



May 21<sup>st</sup>, 2020

Colorado Division of Reclamation, Mining and Safety  
Attn: Patrick Lennberg, Environmental Protection Specialist  
1313 Sherman Street, Room 215  
Denver, CO 80203

RE: SPN Pit, Permit M2020-006 Adequacy Review #2 Response

Mr. Lennberg,

Please see the number responses below that correspond with the Adequacy Review.

1. The correct pages of the permit application are resubmitted and attached.
2. All maps meet the minimum requirements referenced.
3. All maps are signed and dated.
4. A table has been added to provide coordinates for each permit boundary corner.
5. There will be a highway as indicated on the mining map. Whenever it is feasible, the highwall will be pushed down in the manner discussed in the narrative to shorten the length of such highwall and to keep it at a minimum.
6. Soil will be replaced at 4-6 inches and the operator commits to such across the disturbed areas.
7. Fremont Paving and Redi Mix commits to following CPW's recommendation as listed in their letter and again in this adequacy review.
8. Through 12. All requested map updates have been made.
13. The well indicated in the adequacy review belongs to the landowner. An updated structure agreement is attached.
14. This response has been submitted to the Huerfano County Clerk and Recorder. Attached is proof of mailing for verification.

If additional information is necessary to complete this request, please feel free to contact me directly.

**ARY CORPORATION**

A&S Construction Co.  
Fremont Paving and Redi-Mix, Inc.  
Ary Brothers Trucking, Inc.  
All-Rite Paving & Redi-Mix, Inc.  
Hard Rock Paving and Redi-Mix, Inc.

839 Mackenzie Ave.  
Cañon City, CO 81212  
719.275.3264

Sincerely,



Jodi Schreiber  
Chief of Operations  
719-275-3264  
719-529-0916  
jodi@arycorp.com



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# STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY  
Department of Natural Resources

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



## CONSTRUCTION MATERIALS REGULAR (112) OPERATION RECLAMATION PERMIT APPLICATION FORM

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

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

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

☐ Conversion Application (Rule 1.11)

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

The application for a Construction Materials Regular 112 Operation Reclamation Permit contains three major parts: (1) the application form; (2) Exhibits A-S, Addendum 1, any sections of Exhibit 6.5 (Geotechnical Stability Exhibit; and (3) the application fee. When you submit your application, be sure to include one (1) complete signed and notarized ORIGINAL and one (1) copy of the completed application form, two (2) copies of Exhibits A-S, Addendum 1, appropriate sections of 6.5 (Geotechnical Stability Exhibit, and a check for the application fee described under Section (4) below. Exhibits should **NOT** be bound or in a 3-ring binder; maps should be folded to 8 1/2" X 11" or 8 1/2" X 14" size. To expedite processing, please provide the information in the format and order described in this form.

### GENERAL OPERATION INFORMATION

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

1. **Applicant/operator or company name (name to be used on permit):** Fremont Paving and Redi Mix, Inc.
  - 1.1 Type of organization (corporation, partnership, etc.): Corporation
2. **Operation name (pit, mine or site name):** SPN Pit
3. **Permitted acreage (new or existing site):** 36.8 permitted acres
  - 3.1 Change in acreage (+) \_\_\_\_\_ acres
  - 3.2 Total acreage in Permit area \_\_\_\_\_ acres
4. **Fees:**

4.1 New Application	<u>\$2,696.00</u>	application fee
4.2 New Quarry Application	<u>\$3,342.00</u>	quarry application
4.4 Amendment Fee	<u>\$2,229.00</u>	amendment fee
4.5 Conversion to 112 operation (set by statute)	<u>\$2,696.00</u>	conversion fee
5. **Primary commodity(ies) to be mined:** Gravel
  - 5.1 Incidental commodity(ies) to be mined:
    1. N/A - \_\_\_\_\_ lbs/Tons/yr
    2. \_\_\_\_\_ / \_\_\_\_\_ lbs/Tons/yr
    3. \_\_\_\_\_ / \_\_\_\_\_ lbs/Tons/yr
    4. \_\_\_\_\_ / \_\_\_\_\_ lbs/Tons/yr
    5. \_\_\_\_\_ / \_\_\_\_\_ lbs/Tons/yr
  - 5.2 Anticipated end use of primary commodity(ies) to be mined: Construction Aggregate Material
  - 5.3 Anticipated end use of incidental commodity(ies) to be mined: N/A

6. **Name of owner of subsurface rights of affected land:** Barbara Razey and Louise Pino  
If 2 or more owners, "refer to Exhibit O".

7. **Name of owner of surface of affected land:** Barbara Razey and Louise Pino

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

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

COUNTY: Huerfano

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

SECTION (write number): s 6

TOWNSHIP (write number and check direction): T 27 ☐ North ☒ South

RANGE (write number and check direction): R 67 ☐ East ☒ West

QUARTER SECTION (check one): ☐ NE ☒ NW ☐ SE ☐ SW

QUARTER/QUARTER SECTION (check one): ☒ NE ☐ NW ☐ SE ☐ SW

GENERAL DESCRIPTION: (the number of miles and direction from the nearest town and the approximate elevation): \_\_\_\_\_

11.3 Miles Northwest of Walsenburg

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

Latitude/Longitude:

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

Latitude (N): deg \_\_\_\_\_ min \_\_\_\_\_ sec \_\_\_\_\_.\_\_\_\_\_ (2 decimal places)

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

OR

Example: (N) 39.73691°  
(W) -104.98449°

Latitude (N) 37 .73561 (5 decimal places)

Longitude(W) -104 .93969 (5 decimal places)

OR

Universal Transverse Mercator (UTM)

Example: 201336.3 E NAD27 Zone 13  
4398351.2 N

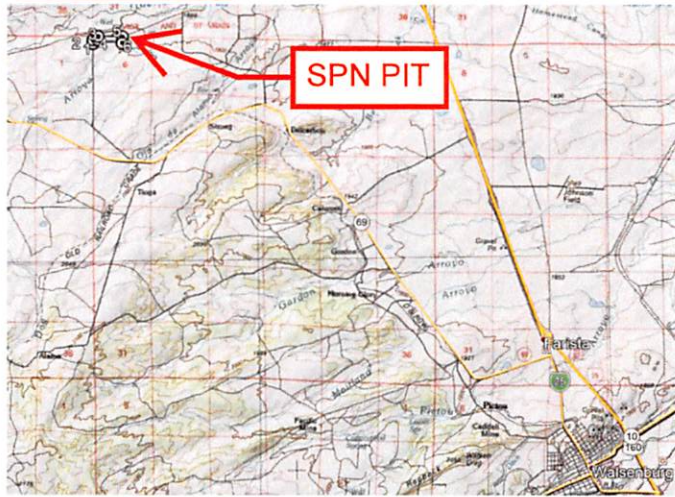
UTM Datum (specify NAD27, NAD83 or WGS 84) Nad 83 Zone 13

Easting \_\_\_\_\_

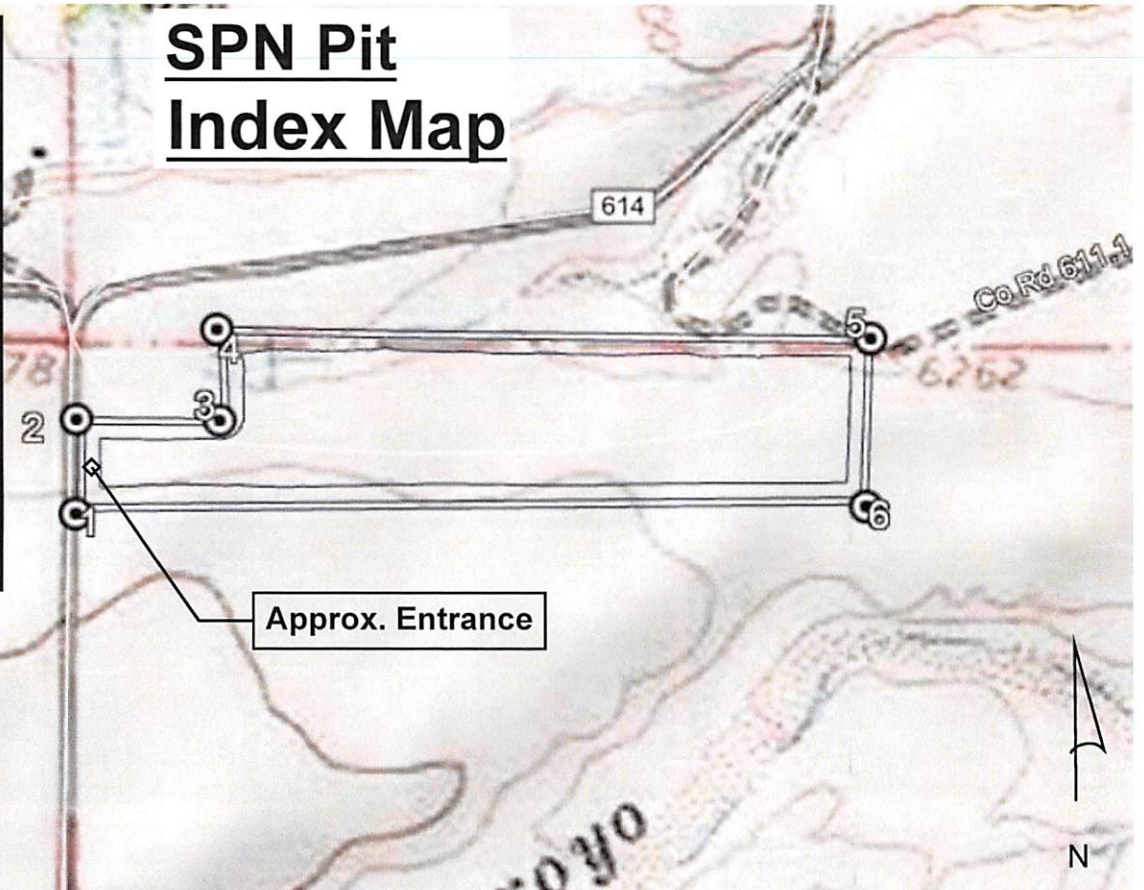
Northing \_\_\_\_\_



### Overview Map



### SPN Pit Index Map



### Boundary Coordinates

- 1) 37.735146,-104.939729
- 2) 37.735756,-104.939738
- 3) 37.735768,-104.937984
- 4) 37.736906,-104.937991
- 5) 37.736760,-104.930094
- 6) 37.735142,-104.930199

Approx. Entrance) 37.735441,-104.939718

\*Coordinates in NAD 83

### Legal Description

Lot 3 & 4, S6 T27S R67W

Map By James Higgs, Fremont Paving & Ready Mix

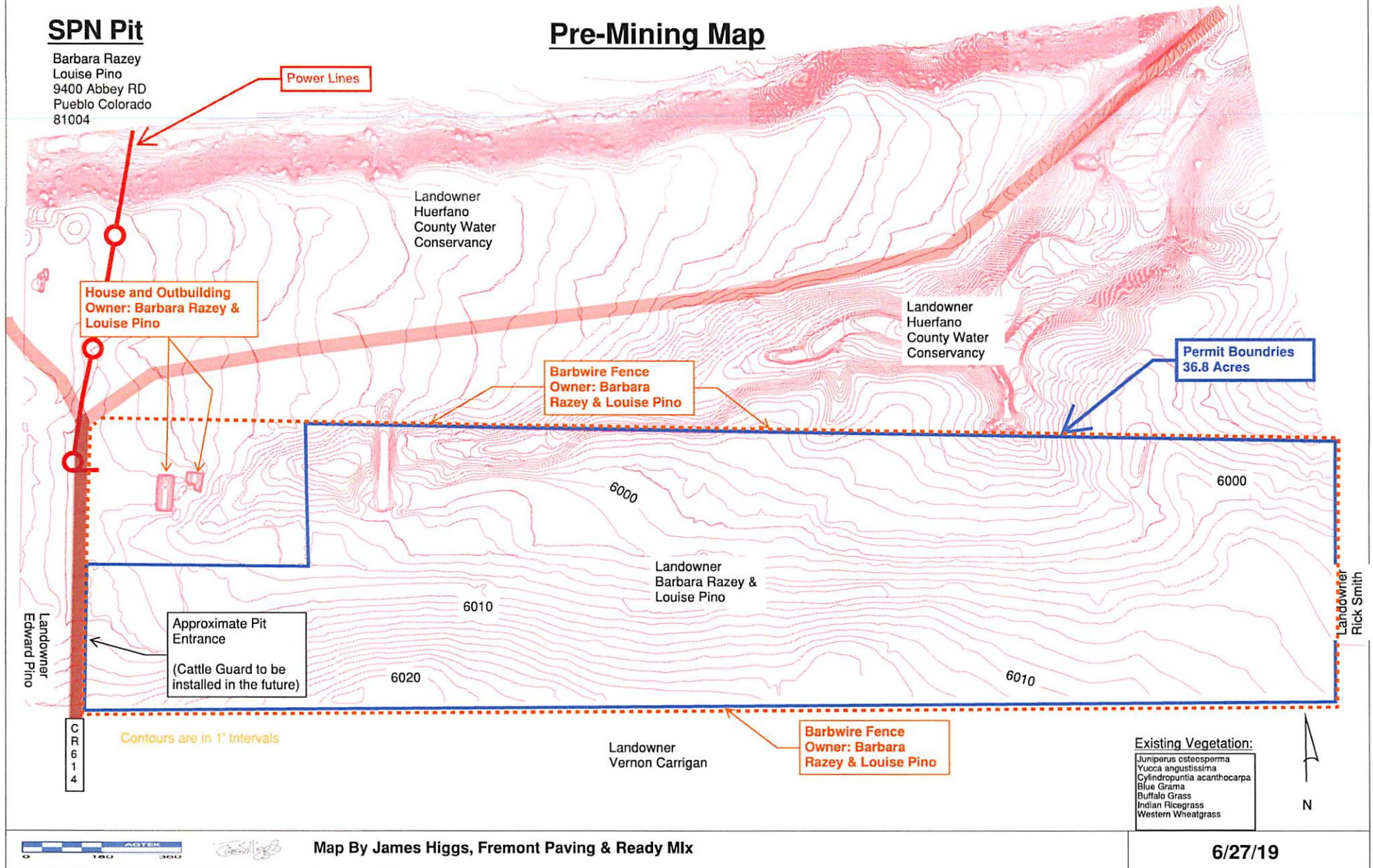
6/27/19



## SPN Pit

Barbara Razey  
Louise Pino  
9400 Abbey RD  
Pueblo Colorado  
81004

## Pre-Mining Map

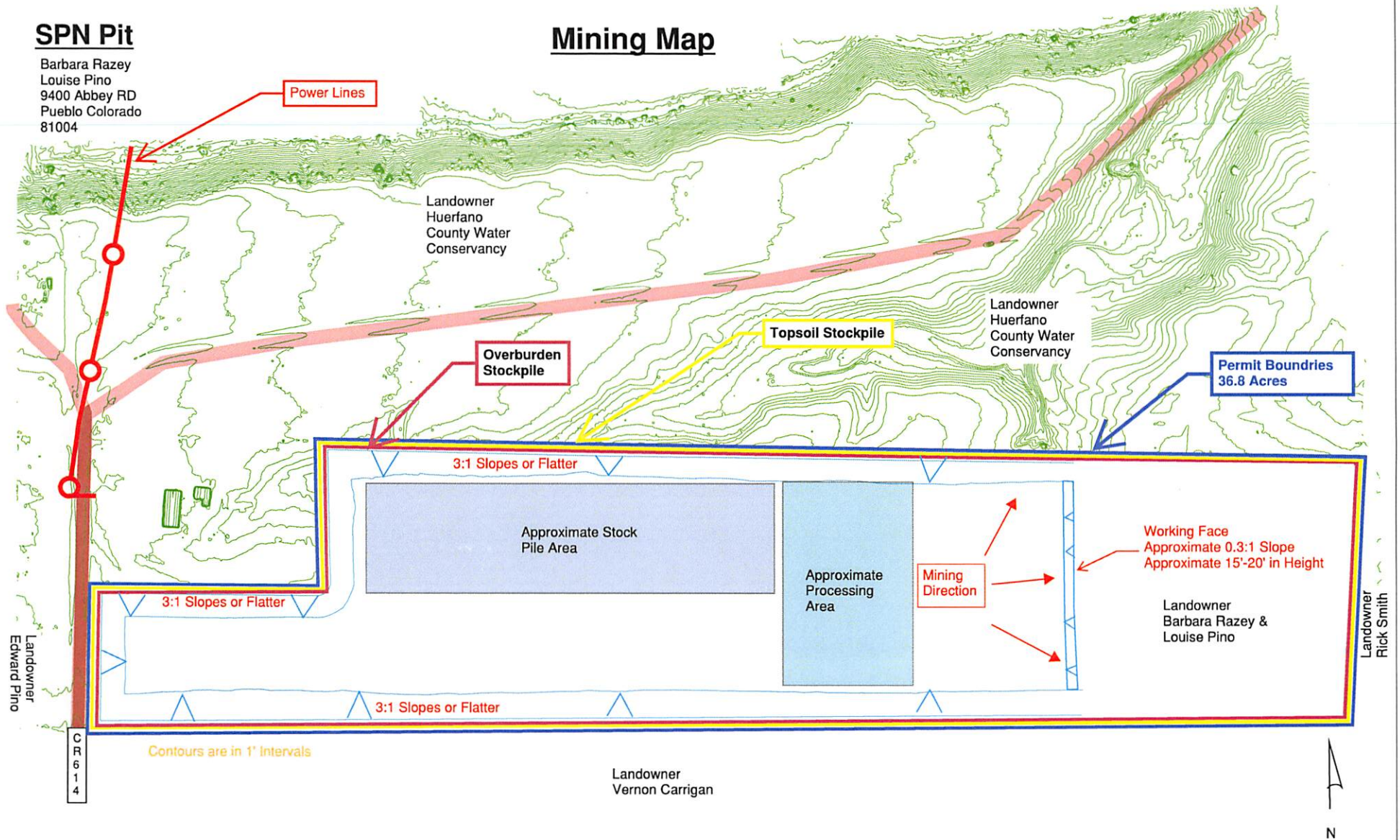




## SPN Pit

Barbara Razey  
Louise Pino  
9400 Abbey RD  
Pueblo Colorado  
81004

## Mining Map



Map By James Higgs, Fremont Paving & Ready Mix

6/27/19

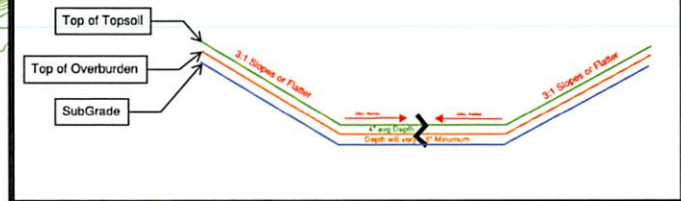
## SPN Pit

Barbara Razey  
Louise Pino  
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81004

## Reclamation Map

Power Lines

### Typical Section



3:1 Slopes or Flatter

3:1 Slopes or Flatter

3:1 Slopes or Flatter

Top of Slope

Bottom of Slope

Pit Floor to be  
Determined

3:1 Slopes or Flatter

Approximate Pit Entrance  
(Cattle Guard to be installed)

Pit Floor to be  
Determined

3:1 Slopes or Flatter

3:1 Slopes or Flatter

Contours are in 1' Intervals



Map By James Higgs, Fremont Paving & Ready Mix

*James Higgs*

6/27/19



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. Well (#278324)
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

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

**CERTIFICATION**

The Applicant, Fremont Paving: Redi mix, Inc. (print applicant/company name),  
by John P. Any (print representative's name), as President (print  
representative's title), does hereby certify that Barbara Pazy: Louise Pino (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 SPN Pit (operation name),  
File Number M-2020-006

*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 John P. Any Representative Name [Signature]

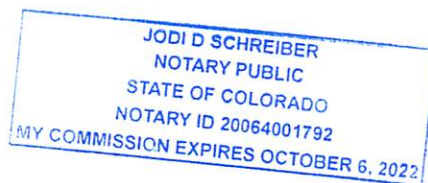
Date May 26, 2020 Title President

STATE OF Colorado )  
 ) ss.

COUNTY OF Fremont )

The foregoing was acknowledged before me this 26 day of May, 2020, by  
John P. Any as President of Fremont Paving: Redi mix, Inc.

[Signature] My Commission Expires: 10/6/22  
Notary Public



**NOTARY FOR STRUCTURE OWNER**

ACKNOWLEDGED BY:

Structure Owner Barbara P. Razy Louise D. Pino Name Barbara P. Razy

Date 5-26-20 Title \_\_\_\_\_

STATE OF Colorado )  
 ) ss.  
COUNTY OF Fremont )

The foregoing was acknowledged before me this 26 day of May, 2020, by  
Barbara Razy as Owners of Structure  
Louise Pino

Jodi D. Schreiber My Commission Expires: 10/6/22  
Notary Public

