



May 21th, 2020

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

RE: Pueblo East Pit M2000-041 TR 06 Adequacy Review #3 Response

Mr. Lennberg,

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

1. All maps meet the minimum requirements referenced.
2. All maps are signed and dated.
3. A Structure Agreement is attached for Well #277288.
4. There will be no berm between Phase 2 and Phase 2B.
5. Cross-section 3 has been revised.
6. Fremont Paving commits to notifying the Division 60 days before affecting Phase 2D and will resubmit a cost estimate for reclamation for that phase.
7. Fremont Paving commits to mulching and crimping at a rate of 2 tons per acre.
8. Fremont Paving commits to submitting a TR for the wetlands seed mix for final reclamation.
9. The reclamation map has been revised. The interim reclamation will be open space and the final reclamation will be wetlands.

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

Sincerely,

ARY CORPORATION

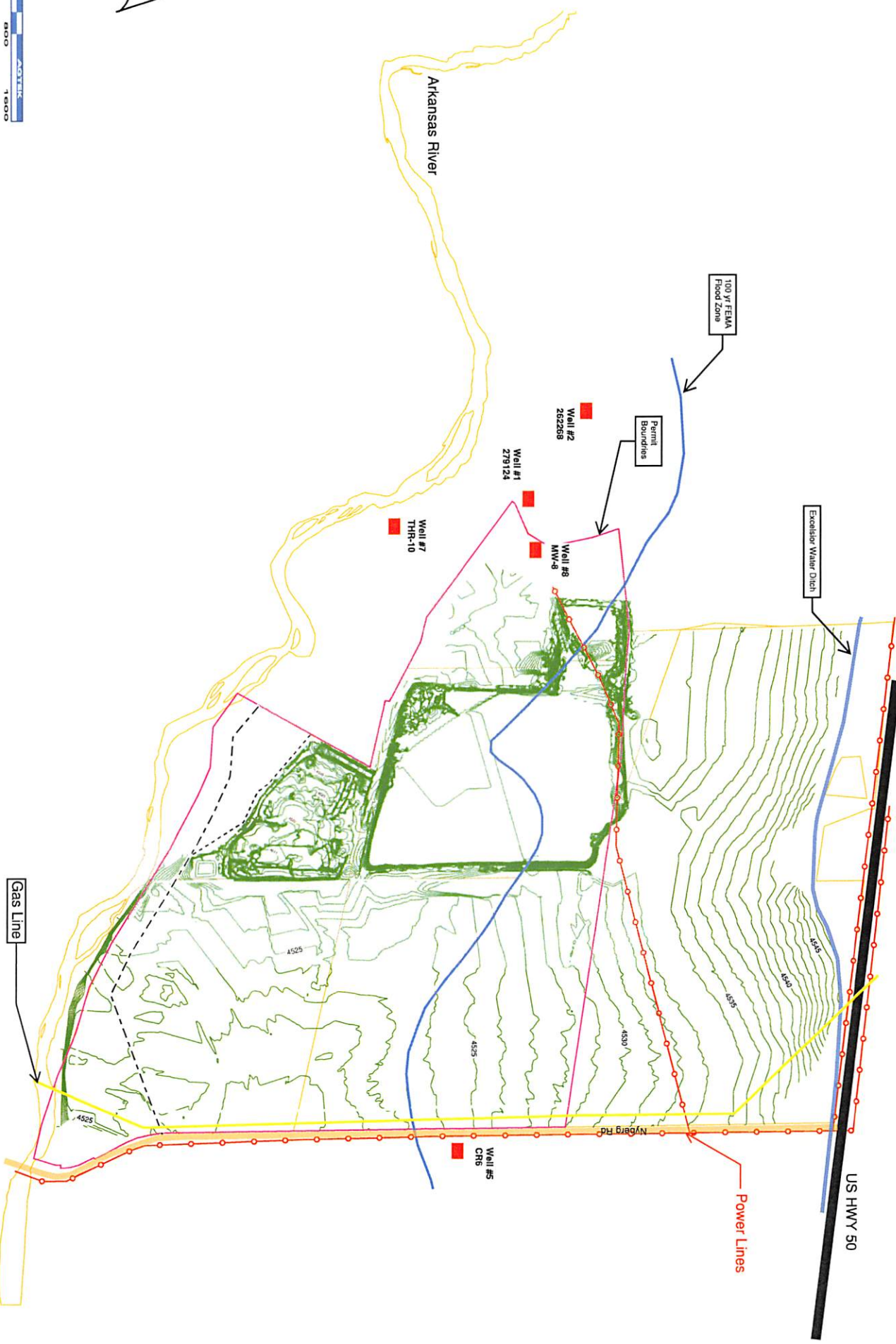
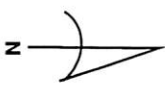
A&S Construction Co.
Fremont Paving and Redi-Mix, Inc.
Ary Brothers Trucking, Inc.
All-Rite Paving & Redi-Mix, Inc.
Hard Rock Paving and Redi-Mix, Inc.

839 Mackenzie Ave.
Cañon City, CO 81212
719.275.3264

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jodi Schreiber', with a stylized, flowing script.

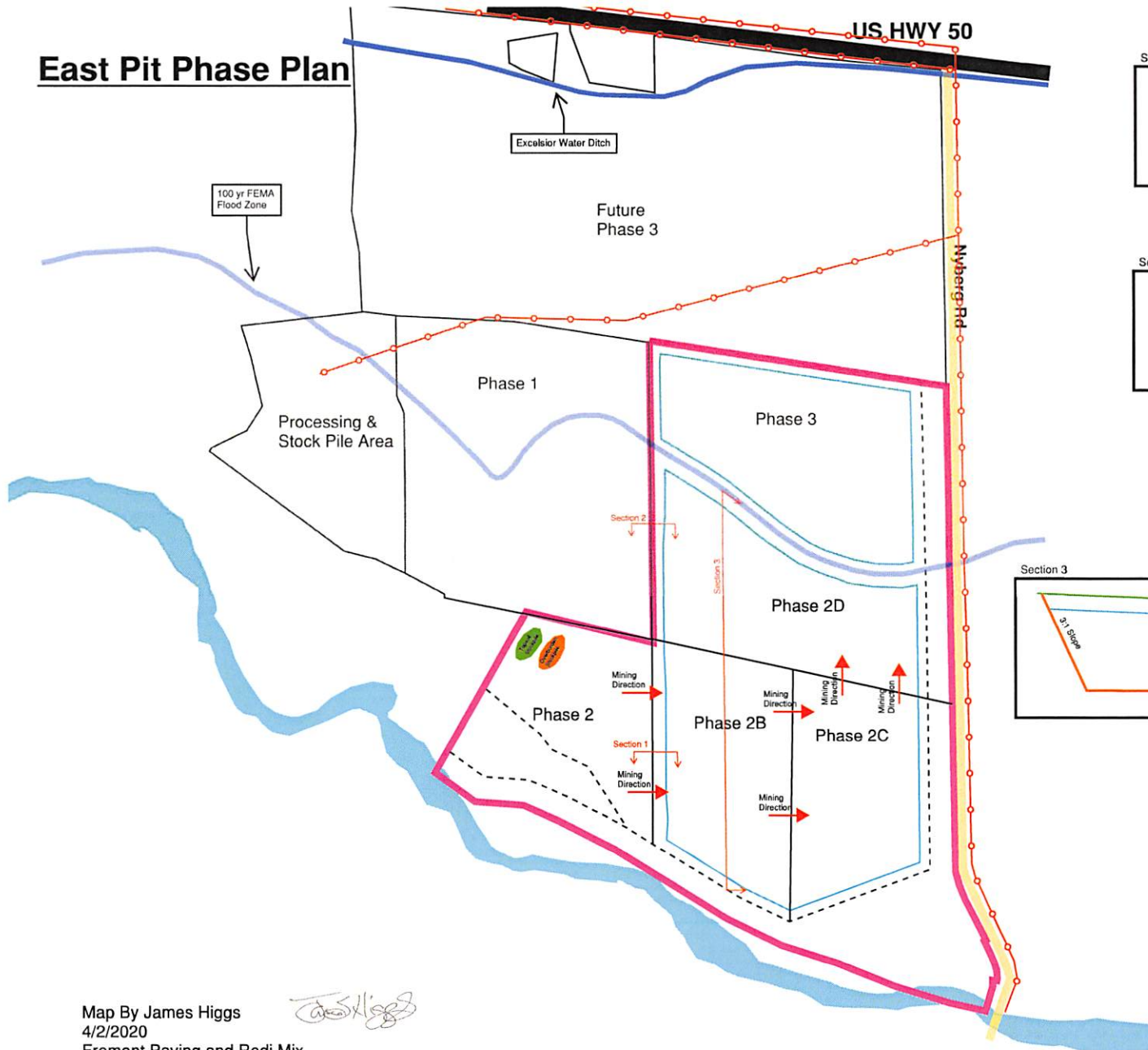
Jodi Schreiber
Chief of Operations
719-275-3264
719-529-0916
jodi@arycorp.com



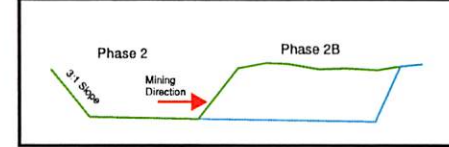
Fremont Paving and Redi Mix

Map By James Higgs
4/2/2020

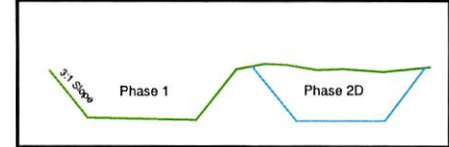
East Pit Phase Plan



Section 1



Section 2



Section 3



Scale
600'-0"

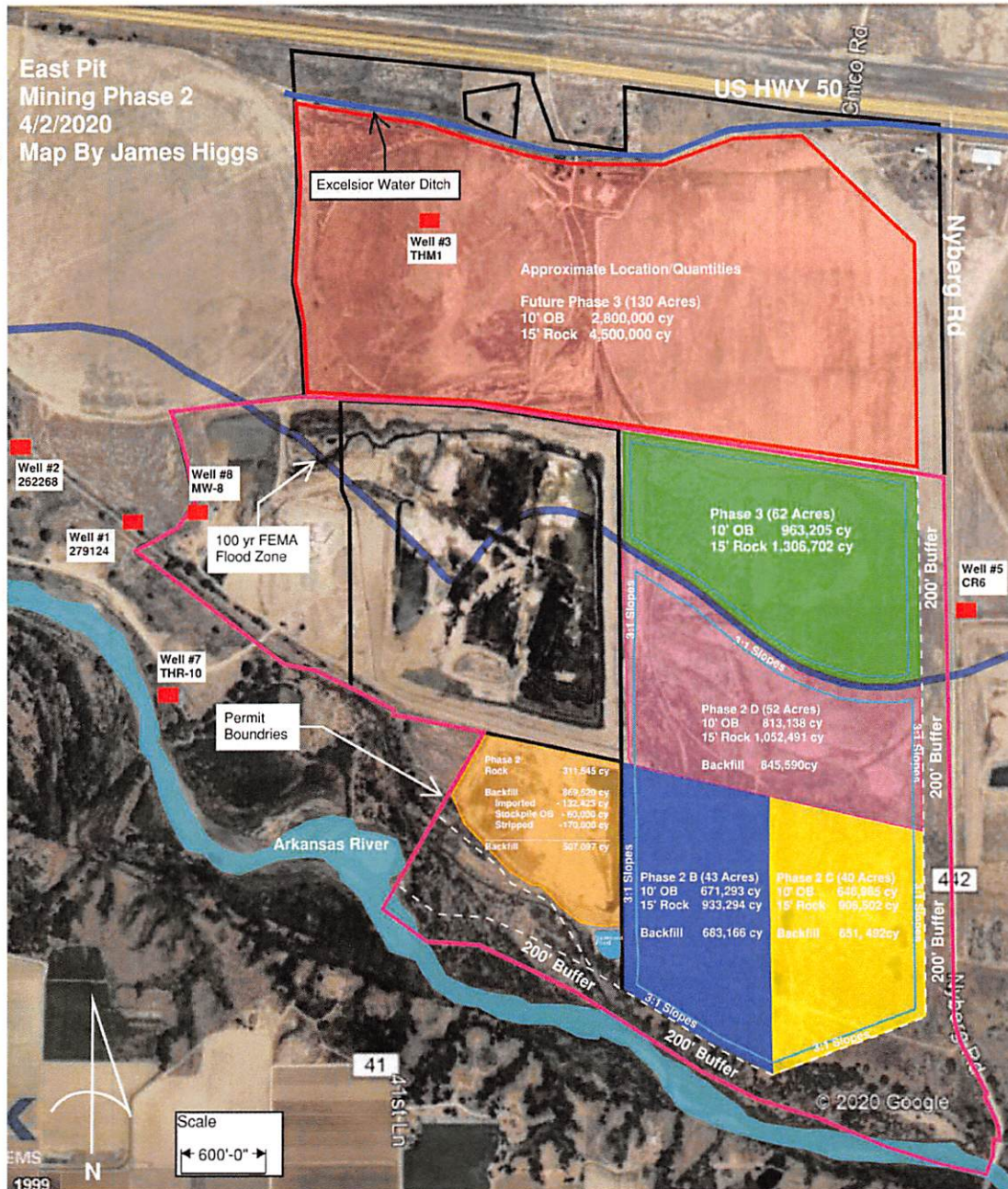


Map By James Higgs
4/2/2020
Fremont Paving and Redi Mix

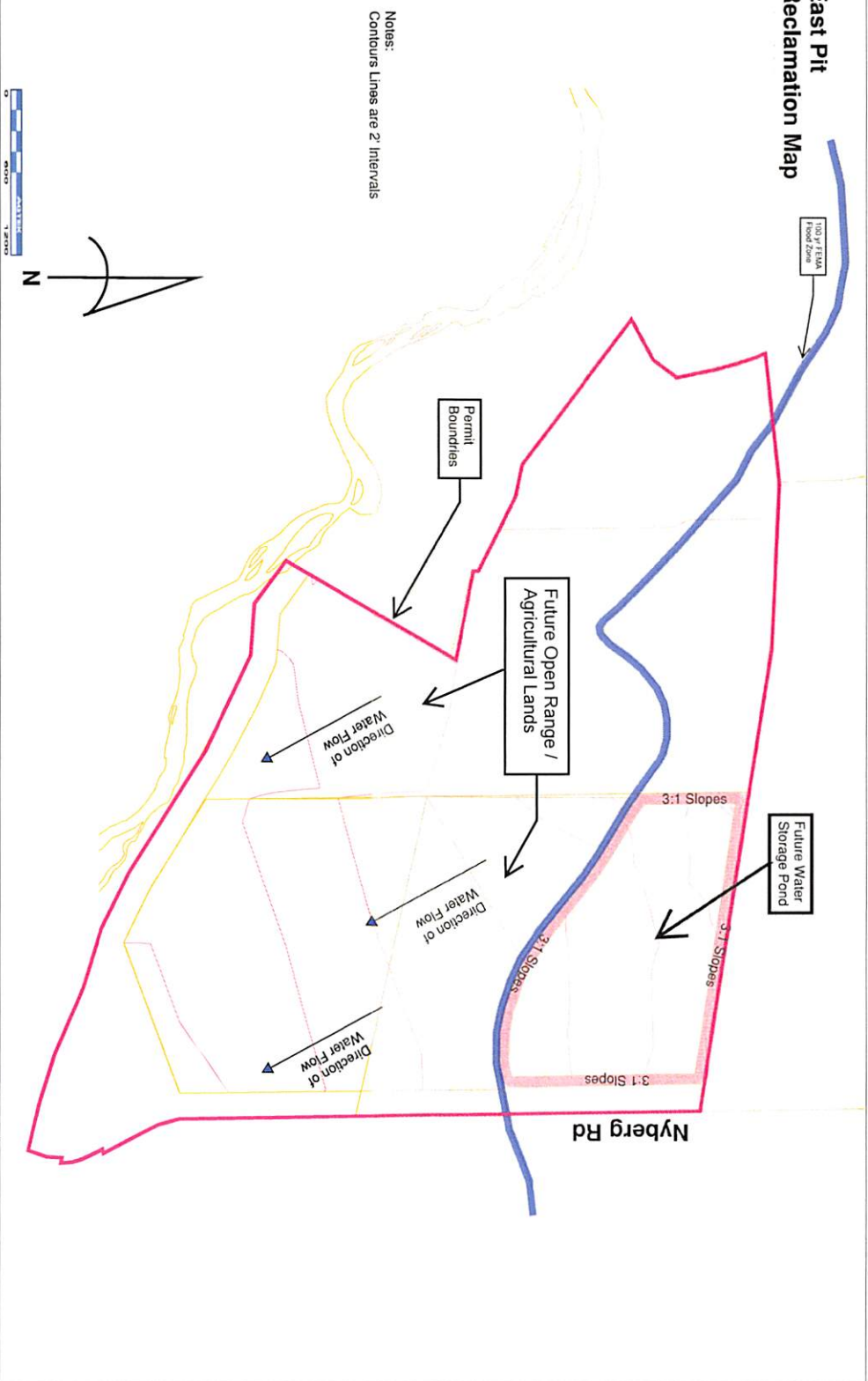
James Higgs

East Pit
Mining Phase 2
4/2/2020
Map By James Higgs

James Higgs



East Pit Reclamation Map



Map By James Higgs, Fremont Paving & Ready Mix

James Higgs

4/2/20

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 (# 277288)
2. _____
3. _____
4. _____
5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, Fremont Paving & Bed Mix, Inc. (print applicant/company name),
by John P. Any (print representative's name), as President (print
representative's title), does hereby certify that Mark Morley (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 Pueblo East Pit (operation name),
File Number M-2000-041

*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

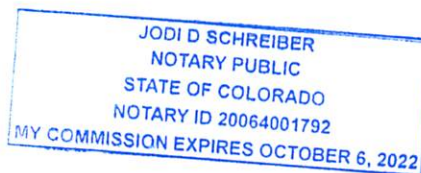
ACKNOWLEDGED BY:

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 & Bed Mix, Inc.

[Signature] My Commission Expires: 10/01/22
Notary Public



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner STONEWALL SPRINGS Name [Signature]
OWNER, LLC
Date 05/26/2020 Title MARK MORLEY, MANAGER

STATE OF COLORADO)
) ss.
COUNTY OF PUEBLO)

The foregoing was acknowledged before me this 26TH day of MAY, 2020, by
MARK MORLEY as MANAGER of STONEWALL SPRINGS OWNER, LLC

[Signature] My Commission Expires: MAY 30, 2022
Notary Public

ERIC S HOWARD
Notary Public
State of Colorado
Notary ID # 20144021884
My Commission Expires 05-30-2022