

P.O. Box 326, Cañon City, CO 81215 angela@envalternatives.com 719-275-8951

June 22, 2020

Patrick Lennberg Division of Reclamation Mining and Safety 1313 Sherman Street, Room 213 Denver, CO 80203

RE: M-2006-054 Ordway Pit Response to Incompleteness Notice for Amendment (AM-01) to 112 Permit

Dear Mr. Lennberg,

Please accept this response to the correspondence dated June 4, 2020.

- Item 1/1/1: The company name is updated to Arkansas Valley Ranch, LLC. The replacement page is enclosed.
- Item 3: The acreage is corrected in Exhibit D, paragraph one. The replacement page is enclosed.
- Item 6 and 7: The company name is updated to Arkansas Valley Ranch, LLC. The replacement page is enclosed.
- Primary Mine Entrance Location: The mine entrance coordinates accurately describe the entrance both on page 2 of the application and in Exhibit A. The replacement pages are enclosed.
- Correspondence Information: The applicant's address is consistent with the CO Secretary of State. The replacement page is enclosed.
- Item 10: The response to the statement is corrected to N/A. The replacement page is enclosed.
- Certification: Enclosed is a statement of authorization for Peter Hurt to serve as signatory.
- It is noted on the application form that Arkansas Valley Ranch, LLC does not have a corporate seal. The replacement page is enclosed.
- The annual report to CO Secretary of State is included.
- Exhibit F is enclosed.
- Exhibit R is included for response to the incompleteness notice.

Please direct correspondences and question to Angela Bellantoni at angela@envalterntaives.com or 719-275-8951.

Respectfully submitted,

Angela M. Bellantoni Ph.D.

Cc: Peter Hurt

Enclosures:

Application form pages 1, 2, 3, 6 and 8 Exhibit D Mining Plan Resolution Appointing Agent CO Secretary of State periodic report filing Exhibit A Legal Description Exhibit F Reclamation Plan Map Exhibit R Proof of Filing with Crowley County Clerk

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:		
Permit # <u>M</u> - <u>2006 054</u> (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 # <u>M</u> - <u>2006</u> <u>054</u> (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) <u>complete signed and notarized **ORIGINAL**</u> 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 <u>NOT</u> be bound or in a 3-ring binder; maps should be folded to $8 1/2" \times 11"$ or $8 1/2" \times 14"$ 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, <u>ALL</u> information requested below.

1.	Applicant/operator or company name (name to be used on permit):	Arkansas Valley Ranch, LLC

- 1.1 Type of organization (corporation, partnership, etc.): Foreign Limited Liability Company
- 2. Operation name (pit, mine or site name): ORDWAY PIT

3.	Peri	mitted acreage (new or existing site):					98	permitted acres
	3.1	Change in acreage (+)					16.5	acres
	3.2	Total acreage in Permit area					114.5	acres
4.	Fees	<u>s</u> :						
	4.1	New Application					\$2,696.00	application fee
	4.2	New Quarry Application					\$3,342.00	quarry application
	4.4	Amendment Fee					\$2,229.00	amendment fee
	4.5	Conversion to 112 operation (set by statute)				\$2,696.00	conversion fee
5.	Prin	nary commoditie(s) to be mined:		SAND	GRAVEL		FILL DIRT	
	5.1	Incidental commoditie(s) to be mined: 1.	N/A	-	lbs/Tons/yr	2.	N/A /	lbs/Tons/yr
		3. <u>N/A / Ibs/Tons/yr</u> 4	. N/A	1	lbs/Tons/yr	5.	N/A /	lbs/Tons/yr
	5.2	Anticipated end use of primary commoditie	e(s) to be	e mined:	ROAD MAINTENANCE, CONCRETE	OR ASP	HALT AGGREGATE, CONST	RUCTION AGGREGATE MATERIAL
					N/A			

5.3 Anticipated end use of incidental commoditie(s) to be mined:

6.	Name of owner of subsurface rights of affected land: Arkansas Valley Ranch, LLC
7.	If 2 or more owners, "refer to Exhibit O". <u>Name of owner of surface of affected land</u> : Arkansas Valley Ranch, LLC
8.	Type of mining operation:
9.	Location Information: The center of the area where the majority of mining will occur:
	COUNTY: CROWLEY
	PRINCIPAL MERIDIAN (check one):
	SECTION (write number): S <u>16</u>
	TOWNSHIP (write number and check direction): $T \stackrel{22}{\square}$ North \checkmark South
	RANGE (write number and check direction): R 58 East West
	QUARTER SECTION (check one):
	QUARTER/QUARTER SECTION (check one):
	GENERAL DESCRIPTION: (the number of miles and direction from the nearest town and the approximate elevation):

APPROXIMATELY 2 MILES NORTH & 2 MILES WEST OF MANZANOLA & APPROXIMATELY 2 MILES SOUTH & 2 MILES EAST OF OLNEY SPRINGS

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

Latitude/Longitude:
Example: (N) $39^{\circ} 44' 12.98''$ (W) $104^{\circ} 59' 3.87''$
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) <u>38</u> . <u>14138</u> (5 decimal places)
Longitude(W) -103 .89388 (5 decimal places)
OR
Universal Tranverse 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

11. Correspondence Information:

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

Contact's Name:	Peter Hurt	Title: Ranch Manager
Company Name:	Arkansas Valley Ranch, LLC	
Street/P.O. Box:	8351 E. Walker Springs Lane, Suite 302	P.O. Box:
City:	Knoxville	1.0. Dox
State:	TN	Zip Code: 37923
Telephone Number:	(256) - 996-2479	
Fax Number:	(NA)-	
PERMITTING CONTACT	(if different from applicant/operator above)	-
Contact's Name:	Angela Bellantoni	Title: Consultant
Company Name:	Environmental Alternatives Inc	
Street/P.O. Box:		P.O. Box: 326
City:	Cañon City	
State:	CO	Zip Code: 81215
Telephone Number:	(19) 275-8951	
Fax Number:	(NA)	
INSPECTION CONTACT		
Contact's Name:	Peter Hurt	Title: Ranch Manager
Company Name:	Arkansas Valley Ranch, LLC	
Street/P.O. Box:	8351 E. Walker Springs Lane, Suite 302	P.O. Box:
City:	Knoxville	
State:	TN	Zip Code: 37923
Telephone Number:	(256) - 996-2479	
Fax Number:	()	
CC: STATE OR FEDERA		
Agency:	· · · · · · · · · · · · · · · · · · ·	
Street:		
City:		
State:		Zip Code:
Telephone Number:	()	
CC: STATE OR FEDERAL		
Agency:		
Street:		
City:		
State:		Zip Code:
Telephone Number:	()-	



NA

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, to you as permittee can result;

4. Any modification to the approved mining and reclamation plan from those described in your approved application requires you to submit a permit modification and obtain approval from the Board or Office;

5. It is your responsibility to notify the Office of any changes in 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 Construction Material 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 as specified by Statute, and an annual report which includes a map describing the acreage affected and the acreage reclaimed to date (if there are changes from the previous year), 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, 1995, the annual fee is for the period of July 1, 1994 through June 30, 1995. 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 the permittee, to continue to pay your annual fee to the Office until the Board releases you from your total reclamation *responsibility*.

10. For joint venture/partnership operators: the signing representative is authorized to sign this document and a power of attorney (provided by the partner(s)) authorizing the signature of the representative is attached to this application.

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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. To the best of my knowledge, all significant, valuable and permanent man-made structure(s) in existence at the time this application is filed, and located within 200 feet of the proposed affected area have been identified in this application (Section 34-32.5-115(4)(e), C.R.S.).

2. 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.;

3. As the applicant/operator, I do not have any extraction/exploration operations in the 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.

4. 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 34-32.5-112, 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 <u>27</u> day of <u>April</u>	. 2020
Arlcansas Vallen Ranch LLC Applicant/Operator or Company Name Signed:	If Corporation Attest (Seal) Arkansas Valley Ranch does not have a corporate seal. Signed:
\mathcal{D} ().	Corporate Secretary or Equivalent
Title: Ropen Manage	Town/City/County Clerk
State of <u>Colorado</u>) County of <u>El Paso</u>) ss.	
The foregoing instrument was acknowledged before me this _2 2020, by as <u>Ranch</u>	2-810 A
LISA HLAVACEK NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20084018320	Notary Public My Commission expires: 05/27/2020
MY COMMISSION EXPIRES 05/27/2020	
ONTIVALLISE. VIIISE K	E IN RELIF INK

You must post sufficient Notices at the location of the proposed mine site to clearly identify the site as the location of a

ARKANSAS VALLEY RANCH, LLC

RESOLUTION APPOINTING AGENT

The undersigned hereby takes the following actions by written consent, such actions to have the same force and effect as if taken at a formal meeting:

WHEREAS, Arkansas Valley Ranch, LLC ("LLC") is a manager-managed limited liability company.

WHEREAS, Hannah J. Haslam is the duly appointed Manager of the LLC.

WHEREAS, the Operating Agreement of the LLC permits the Manager to designate such officers and agents as are necessary to manage the LLC.

WHEREAS, the LLC is renewing and/obtaining a permit from the Colorado Division of Reclamation, Mining and Safety ("Permit").

WHEREAS, the Manager desires to appoint Peter Hurt, Ranch Manager, as agent for the LLC to file, amend, manage, and negotiate any application or other filing related to the Permit. For the avoidance of any doubt, Peter Hurt shall have the authority to sign on behalf of the LLC all matters related to the Permit.

RESOLVED, that Peter Hurt is hereby granted all power and authority to represent and bind the LLC with respect to matters before the Colorado Division of Reclamation, Mining and Safety and with respect to any Permit and is hereby granted all power and authority to sign applications on behalf of the LLC and to conduct all activities incidental thereto on behalf of the LLC.

FURTHER RESOLVED, that Peter Hurt shall have all power and authority to exercise his discretion in carrying out the matters and transactions contemplated herein.

DATED the 19^{H} day of June, 2020.

ARKANSAS VALLEY RANCH, LLC

mlh By: Hannah J. Haslam, Manager

I hereby certify that the above is a true and correct copy of the resolution that was duly adopted by the Manager and that I am the duly appointed Manager of the LLC.

Hannah J. Haslam, Manager

STATE OF	Tennesser)
COUNTY O	FLNOX)

Before me, a Notary Public in and for the state and county aforesaid, personally appeared **HANNAH J. HASLAM**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged herself to be the Manager of **ARKANSAS VALLEY RANCH**, LLC, the within named bargainor, a Tennessee limited liability company, and that she, as such Manager, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by herself as Manager.

gth day of June, 2020. Witness my hand and seal, this 2022 My Commission Expires: 01 29 ANNUAL IN CONTRACT



Document must be filed electronically.

For more information or to print copies

of filed documents, visit www.sos.state.co.us.

Paper documents are not accepted. Fees & forms are subject to change. Colorado Secretary of State Date and Time: 06/17/2020 08:54 AM ID Number: 20191119164

Document number: 20201520432 Amount Paid: \$60.00

ABOVE SPACE FOR OFFICE USE ONLY

filed pursuant to §7-90-301, et se	Periodic Report eq. and §7-90-501 of the Co	olorado Revise	ed Statutes (C.R.S)
ID number:	20191119164		
Entity name:	Arkansas Valley Ranc	h, LLC	а
Jurisdiction under the law of which the entity was formed or registered:	Tennessee		
1. Principal office street address:	8351 E WALKER SPF	RINGS LN	
-	(Stree	t name and numbe	r)
	KNOXVILLE	TN	37923
	(City)	(State) United	(Postal/Zip Code) States
	(Province – if applicable)	(Country –	
2. Principal office mailing address: (if different from above)	(Street name and nur	nber or Post Office	e Box information)
	(City)	(State)	(Postal/Zip Code)
	(Province – if applicable)	(Country –	- 1j not US)
3. Registered agent name: (if an individual)	Hurt (Last)	Peter (First)	(Middle) (Suffix)
or (if a business organization)			
4. The person identified above as registere	d agent has consented to be	eing so appoin	ted.
5. Registered agent street address:	29555 GOOSE CREE	K RD	
	(Stree	t name and numbe	r)
	SEDALIA	СО	80135
	(City)	(State)	(Postal/Zip Code)
6. Registered agent mailing address: (if different from above)	(Street name and num	nber or Post Office	e Box information)
	(City)	(State)	(Postal/Zip Code)
	(Province – if applicable)	(Country – if	not US)

Notice:

Causing this document to be delivered to the secretary of state for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the secretary of state, whether or not such individual is named in the document as one who has caused it to be delivered.

7. Name(s) and address(es) of the

Haslam	Hannah	
(Last)	(First)	(Middle) (Suffix)
29555 Goose Creek	Road	
(Street name and	d number or Post Office Box	information)
4		
Sedalia	CO 80135	5
(City)	(State) United States	(Postal/Zip Code)
(Province – if applicable)	(Country – if not US)	-
	(Last) 29555 Goose Creek (Street name and Sedalia (City)	(Last) (First) 29555 Goose Creek Road (Street name and number or Post Office Box Sedalia CO (City) (State) United States

(The document need not state the true name and address of more than one individual. However, if you wish to state the name and address of any additional individuals causing the document to be delivered for filing, mark this box and include an attachment stating the name and address of such individuals.)

Disclaimer:

This form, and any related instructions, are not intended to provide legal, business or tax advice, and are offered as a public service without representation or warranty. While this form is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form. Questions should be addressed to the user's attorney.

Kristi Branson

From: Sent: To: Subject: Colorado Department of State <business@sos.state.co.us> Wednesday, June 17, 2020 10:56 AM Kristi Branson Receipt

www.sos.state.co.us

Colorado Secretary of State File Report receipt

Thank you for using our online services. Here is the receipt for your transaction.

Name	Arkansas Valley Ranch, LLC
ID number	20191119164
Document number	20201520432
Payment type	CREDIT
Last 4 digits	2085
Amount paid	\$60.00
Date and time	06/17/2020 08:54 AM

Colorado Secretary of State | Business Organizations | 303-894-2200, option 2 | <u>business@sos.state.co.us</u>

6.4.1 Exhibit A

Legal Description

DESCRIPTION OF TRACTS

EXISTING MINING AREA:

All of Lots 1, 2, 3, and 4, Section 16, Township 22 South, Range 58 West of the 6th P.M. County of Crowley, State of Colorado.

Also described as:

A tract of land lying in Section 16, Township 22 South, Range 58 West of the 6th P.M. being more particularly described as follows:

Beginning at the Northeast corner of Section 16, thence South along the East line of said Section 16, a distance of 1130.5 feet, more or less, to a point on the Northerly line of Indian Claims No. 8; thence in a Northwesterly direction along the Northerly line of said Indian Claim, a distance of 5390 feet, more or less, to a point on the West line of said Section 16; thence North along the West line of said Section 16, a distance of 466 feet, more or less, to the Northwest corner of said Section 16; thence East, along the North line of said Section 16, a distance of 5346.5 feet, more or less, to the point of beginning. County of Crowley, State of Colorado.

PROPOSED MINING EXPANSION AREA:

A tract of land located in the N1/2 of Section 16, Township 22 South, Range 58 West of the 6th P.M. being a part of Indian Claim #8 lying within said Section 16 and more particularly described as follows: Beginning at the Northeast corner of said Sec. 16; thence S.0°24'04"E., along the East line of said Section 16, a distance of 1130.50 feet, more or less, to a point on the Northerly line of Indian Claim No. 8 and the TRUE POINT OF BEGINNING; along said Indian Claim No. 8 line N.82°50'29"W., 1497.83 feet; thence S.14°22'10"W., 396.52 feet; thence S.74°59'33"E., 840.72 feet; thence N.87°58'16"E., 227.04 feet; thence S.87°44'37"E., 179.37 feet; thence S.78°57'41"E., 289.02 feet; thence N.82°33'02"E., 86.66 feet to a point on the East line of said Sec. 16; thence N.0°24'04"W., 458.30 feet to the True Point of Beginning. The Tract contains 16.5 Acres. County of Crowley, State of Colorado.

The mine entrance, 38.137111N -103.893799W, is onto a private ranch road that adjoins County Road B.











6.4.18 Exhibit R

CROWLEY COUNTY CLERK RECEIVED Proof of Filing with County Clerk and Recorder

I <u>ABA Meadown</u>, of Crowley County Clerk and Recorder's Office located at 631 Main Street, Suite 102, Ordway, Colorado received from Angela Bellantoni Ph.D. of Environmental Alternatives, Inc. the CO Division of Reclamation Mining and Safety amendment application for the Ordway Pit on behalf of Arkansas Valley Ranch.

Kight meadown Deputy Cherk Crowley County representative's signature

6-23-2020 Date