Operator") has applied for a Construction Materials Special Operation 111(1)(b) Reclamation Permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct mining operations in Weld county. The attached information is being provided to notify you of the location and nature of the proposed operation. The entire application is on file with the Division of Reclamation, Mining, and Safety (the "Division") and the local county clerk and recorder.

The applicant/operator proposes to reclaim the affected land to irrigated farm use. Pursuant to Section 34-32.5-116(4)(m), C.R.S., the Board may confer with the local Board of County Commissioners before approving of the post-mining land use. Accordingly, the Board would appreciate your comments on the proposed operation. Please note that, in order to preserve your right to a hearing before the Board on this application, you must submit written comments on the application within five (5) working days after the application was filed with the Division.

If you would like to discuss the proposed post-mining land use, or any other issue regarding this application, please contact the Division of Reclamation, Mining, and Safety, 1313 Sherman St., Room 215, Denver, Colorado 80203, (303) 866-3567.

NOTE TO APPLICANT/OPERATOR: You **must** attach a copy of the application form (pages 1-5) to this notice. If this is a notice of a change to a previously filed application you must either attach a copy of the changes, or attach a complete and accurate description of the change.

Received by: _____

Signature

Date



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources
1313 Sherman Street, Room 215
Denver, Colorado 80203

Copy

RECEIVED

OCT 07 2009

WELD COUNTY
COMMISSIONERS

CONSTRUCTION MATERIALS

SPECIAL OPERATION 111(1)(b)

RECLAMATION PERMIT APPLICATION FORM

The application for a Construction Materials Special 111 Operation Reclamation Permit contains four major parts: (1) the application form; (2) Exhibits A-L, Addendum 1, and any sections of Exhibit 6.5 (Geotechnical Stability Exhibit), as required by the Office, and outlined in Rules 6.1, 6.2, 6.3, 6.5, and 1.6.2(1)(b); (3) the application fee; (4) the Performance Warranty and Financial Warranty.

When you submit your application, be sure to include one **completed, signed and notarized ORIGINAL** and one copy of the completed application form, two copies of Exhibits A-L, Addendum 1, appropriate sections of Exhibit 6.5 (Geotechnical Stability Exhibit), as required, a check for the \$400.00 application fee, and the fully executed Performance Warranty and Financial Warranty. Exhibits should **NOT** be bound or in 3-ring binders; maps should be folded to 8 1/2" X 11" or 8 1/2" X 14" size. To expedite processing, please provide the information in the format and order described in this form.

GENERAL OPERATION INFORMATION

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

1. **Applicant/operator or company name (name to be used on the permit):**
H-2 Enterprises, LLC
- 1.1 Type of organization (corporation, partnership, etc.): LLC
2. **Operation name (pit, mine or site name):** Lord Reservoir
3. **Permitted acreage:** (must be 30 acres or less) 20 Permitted Acres
4. **Fees:**
- 4.1 New Application \$400.00 Application Fee
5. **Primary commodity(ies) to be mined:** Overburden Fill Dirt
6. **Name of owner to the surface of affected land:** Turnpike, LLC
7. **Name of owner to the subsurface rights of affected land:** Turnpike, LLC
8. **Location information:** The center of the area where the majority of mining will occur:
COUNTY: Weld

PRINCIPAL MERIDIAN (check one):



6th (Colorado)



10th (New Mexico)



Ute

SECTION (write number):

S 4

TOWNSHIP (write number and check direction):

T 1



North



South

RANGE (write number and check direction):

R 63



East



West

QUARTER SECTION (check one):



NE



NW



SE



SW

QUARTER/QUARTER SECTION (check one):



NE



NW



SE



SW



NOTICE OF FILING APPLICATION
FOR COLORADO MINED LAND RECLAMATION PERMIT
FOR CONSTRUCTION MATERIALS SPECIAL OPERATION 111(1)(b)

NOTICE TO THE BOARD OF SUPERVISORS
OF THE LOCAL CONSERVATION DISTRICT
Southeast Weld Conservation DISTRICT

H-2 Enterprises, LLC (the "Applicant/Operator") has applied for a Construction Materials Special Operation 111(1)(b) Reclamation Permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct mining operations in Weld county. The attached information is being provided to notify you of the location and nature of the proposed operation. The entire application is on file with the Division of Reclamation, Mining, and Safety (the "Division") and the local county clerk and recorder.

The applicant/operator proposes to reclaim the affected land to irrigated farm use. Pursuant to Section 34-32.5-116(4)(m), C.R.S., the Board may confer with the local Conservation Districts before approving of the post-mining land use. Accordingly, the Board would appreciate your comments on the proposed operation. Please note that, in order to preserve your right to a hearing before the Board on this application, you must submit written comments on the application within five (5) working days after the application was filed with the Division.

If you would like to discuss the proposed post-mining land use, or any other issue regarding this application, please contact the Division of Reclamation, Mining, and Safety, 1313 Sherman St., Room 215, Denver, Colorado 80203, (303) 866-3567.

NOTE TO APPLICANT/OPERATOR: You **must** attach a copy of the application form (pages 1-5) to this notice. If this is a notice of a change to a previously filed application you must either attach a copy of the changes, or attach a complete and accurate description of the change.

Received by: _____

Signature

Date

KEENESBURG
90 S MAIN ST
KEENESBURG, CO 80643-9990
074986-0253
(800)275-8777
10/07/2019 03:56 PM

Product	Qty	Unit Price	Price
First-Class Mail® Large Envelope (Domestic) (KEENESBURG, CO 80643) (Weight: 0 Lb 1.60 Oz) (Estimated Delivery Date) (Wednesday 10/09/2019)	1	\$1.15	\$1.15
Certified (USPS Certified Mail #) (70182290000078647339)			\$3.50
Return Receipt (USPS Return Receipt #) (9590940233047196817728)			\$2.80
Total:			\$7.45

Debit Card Remit'd \$7.45
(Card Name: MasterCard)
(Account # XXXXXXXXXXXX8447)
(Approval #)
(Transaction #: 718)
(Receipt #: 004136)
(Debit Card Purchase: \$7.45)
(Cash Back: \$0.00)
(AID: A0000000042203 Chip)
(AL: DEBIT) DEBIT)
(PIN: Verified)

Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit www.usps.com USPS Tracking or call 1-800-222-1811.

Preview your Mail
Track your Packages
Sign up for FREE @
www.informedelivery.com

All sales final on stamps and postage.
Refunds for guaranteed services only.
Thank you for your business.

NOW HIRING. Please visit
www.usps.com/careers to apply.

HELP US SERVE YOU BETTER

TELL US ABOUT YOUR RECENT
POSTAL EXPERIENCE

Go to:
<https://postalexperience.com/Pos>

840-5800-0170-002-00010-29958-02

or scan this code with
your mobile device:



7018 2290 0000 7864 7339

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com .	
KEENESBURG, CO 80643	
Certified Mail Fee	\$3.50
Extra Services & Fees (check box, add fee if appropriate)	\$2.80
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<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	\$1.15
Total Postage and Fees	\$7.45
Sent To	SWCD
Street and Apt. No., or PO Box No.	P.O. Box 381
City, State, ZIP+4®	Keenesburg CO 80643
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

EXHIBIT K – Terms of Government Contract
Rule 6.3.11

This exhibit is not applicable to the 111(1)(b) permit. If your project involves a government contract, please refer to the 111(1)(a) reclamation permit.

EXHIBIT L - Permanent Man-Made Structures
Rule 6.3.12

- 1) Where the mining operation will adversely affect the stability of any significant, valuable and permanent man-made structures 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.

The enclosed example Structure Agreement which meets the requirements of the Statute is shown below

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. _____
2. _____
3. _____
4. _____
5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, H-2 Enterprises, LLC (print applicant/company name),
by _____ (print representative's name), as _____ (print
representative's title), does hereby certify that _____ (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 Lord Reservoir (operation name),
File Number M-____-____.

*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 H-2 Enterprises, LLC Representative Name _____

Date _____ Title _____

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing was acknowledged before me this ____ day of _____, 20____, by
_____ as _____ of H-2 Enterprises, LLC.

Notary Public My Commission Expires: _____

NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner _____ Name _____

Date _____ Title _____

STATE OF _____)
) ss.

COUNTY OF _____)

The foregoing was acknowledged before me this ____ day of _____, 20____, by
_____ as _____ of _____.

Notary Public My Commission Expires: _____

ADDENDUM 1 – Required On-Site Notice
Rule 1.6.2(1)(b)

The enclosed notice below is an example you may wish to use for the required on-site notice in accordance with Rule 1.6.2(1)(b).

NOTICE

This site is the location of a proposed mining operation. H-2 Enterprises, LLC
(Name of the Applicant/Operator), whose address and phone number is 4626 Weld County Road 65, Keenesburg, CO 80643
303-732-9300 (Address and Phone Number of the
Applicant/Operator), has applied for a Reclamation Permit with the Colorado Mined Land Reclamation
Board. Anyone wishing to comment on the application may view the application at the Weld
County Clerk and Recorder's Office, P.O. Box 459, Greeley, CO 80632
(Clerk and Recorder's Office Address), and should send comments prior to the end of the public comment
period to the Division of Reclamation, Mining, and Safety, 1313 Sherman St., Room 215, Denver,
Colorado 80203.

Certification:

I, Tyrun Huwa, hereby certify that I posted a sign containing the above
notice for the proposed permit area known as the (Name of Operation) Lord Reservoir,
on (Date Posted) October 7th, 2019.



SIGNATURE

10/7/19

DATE

**For this Record...**

Filing history and documents
Get a certificate of good standing
File a form
Subscribe to email notification
Unsubscribe from email notification

Business Home
Business Information
Business Search

FAQs, Glossary and Information

Summary

Details			
Name	H-2 Enterprises, LLC		
Status	Good Standing	Formation date	03/04/2008
ID number	20081125156	Form	Limited Liability Company
Periodic report month	March	Jurisdiction	Colorado
Principal office street address	4626 County Road 65, Keenesburg, CO 80643, United States		
Principal office mailing address	4626 County Road 65, Keenesburg, CO 80643, United States		

Registered Agent	
Name	Brent Huwa
Street address	4626 Weld County Road 65, Keenesburg, CO 80643, United States
Mailing address	H-2 Enterprises, LLC, 4626 WCR 65, Keenesburg, CO 80643-873, United States

[Filing history and documents](#)

[Get a certificate of good standing](#)

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Division of Reclamation, Mining, and Safety

Fee Receipt for M2019056

H-2 Enterprises, LLC
Doug Cook
4626 Weld County Riad 65

Keenesburg CO 806430000

Receipt #: 30559

Date: 11/01/2019

Permit: M2019056

Payment Method	Revenue Code	Fee Description/Notes	Amount
Check #3731	4300-MAPP	Minerals Application Fees User: slb	\$400.00
Receipt Total:			\$400.00