

# STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY  
Department of Natural Resources

1313 Sherman St., Room 215  
Denver, Colorado 80203  
Phone: (303) 866-3577  
FAX: (303) 832-8100

# M2020-038

ACY/thm(awa)

CONSTRUCTION MATERIALS

LIMITED IMPACT (110) OPERATION

## RECLAMATION PERMIT APPLICATION FORM



RECEIVED

JUL 29 2020

DIVISION OF RECLAMATION  
MINING & SAFETY

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

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

The application for a Construction Materials Limited Impact (110) Operation Reclamation Permit contains three major parts: (1) the application form; (2) Exhibits A-J, Exhibit L, Addendum 1, any sections of Exhibit 6.5 and 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); 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-J, Exhibit L, Addendum 1, and appropriate sections of 6.5 (Geotechnical Stability Exhibit), as required, and a check for the application fee described under (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 described below.

1. **Applicant/operator or company name (name to be used on permit):** City of Grand Junction
  - 1.1 Type of organization (corporation, partnership, etc.): Riverside Parkway
2. **Operation name (pit, mine or site name):** Riverside Parkway
3. **Permitted acreage (new or existing site):** \_\_\_\_\_ permitted acres
  - 3.1 Change in acreage (+) \_\_\_\_\_ acres
  - 3.2 Total Acreage in Permit Area 7.6 acres
4. **Fees:**
  - 4.1 New Application: \$1258.00 application fee
  - Amendment Fee (C.R.S. 34-32.5-125(II)): \$827.00 application fee
5. **Primary commodity(ies) to be mined:** N/A
  - 5.1 Incidental commodity(ies) to be mined: 1. \_\_\_\_ / \_\_\_\_ 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: \_\_\_\_\_  
Anticipated end use of incidental commodity(ies) to be mined: \_\_\_\_\_

**11. Correspondence Information:**

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

Contact's Name: Trent Prall Title: Public Work Director  
Company Name: City of Grand Junction  
Street/P.O. Box: 250 N 5th St. P.O. Box: \_\_\_\_\_  
City: Grand Junction  
State: Colorado Zip Code: 81501  
Telephone Number: ( 970 ) - 256-4047  
Fax Number: ( ) -

**PERMITTING CONTACT** (if different from applicant/operator above)

Contact's Name: Ivan Geer Title: P.E  
Company Name: River City Consultants  
Street/P.O. Box: 215 Pitkin Ave. Ste 201 P.O. Box: \_\_\_\_\_  
City: Grand Junction  
State: Colorado Zip Code: 81501  
Telephone Number: ( 970 ) - 241-4722  
Fax Number: ( 970 ) - 241-8841

**INSPECTION CONTACT**

Contact's Name: Jerod Timothy Title: General services supervisor  
Company Name: Cit of Grand Junction  
Street/P.O. Box: 250 N 5th St. P.O. Box: \_\_\_\_\_  
City: Grand Junction  
State: Colorado Zip Code: 81501  
Telephone Number: ( 970 ) - 244-1565  
Fax Number: ( ) -

**CC: STATE OR FEDERAL LANDOWNER (if any)**

Agency: \_\_\_\_\_  
Street: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Telephone Number: ( ) -

**CC: STATE OR FEDERAL LANDOWNER (if any)**

Agency: \_\_\_\_\_  
Street: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Telephone Number: ( ) -

7. **Name of owner of the subsurface rights of affected land:** City of Grand Junction

8. **Name of owner of the surface of affected land:** City of Grand Junction

9. **Type of mining operation:** ☐ Surface ☐ Underground ☐ In-situ

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

COUNTY: MESA

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

SECTION (write number): S 26

TOWNSHIP (write number and check direction): T 1.0 ☐ North ☒ South

RANGE (write number and check direction): R 1.0 ☐ 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. **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) \_\_\_\_\_. (5 decimal places)

Longitude (W) \_\_\_\_\_. (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) NAD83 Zone 13

Easting \_\_\_\_\_

Northing \_\_\_\_\_

12. **Primary future (Post-mining) land use (check one):**

<input 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 checked="" type="checkbox"/> Industrial/Commercial(IC)
<input type="checkbox"/> Developed Water Resources(WR)		<input type="checkbox"/> Solid Waste Disposal(WD)

13. **Primary present land use (check one):**

<input 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 checked="" type="checkbox"/> Industrial/Commercial(IC)
<input type="checkbox"/> Developed Water Resources (WR)		<input type="checkbox"/> Mining (MN)

14. If this operation will use designated chemicals, or will result, or presently has acid mine drainage - you cannot use this application form. You must submit either a 110d or 112d application form for Designated Mining Operations. In either case, you must list any acidic or toxic-forming materials, exposed or disturbed as a result of the mining operation, and whether the operation will result in or presently has acid mine drainage:

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15. **Description of Amendment or Conversion:**

If you are amending or converting an existing operation, provide a brief narrative describing the proposed change(s):

Mining has been completed. This application is for a reclamation plan only.

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**Maps & Exhibits:**

Submit two (2) complete, unbound copies of the following application exhibits:

- 6.3.1 EXHIBIT A - Legal Description and Location Map
- 6.3.2 EXHIBIT B - Site Description
- 6.3.3 EXHIBIT C - Mining Plan
- 6.3.4 EXHIBIT D - Reclamation Plan
- 6.3.5 EXHIBIT E - Maps, to include the location of any recorded easements
- 6.3.6 EXHIBIT F - List of Other Permits and Licenses Required
- 6.3.7 EXHIBIT G - Source of Legal Right-to-Enter
- 6.3.8 EXHIBIT H - Municipalities Within a Two-mile Radius
- 6.3.9 EXHIBIT I - Proof of Filing with County Clerk
- 6.3.10 EXHIBIT J - Proof of Mailing Notices of Permit Application
- 6.3.12 EXHIBIT L - Permanent Man-Made Structures
- 1.6.2(1)(b) ADDENDUM 1 - Notice Requirements (sample enclosed)
- 6.5 Geotechnical Stability Exhibit (as required)



**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.

- TP 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;
- TP 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;
- TP 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;
- TP 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;
- TP 5. It is your responsibility to notify the Office of any changes in your address or phone number;
- TP 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.
- TP 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;
- TP 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 Mineral Rules and Regulations in effect at the time the permit is issued.
- TP 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 permittee: the signing representative is authorized to sign when document and a power of attorney (provided by the partner(s)) authorizing the signature of the representative is attached to this application.

**NOTE TO COMMENTORS/OBJECTORS:**

It is likely there will be additions, changes, and deletions to this document prior to final decision by the Office. Therefore, if you have any comments or concerns you must contact the applicant or the Office prior to the decision date so that you will know what changes may have been made to the application document.

The Office is not allowed to consider comments, unless they are written, and received prior to the end of the public comment period. You should contact the applicant for the final date of the public comment period.

If you have questions about the Mined Land Reclamation Board and Office review and decision or appeals process, you may contact the Office at (303) 866-3567.

# STATE OF COLORADO

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Department of Natural Resources

1313 Sherman St., Room 215

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Phone: (303) 866-3567

FAX: (303) 832-8106



### CONSTRUCTION MATERIAL LIMITED IMPACT (110) OPERATION RECLAMATION PERMIT APPLICATION PACKAGE

**RECEIVED**

JUL 29 2020

DIVISION OF RECLAMATION  
MINING & SAFETY

#### APPLICABILITY:

This application package is for a construction material extraction operation affecting LESS than 10 acres. If you plan to conduct a construction material extraction operation which meets these criteria, please follow the instructions provided in this package, in the Rules and Regulations, and in the Colorado Land Reclamation Act for the Extraction of Construction Materials, as required.

#### RECOMMENDATIONS PRIOR TO FILING:

The Construction Material Rules and Regulations (the Colorado Land Reclamation Act for the Extraction of Construction Materials, Section 34-32.5-101, et seq., C.R.S., and 2 CCR 407-1), and the Colorado Mined Land Reclamation Board (the "Board") regulate the permitting, operational and reclamation requirements for all construction material extraction operations in Colorado. It is your obligation to comply with the Act and Regulations. You are encouraged to obtain and review a copy of the Rules, available for \$8.00 from the Division of Reclamation, Mining, and Safety (the "Office"). In order to submit your application properly, it is recommended that you review the Act and:

- |            |   |
|------------|---|
| Rule 1.1   | Definitions;                                      |
| Rule 1.4   | Application Review and Consideration Process;     |
| Rule 1.6   | Public Notice Procedures;                         |
| Rule 3.1   | Reclamation Performance Standards;                |
| Rule 3.3.1 | Operating without a Permit - Penalty;             |
| Rule 4     | Performance Warranties and Financial Warranties;  |
| Rule 6     | Permit Application Exhibit Requirements;          |
| Rule 6.2   | General Requirements of Exhibits;                 |
| Rule 6.3   | Specific Permit Application Exhibit Requirements; |
| Rule 6.5   | Geotechnical Stability Exhibit (as required).     |

It is recommended that you contact the agencies listed in the application section titled "Compliance With Other Laws" prior to submitting the application to the Office .



**FILING REQUIREMENTS:**

In order to apply for a Reclamation Permit for a Limited Impact Operation, please provide:

- \_\_\_\_\_ ° One (1) signed and notarized completed **ORIGINAL** and one (1) copy of the completed original Limited Impact Operation (110) Application Form. **ORIGINAL SIGNATURES MUST BE IN BLUE INK.**
- \_\_\_\_\_ ° Two (2) copies of Exhibits A-J and Exhibit L (required sections described in Rule 6).
- \_\_\_\_\_ ° Two (2) copies of Addendum 1 - Notice requirements (described in Rule 1.6.2(1)(b)). A sample of this notice is attached for your use.
- \_\_\_\_\_ ° The Geotechnical Stability Exhibit when required by the Division.
- \_\_\_\_\_ ° The application fee.

The thirty (30) day period for review of the application and exhibits will **NOT** begin until all required information and fee are submitted. The Office will then review the submitted information for adequacy.

**NOTICE REQUIREMENTS:**

- \_\_\_\_\_ 1. You **MUST** send a notice, on a form approved by the Board, to the local board of county commissioners. A copy of this "Notice of Filing Application" form is attached for your use.
- \_\_\_\_\_ 2. If the mining operation is within the boundaries of a conservation district, send a notice to the board of supervisors of the conservation district, **PRIOR** to filing the application. A copy of this "Notice of Filing Application" form is attached for your use.
- \_\_\_\_\_ 3. You **MUST** include proof of notice #1 and #2 above with the application at the time the application is submitted to the Office for filing (Rule 1.6.2(1)(g)).
- \_\_\_\_\_ 4. **PRIOR** to filing the application, place for public review a copy of the application, less confidential items, with the clerk or recorder of the county or counties in which the affected land is located.
- \_\_\_\_\_ 5. You **MUST** include an affidavit or receipt demonstrating that the application was filed with the county clerk or recorder at the time the application is submitted to the Office for filing.
- \_\_\_\_\_ 6. Any changes or additions made to an application submittal **MUST** be filed with the county clerk or recorder. You **MUST** also provide the Office with an affidavit or receipt demonstrating that the change was filed with the county clerk or recorder no later than the close of business on the day the change was filed with the Office (Rule 1.8.1(2)).
- \_\_\_\_\_ 7. Within ten (10) days after your application is considered filed, you must publish once in a newspaper of general circulation, in the locality of the proposed mining operation, the notice described in Rule 1.6.2(1)(d). A copy of a form which includes all required information for the notice has been attached for your use.
- \_\_\_\_\_ 8. In addition, after the publication you must mail or personally serve a copy of the notice described in Rule 1.6.2(1)(d) to all owners of record of surface rights to the affected land and all owners of lands that are within 200 feet of the boundary of the affected land (Rule 1.6.2(1)(e)).
- \_\_\_\_\_ 9. **Prior** to the Office making a decision (consideration of the application), you **MUST** submit a copy of the proof of publication from the newspaper and proof of all required notices. Proof of the notices may be by submitting copies of return receipts of a certified mailing or by proof of personal service (Rules 1.4.1(4), 1.4.2(4)(c), 1.6.2(1)(a)(ii), and 1.6.2(1)(g)).

The copy of the application and any changes or additions placed at the office of the county clerk or recorder shall **NOT** be recorded, but shall be retained there for at least sixty (60) days after a decision on the application by the Office and be available for inspection during this period. At the end of this period, the application may be reclaimed by the applicant or destroyed (Rule 1.6.2(2)).

### **APPLICATION REVIEW PROCEDURES:**

The Office shall approve or deny the application within thirty (30) days of filing unless the date for consideration by the Office is extended pursuant to Rule 1.8. The time for consideration shall not be extended beyond thirty (30) days after the last such change submitted. For complex applications, the review period may be extended an additional sixty (60) days. Please see Rule 1.1(10) for the definition of what constitutes a complex application.

### **APPLICATION APPROVAL/DENIAL:**

If the requirements of the Act and Mineral Rules have been satisfied, the Office will approve the application. The Act also provides for automatic approval if no action is taken by the Office by the end of the review period.

If the Act and Regulation requirements have not been satisfied, the Office will deny the application. If the Office denies the application, you may appeal to the Board for a final determination by submitting a written request for administrative appeal to the Board within 60 days of the decision date (Rule 1.4.7).

### **PERFORMANCE AND FINANCIAL WARRANTIES:**

A performance warranty, and a financial warranty dollar amount determined during the application review process, must be submitted and approved by the Office PRIOR to permit issuance. A financial warranty should NOT be submitted until a decision on the application has been made. If the applicant is a unit of state or county government, then ONLY a performance warranty is required.

Several different types of financial warranties are allowed by the law. Please review Rule 4.0 to determine which type of financial warranty you desire to use. You may obtain the appropriate warranty forms from the Office during the application review period.

Please note that an application approval DOES NOT convey a right to begin operations. You MUST submit, and have approval of your performance and financial warranties, and receive your copy of the signed permit document PRIOR to beginning on-site mining activity.

### **AUTOMATIC PERMIT APPROVAL:**

An automatic approval will occur where the Office fails to notify the applicant/operator that the application has been denied. This decision must be made thirty (30) calendar days from the date the application was determined to have been filed. However, the performance and financial warranties must be submitted and approved by the Office before the permit will be issued even if you receive an automatic approval. NO MINING OPERATIONS SHALL BEGIN UNTIL A PERMIT IS ISSUED (Section 34-32.5-109(1), C.R.S.).

### **COMPLIANCE WITH OTHER LAWS:**

Compliance with the Act and Rules and Regulations of the Mined Land Reclamation Board DOES NOT relieve you of your responsibility to comply with all other applicable state and federal laws. We recommend that you contact the following agencies to determine whether you need to comply with their legal requirements:

- The Colorado State Historical Preservation Office regarding properties of historical significance including the need for an archeological survey, procedures for requesting a file search, and inventory forms to identify structures.
- Colorado Division of Water Resources with regard to water rights;
- Colorado Department of Health, Water Quality Control Division, with regard to the discharge of pollutants into the State waters;
- Colorado Department of Health, Air Pollution Control Division, with regard to the need for a fugitive dust permit;
- U.S. Bureau of Land Management or the U.S. Forest Service if the proposed operation will occur on federal lands;
- U. S. Army Corps of Engineers regarding a dredge and fill (404) permit; and
- The County Planning Department for the county or counties in which your proposed operation is located.

Section 34-32.5-109(3), C.R.S. requires a mining operator to be responsible for assuring that the mining operation and the post-mining land use comply with local land use regulations and any master plan for extraction adopted pursuant to Section 34-1-304, C.R.S.

**COMPLETION OF MINING:**

Upon completion of any phase of reclamation, you should consult Rule 3.1 for reclamation standards and 4.16 for details on how to request a reclamation responsibility release from the Board.



**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 34-32.5-110(1)(a)(VIII).
2. 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.). (NOTE: For 110 operations, the affected area includes all lands delineated by the permit boundary.)
3. 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.).
4. As the applicant/operator, I do not have any mining/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.).
5. 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. 1984.

*This form has been approved by the Mined Land Reclamation Board pursuant to section 34-32.5-110, 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 26<sup>th</sup> day of JUNE, 2020.

TRENT PRALL

Applicant/Operator

Signed: TS PR

Title: Public Works Director

State of Colorado )  
 ) ss.  
County of Mesa )



If Corporation Attest (Seal)

Signed: Wanda Dunkelmann

Corporate Secretary or Equivalent

Town/City/County Clerk

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of June, 2020, by Trent Prall as Public Works Dir of City of Grand Junction

Janet Harrell  
Notary Public

My Commission expires: 7-11-2022

**JANET HARRELL**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
**NOTARY ID #20144027406**  
**My Commission Expires July 11, 2022**

**SIGNATURES MUST BE IN BLUE INK**

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:**

City of Grand Junction Cemetery- Fence and headstones.

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_

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



**CERTIFICATION**

The Applicant, City of Grand Junction (print applicant/company name),  
by Trent Prall (print representative's name), as Public Work Director (print  
representative's title), does hereby certify that City of Grand Junction Cemetery (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 Riverside Parkway (operation name),  
File Number M-2007-005.

*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:

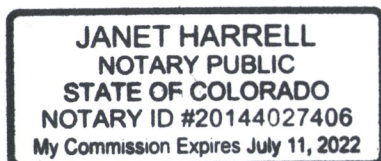
Applicant City of Grand Jct. Representative Name Trent Prall  
Date 6-25-20 Title Public Works Director

STATE OF Colorado )  
) ss.  
COUNTY OF Mesa )

The foregoing was acknowledged before me this 26<sup>th</sup> day of June, 2020 by  
Trent Prall as Public Works Dir of City of Grand Junction.

Janet Harrell  
Notary Public

My Commission Expires: 7-11-2020



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner City of Grand Jct. Name Ken Sherbenou

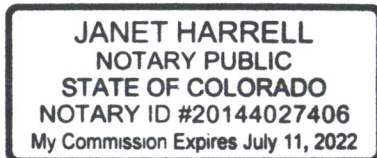
Date 6-25-20 Title Park & Rec. Director

STATE OF Colorado )  
 ) ss.

COUNTY OF Mesa )

The foregoing was acknowledged before me this 26<sup>th</sup> day of June, 2020, by  
Kenneth as Parks + Rec of City of Grand Junction  
Sherbenou Director

Janet Harrell My Commission Expires: 7-11-2022  
Notary Public



## **Exhibit A- Legal Description and Location Map**

W2NW4 SEC 26 1S 1W UM EXC BEG 917FT W OF NE COR SW4NW4 SD SEC 26 W  
268.2FT S 238FT S 45DEG25' E 287.8FT E 210FT N 19.5FT W 100FT N 420.52FT TO A PT  
46.78FT E OF BEG W 46.78FT TO POB & EXC BEG 176.5FT E OF NW COR SW4 SD SEC  
26 N 15DEG00' W 88FT E 256.3FT S 15DEG00' E 88FT W 256.3FT TO POB & ALSO EXC  
ALL CO ROWS - 3,260,119SF/74.84AC PER ACAD

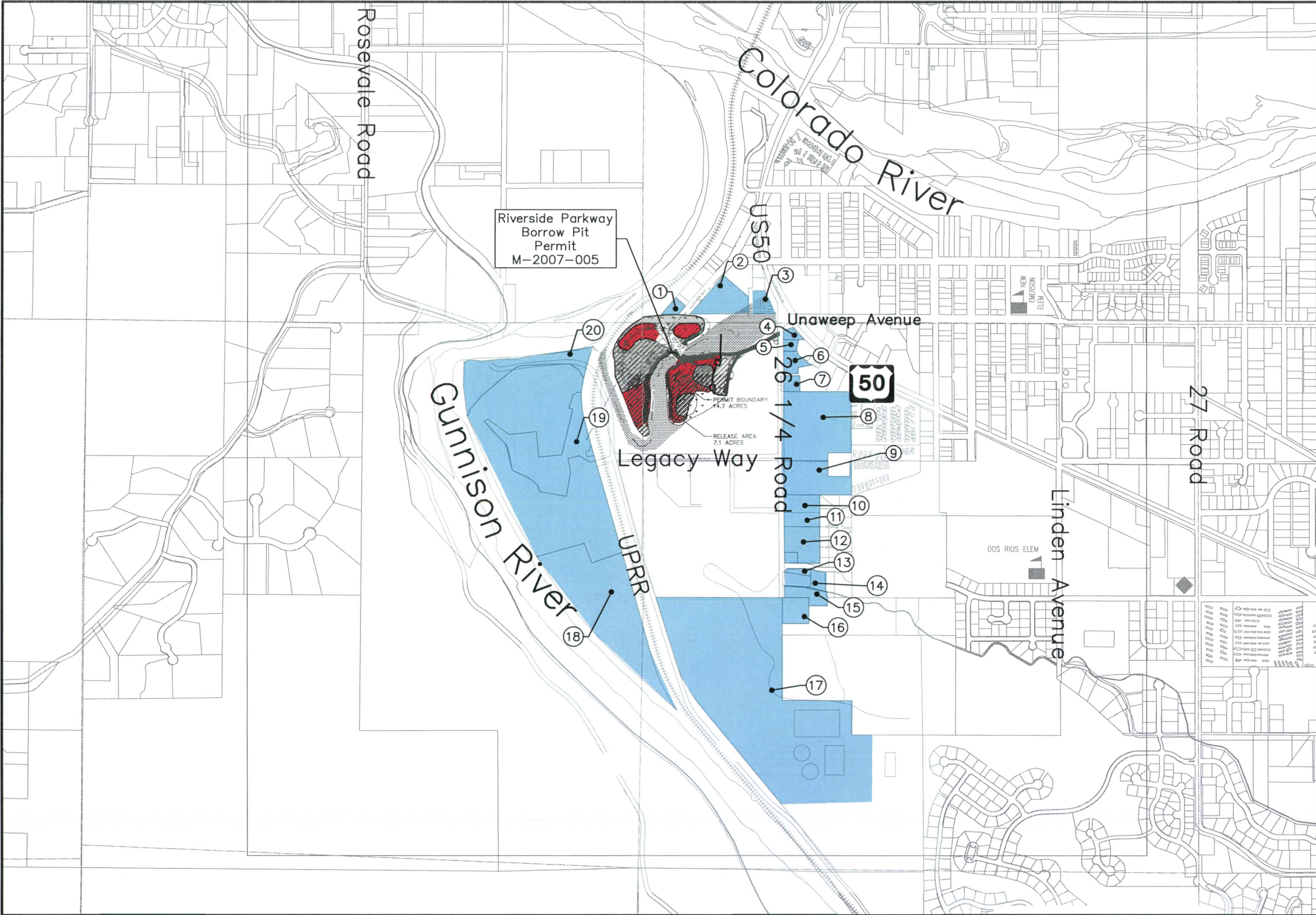
**Site Address:** 2620 Legacy Way, Grand Junction CO 81503

**Site Parcel Number:** 2945-262-00-060

**Latitude and Longitude of Main Entrance to Site for Reclamation:**

39.048146, -108.566344





Names of Immediately Adjacent Surface Owners		
	Parcel #	Property Owner
1	2945-233-12-015	CLYMER RANCH & LIVESTOCK COMPANY
2	2945-233-01-002	CLYMER RANCH & LIVESTOCK COMPANY
3	2945-233-01-011	CLYMER RANCH & LIVESTOCK COMPANY
4	2945-233-02-002	CITY OF GRAND JUNCTION DUCK POND PARK
5	2945-262-03-001	LEGACY LAND COMPANY
6	2945-262-00-062	SNYDER-GRAND VALLEY
7	2945-262-04-001	CHRISTOPHER WILLIAMS
8	2945-262-00-057	CITY OF GRAND JUNCTION CATHOLIC CEMETERY
9	2945-262-00-058	CITY OF GRAND JUNCTION CALVARY CEMETERY
10	2945-262-00-035	LORETTA DANFORD
11	2945-262-48-002	ROBERT GRIFFITH
12	2945-262-48-001	ANNIE LEDOUX
13	2945-262-42-000	UNKNOWN
14	2945-262-42-000	JAMES KOZAK
15	2945-262-42-008	JACKSON OVIATT
16	2945-263-00-053	CITY OF GRAND JUNCTION-FILTRATION PLANT
17	2945-263-00-054	CITY OF GRAND JUNCTION-FILTRATION PLANT
18	2945-271-00-046	RIVERVIEW TECHNOLOGY CORPORATION
19	2945-271-00-051	UNITED STATES OF AMERICA
20	2945-271-00-049	RIVERVIEW TECHNOLOGY CORPORATION

**Immediately Adjacent Surface Owners**

800.922.1987  
www.uncc.org

CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

**SCALE**

50 0 25 50

( IN FEET )

CONTOUR INTERVAL = 1 FOOT

**RIVER CITY CONSULTANTS**

744 Horizon Court, Suite 110  
Grand Junction, CO 81506

Phone: 970.241.4722  
Fax: 970.241.8841

**COLORADO REGISTERED PROFESSIONAL ENGINEER**

35518

7/15/2020

**CITY OF GRAND JUNCTION**

**RIVERSIDE BORROW PIT M-2007-005**

**EXHIBIT A**

NO.	DATE	DESCRIPTION	BY

DRAWN BY:	bt	RCC PROJECT #:
CHECKED BY:	idg	
HORZ SCALE:	AS SHOWN	DATE ISSUED: 07.15.2020
VERT SCALE:	N/A	ORIGINAL SHEET SIZE: 11 x 17

1

S:\PROJECTS\1108 City of GJ\005 Riverside Parkway Borrow Pit\Design\DWG\03-Sheets\Reclamation Exhibits\Exhibit A Location Map.dwg [Fig1-Gen Loc Map]



## **Exhibit B- Site Description**

- a. Please see attached custom soils report and the vegetation classification exhibit.
- b. Man-made structures less than 200 ft from affected area:
  - Fence along east side of the south haul road (please refer to exhibit B) owned by the City of Grand Junction Municipal Cemetery.
  - Headstones (please refer to exhibit B) owned by the City of Grand Junction Municipal Cemetery.
- c. Water will not be used with this application. This application is for reclamation only. The existing drainage will remain. It presently bisects the site running from north east to south west. The existing wetlands areas will remain. They are located along the south side of the site and along the existing drainage. A Stormwater Management Plan was recently approved by the City that called for a stormwater quality pond.
- d. This application is for reclamation only and no wildlife statement is needed.

## **Exhibit C- Mining Plan**

- a) Mining completed 9/1/2007. This submittal is only for a reclamation plan.
- b) This site has been converted to industrial/ commercial gravel yard and will be in accordance with the recent approval from the City of Grand Junction Special Use Permit.
- c) There is no overburden of waste rock. Mining completed 9/1/2007. This submittal is only for a reclamation plan.
- d) No rock will be deposited for this application. Mining completed 9/1/2007. This submittal is only for a reclamation plan.
- e) Mining completed 9/1/2007. This is for reclamation only and there will be no components of mining with this application.
- f) This site has been converted to industrial/ commercial gravel yard and will be in accordance with the recent approval from the City of Grand Junction Special Use Permit. Please see Exhibit C C2 Map for proposed grading.
- g) There are no mining roads. Dimensions of roads are shown on the exhibits. Roads were recently rebuilt with black base/recycled asphalt to alleviate dust concerns.
- h) No water will be used. This submittal is only for a reclamation plan.
- i) This submittal is only for a reclamation plan and a stormwater quality pond will be built in accordance with the recent approval from the City of Grand Junction Special Use Permit application.
- j) The proposed stormwater quality pond will meet the requirements of the approved Stormwater Management that was recently approved.
- k) No refuse acid, or toxic producing materials will be exposed. Mining completed 9/1/2007. This submittal is only for a reclamation plan.
- l) Mining completed and focus is now on reclamation of disturbed areas.
- m) There will not be deposits processed on-site. Mining completed 9/1/2007. This submittal is only for a reclamation plan.
- n) There will be no primary or secondary commodities to be mined or extracted. Mining completed 9/1/2007. This submittal is only for a reclamation plan.
- o) There will be no incidental products mined/extracted. Mining completed 9/1/2007. This submittal is only for a reclamation plan.
- p) There will be no explosives used in conjunction with reclamation and mining was completed 9/1/2007.

## **EXHIBIT D — RECLAMATION PLAN**

- a) Mining has stopped on the site and will not continue. There is no overburden suitable for the reclamation of the site. The reclamation of the site will start in the summer of 2020 and be completed by the end of 2021. This site has recently been approved by the City of Grand Junction for a Special Use Permit.
- b) The maximum gradient for the slopes will be 3 to 1 or less. The slopes will be a minimum of 30 feet from the adjacent properties.
- c)
  - (i) The site has been converted to a commercial/industrial yard under an approved Special Use Permit.
  - (ii) There will be no seeding. Only gravel, partial gravel in open space, surface roughening and storage areas with recycled asphalt for road access.
  - (iii) There will be no seeding mix for this site.
  - (iv) A application method for this site is not needed. The site has been converted to a commercial/ industrial yard under an approved Special Use Permit. Existing vegetation will be conserved when possible.
  - (v) There will be no mulch needed for this site.
  - (vi) There will be no trees or additional shrubs planted on the site

d. The existing drainage will remain. It presently bisects the site running from northeast to southwest. The existing wetlands areas will remain. They are located along the south side of the site and along the existing drainage. No ponds will be created on the site.

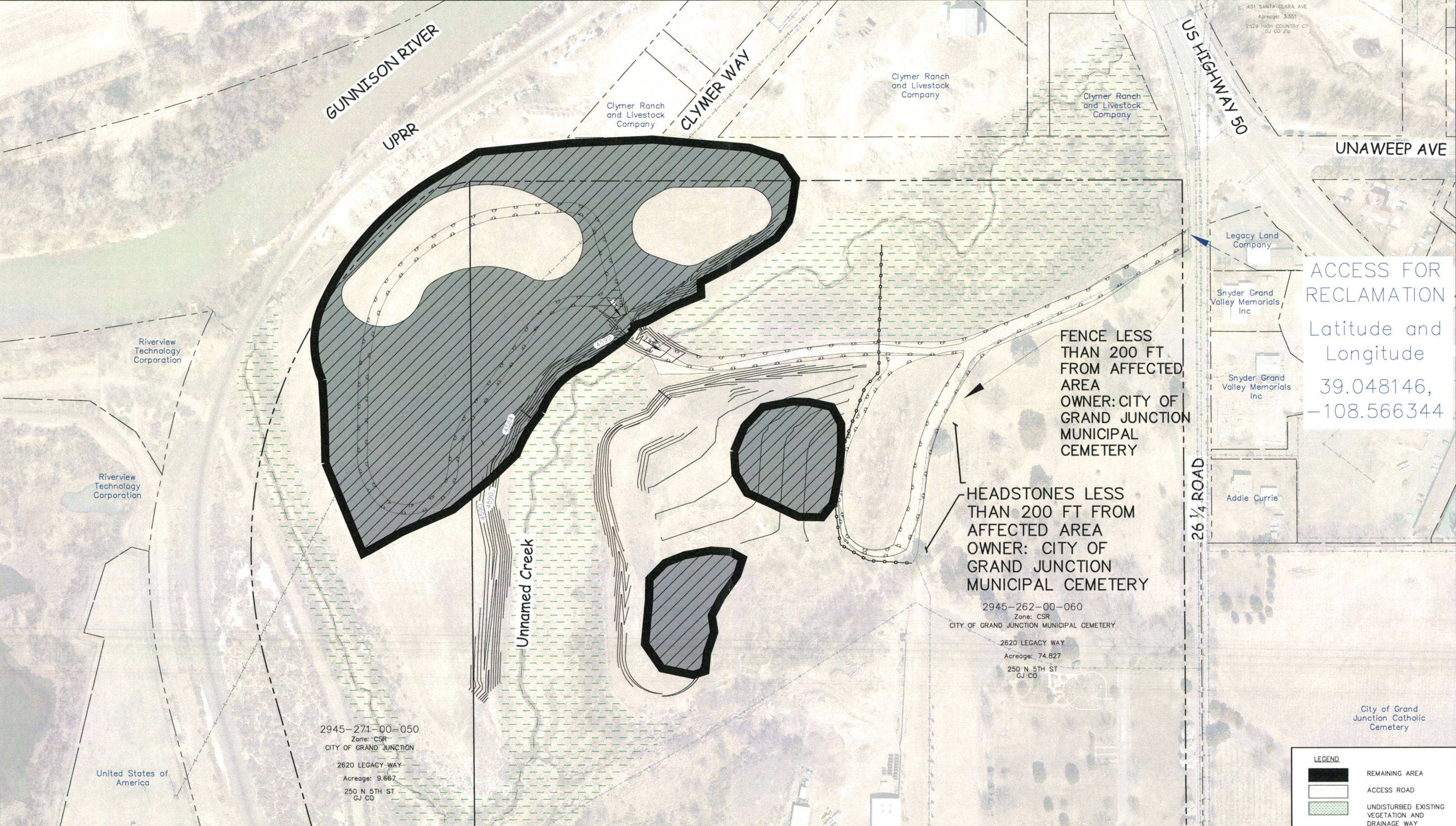
e. The City of Grand Junction- Public Works has received approval to store various construction materials and to stage clean-up operations at this location. There will be a water quality pond for stormwater shown on the reclamation plan.

2. This application is not for a Limited Impact application and does not need to provide an estimate of actual costs to reclaim the site.



## **Exhibit E- Mining Plan Map and Reclamation Plan Map**





ACCESS FOR  
RECLAMATION  
Latitude and  
Longitude  
39.048146,  
-108.566344

FENCE LESS  
THAN 200 FT  
FROM AFFECTED  
AREA  
OWNER: CITY OF  
GRAND JUNCTION  
MUNICIPAL CEMETERY

HEADSTONES LESS  
THAN 200 FT FROM  
AFFECTED AREA  
OWNER: CITY OF  
GRAND JUNCTION  
MUNICIPAL CEMETERY

2945-262-00-060  
Zone: CSR  
CITY OF GRAND JUNCTION MUNICIPAL CEMETERY  
2620 LEGACY WAY  
Acreage: 74.827  
250 N 5TH ST  
GJ CO

2945-271-00-050  
Zone: CSR  
CITY OF GRAND JUNCTION  
2620 LEGACY WAY  
Acreage: 9.667  
250 N 5TH ST  
GJ CO

LEGEND	
	REMAINING AREA
	ACCESS ROAD
	UNDISTURBED EXISTING VEGETATION AND DRAINAGE WAY

UNCC  
811  
Know what's below.  
Call before you dig.  
www.uncc.org

SCALE  
0 80 160  
Feet

ORIGINAL SHEET SIZE: 22 x 34

REVISIONS			
NO.	DATE	DESCRIPTION	BY

35518  
7/15/2020  
PROFESSIONAL ENGINEER

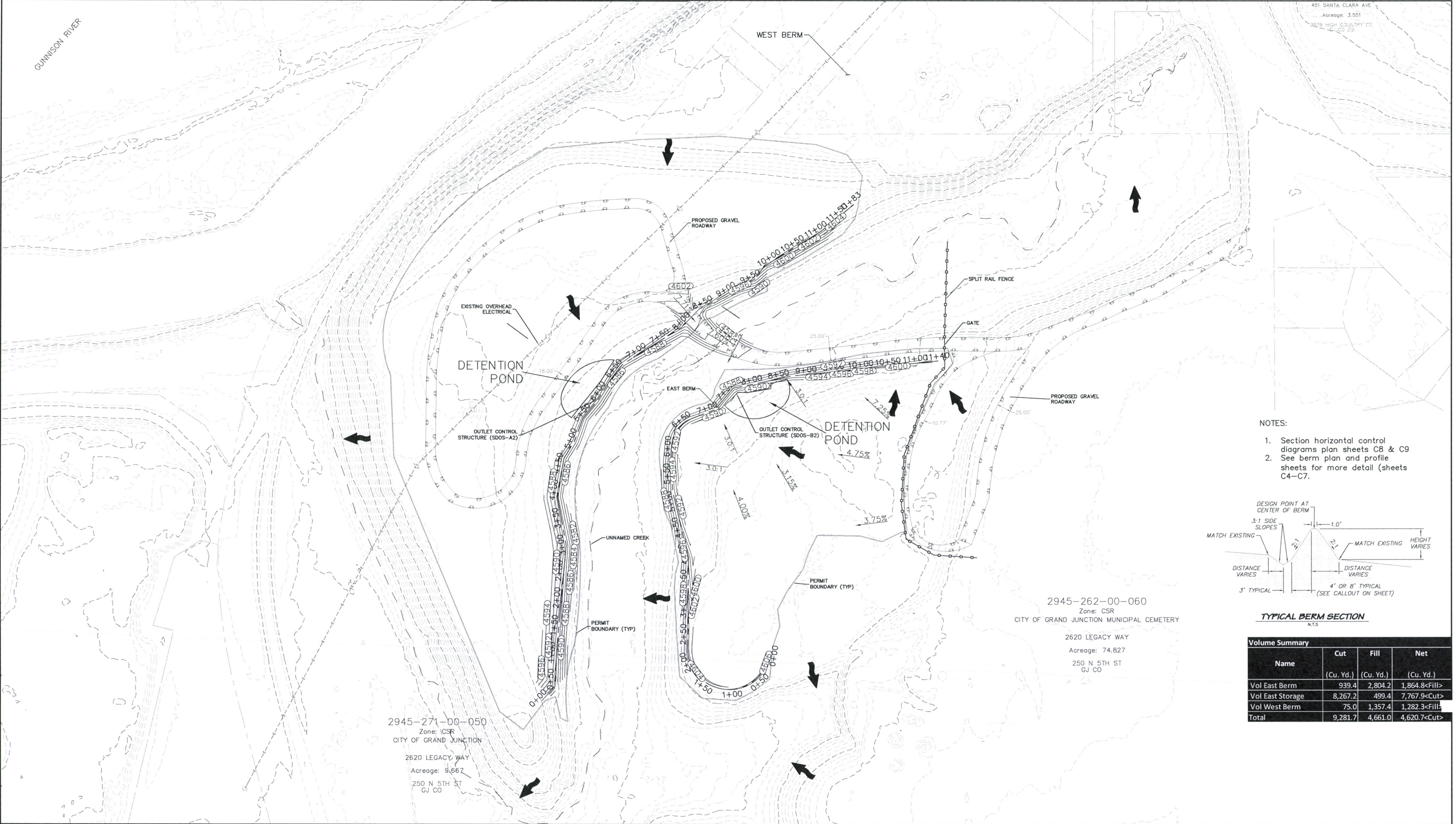
744 Horizon Court, Suite 110  
Grand Junction, CO 81506  
www.rccwest.com  
Phone: 970.241.4722  
Fax: 970.241.8641

PROJECT #: 1108-005  
DATE ISSUED: 17.JUL.2020  
DRAWN BY: BT  
CHECKED BY: IDG  
HORIZ: 1"=100'  
VERT: N/A

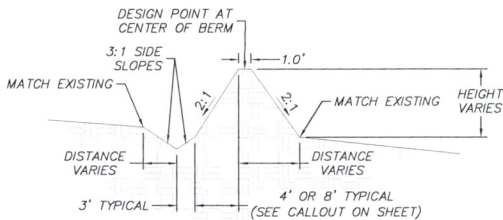
**CITY OF GRAND JUNCTION**  
**RIVERSIDE PARKWAY BORROW PIT**  
Exhibit E- Mining Plan Map  
M-2007-005

1





- NOTES:
1. Section horizontal control diagrams plan sheets C8 & C9
  2. See berm plan and profile sheets for more detail (sheets C4-C7).



TYPICAL BERM SECTION  
N.T.S.

Volume Summary			
Name	Cut (Cu. Yd.)	Fill (Cu. Yd.)	Net (Cu. Yd.)
Vol East Berm	939.4	2,804.2	1,864.8<Fill>
Vol East Storage	8,267.2	499.4	7,767.9<Cut>
Vol West Berm	75.0	1,357.4	1,282.3<Fill>
Total	9,281.7	4,661.0	4,620.7<Cut>

UNCC  
800.922.1987  
www.uncc.org

811  
Know what's below.  
Call before you dig.

CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

SCALE  
0 80 160  
Feet  
CONTOUR INTERVAL = 2 FT  
ORIGINAL SHEET SIZE: 34 x 22

NO.	DATE	DESCRIPTION	BY

35518  
1/15/2020  
DAVID C. GATZ  
PROFESSIONAL ENGINEER

RIVER CITY  
CONSULTANTS  
744 Horizon Court, Suite 110  
Grand Junction, CO 81506  
www.rccwest.com  
Phone: 970.241.4722  
Fax: 970.241.8841

PROJECT #: 1108-005  
DATE ISSUED: 12 Jun. 2020  
DRAWN BY: djf  
CHECKED BY: idg

HORIZ: 1:50  
VERT: N/A

CITY OF GRAND JUNCTION  
RIVERSIDE PARKWAY BORROW PIT

Exhibit E- Reclamation Plan Map

C2



## **Exhibit F- List of Other Permits and Licenses Required**

This site has received an approved Special Use permit from the City of Grand Junction. This will require a state and county stormwater permit.

## **Exhibit G-Source of Legal Right to Enter**

State of Colorado  
County of Mesa

Recorded at 2:31 o'clock P.M.  
Reception No. 912892

MAR 2 1966

BOOK 893 PAGE 682  
Recorder.

THIS DEED, Made this            day of            , 19            ,

between Mesa Lodge No. 58, Independent Order of Odd  
Fellows, Jurisdiction of Colorado

of the            County of            Mesa            and state of  
Colorado, of the first part, and  
City of Grand Junction, Colorado

of the            County of            Mesa            and state of  
Colorado, of the second part,

WITNESSETH, That the said party            of the first part, for and in consideration of the sum of  
\*\*\*One dollar\*\*\*

DOLLARS,

to the said party            of the first part in hand paid by the said party            of the second part, the receipt whereof  
is hereby confessed and acknowledged, has remised, released, sold, conveyed and QUIT CLAIMED, and by  
these presents do es remise, release, sell, convey and QUIT CLAIM unto the said party            of the second part,  
its heirs, successors and assigns, forever, all the right, title, interest, claim and demand which the said  
party            of the first part has in and to the following described lot or parcel of land situate, lying and  
being in the            County of            Mesa            and State of Colorado, to-wit:

Beginning at a point thirty (30) feet south and four hundred seventy-nine  
and seventy-six one-hundredths (479.76) feet west of the NE corner of SW $\frac{1}{2}$  NW $\frac{1}{2}$   
Section 26, T1S R1W, Ute Meridian, thence running south three hundred ninety  
and forty-six one-hundredths (390.46) feet, thence west three hundred ninety  
and forty-six one-hundredths (390.46) feet, thence north one hundred seventy-  
two and sixty-six hundredths (172.66) feet, thence east one hundred feet (100),  
thence north two hundred seventeen and eight-tenths feet (217.8), thence east  
two hundred ninety and forty-six hundredths feet (290.46) to the point of  
beginning, containing three acres more or less.

Also beginning four hundred seventy-nine and seventy-six hundredths (479.76)  
feet west of the NE corner of SW $\frac{1}{2}$  NW $\frac{1}{2}$  Section 26, T1S R1W, Ute Meridian, thence  
south thirty feet (30), thence west three hundred ninety and forty-six hundredths  
feet (390.46), thence north thirty feet (30), thence east three hundred ninety  
and forty-six hundredths feet (390.46) to the point of beginning.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto  
belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the  
said party            of the first part, either in law or equity, to the only proper use, benefit and behoof of the said  
party            of the second part, its heirs and assigns forever.

IN WITNESS WHEREOF, The said party            of the first part has hereunto set its hand  
and seal            the day and year first above written. Mesa Lodge No. 58, I.O.O.F., Jurisdiction of Colo.

Signed, Sealed and Delivered in the Presence of

By Sterling Bittle [SEAL]  
Noble Grand

Ralph A. Metcalf [SEAL]  
Secretary

[SEAL]

[SEAL]

STATE OF COLORADO,  
County of Mesa

The foregoing instrument was acknowledged before me this 28 day of December  
1965, by Sterling Bittle and Ralph A. Metcalf

My commission expires May 24, 1969. Witness my hand and official seal.

Notary Public.

\*If by natural person or persons here insert name or names; if by person acting in representative or official capacity or as  
attorney-in-fact, then insert name of person as executor, attorney-in-fact or other capacity or description; if by officer of cor-  
poration, then insert name of such officer or officers, as the president or other officers of such corporation, naming it—Statutory  
Acknowledgment, Section 1917.

No. 933. QUIT CLAIM DEED.—Bradford-Robinson Printing Company, 1824-46 Stout Street, Denver, Colorado

## **Exhibit H- Municipalities Within a Two-mile Radius**

City of Grand Junction-

250 n 5<sup>th</sup> Street, Grand Junction, CO 81501

970.256.4047

Mesa County

200 S Spruce Street, Grand Junction, CO 81501

## **Exhibit I- Proof of Filing with County Clerk**



# Riverside Parkway Borrow Pit

## 110c Application Form and Exhibits

July 1, 2020

Prepared for:

City of Grand Junction

Prepared By:



Bailie Tomlinson

215 Pitkin Ave. Ste. 201

Grand Junction, CO 81501

*This report was delivered and  
made public record to  
the Clerk and Recorder  
on 7/6/2020.*

*Received by Ginny Baughman*

**Exhibit J- Proof of Mailing of Notices to Board  
of County Commissioners and Soil  
Conservation District**

7019 1640 0001 9352 8752

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®.	
GRAND JUNCTION, CO 81508	
Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input checked="" 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	\$2.20
Total Postage and Fees	\$8.60
Sent To MESA Conservation District	
Street and Apt. No., or PO Box No. 2738 CROSSROADS BLVD.	
City, State, ZIP+4® GRAND JUNCTION, CO 81506	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	



07/02/2020

7019 1640 0001 9352 8769

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®.	
GRAND JUNCTION, CO 81502	
Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input checked="" 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	\$2.20
Total Postage and Fees	\$8.60
Sent To Board of County Commissioners	
Street and Apt. No., or PO Box No. Department Sec. P.O. Box 20,000	
City, State, ZIP+4® Grand Junction, CO 81502-5001	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	



07/02/2020

NOTICE OF FILING APPLICATION  
**FOR COLORADO MINED LAND RECLAMATION PERMIT**  
NOTICE TO THE BOARD OF COUNTY COMMISSIONERS  
MESA COUNTY

The City of Grand Junction has applied for a Construction Materials Limited Impact (110) Reclamation permit from the Colorado Mined Land Reclamation Board (the "Board") in Mesa 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 Commercial/Industrial 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 ten (10) days after the date of the applicant's newspaper publication.

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 Street, Room 215, Denver, Colorado 80203, (303) 866-3567.

NOTICE OF FILING APPLICATION  
**FOR COLORADO MINED LAND RECLAMATION PERMIT**

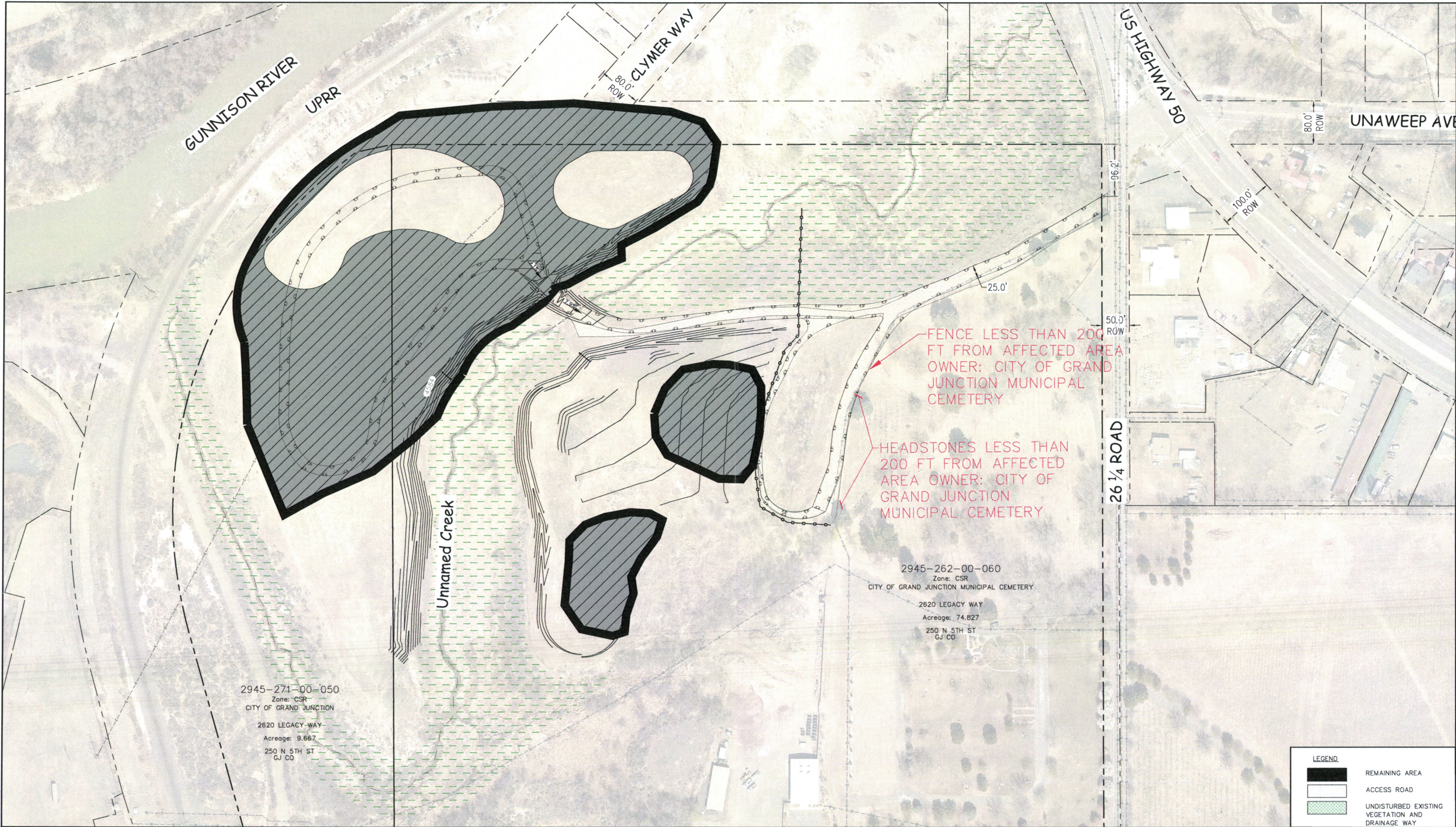
NOTICE TO THE BOARD OF SUPERVISORS  
OF THE LOCAL CONSERVATION DISTRICT  
GRAND JUNCTION DISTRICT


The City of Grand Junction has applied for a Construction Materials Limited Impact (110) **Reclamation** permit from the Colorado Mined Land Reclamation Board (the "Board") in Mesa 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 Commercial/Industrial 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 ten (10) days after the date of the applicant's newspaper publication.

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 Street, Room 215, Denver, Colorado 80203, (303) 866-3567.

# **Exhibit L-Permanent Man-Made Structures**








UNCC  
811  
Know what's below.  
Call before you dig.  
www.uncc.org


CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.




SCALE  
0 80 160  
Feet

ORIGINAL SHEET SIZE: 22 x 34

REVISIONS			BY
NO.	DATE	DESCRIPTION	



35518  
1/15/2020



**RIVER CITY**  
CONSULTANTS  
744 Horizon Court, Suite 110  
Grand Junction, CO 81506  
Phone: 970.241.4722  
Fax: 970.241.8841  
www.rccwest.com

PROJECT #: 1108-005  
DATE ISSUED: 22 JUL 2020  
DRAWN BY: BT  
CHECKED BY: IDG  
HORIZ: 1"=100'  
VERT: N/A

**CITY OF GRAND JUNCTION**  
**RIVERSIDE PARKWAY BORROW PIT**  
EXHIBIT L- PERMANENT MAN MADE STRUCTURES  
M-2007-005

1



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:**

City of Grand Junction Cemetery- Fence and headstones.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

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



**CERTIFICATION**

The Applicant, City of Grand Junction (print applicant/company name),  
by Trent Prall (print representative's name), as Public Work Director (print  
representative's title), does hereby certify that City of Grand Junction Cemetery (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 Riverside Parkway (operation name),  
File Number M-2007-005.

*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**

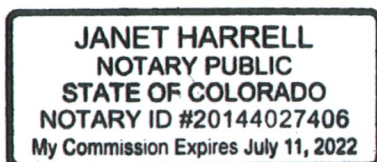
ACKNOWLEDGED BY:

Applicant City of Grand Jct. Representative Name Trent Prall  
Date 6-25-20 Title Public Works Director

STATE OF Colorado )  
) ss.  
COUNTY OF Mesa )

The foregoing was acknowledged before me this 26<sup>th</sup> day of June, 2020 by  
Trent Prall as Public Works Dir of City of Grand Junction.

Janet Harrell My Commission Expires: 7-11-2020  
Notary Public



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner City of Grand Jct. Name Ken Sherbenou

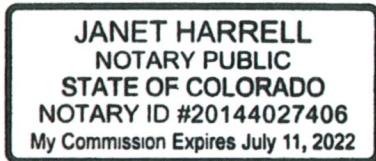
Date 6-25-20 Title Park & Rec. Director

STATE OF Colorado )  
 ) ss.

COUNTY OF Mesa )

The foregoing was acknowledged before me this 26<sup>th</sup> day of June, 2020, by  
Kenneth Sherbenou as Parks + Rec Director of City of Grand Junction

Janet Harrell My Commission Expires: 7-11-2022  
Notary Public



**ADDENDUM 1-NOTICE REQUIREMENTS-AFFIDAVIT  
OF POSTING NOTICE**

## **Notice**

A reclamation plan has been proposed for this site. The City of Grand Junction whose address is 250 N 5<sup>th</sup> Street, Grand Junction, CO 81501 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 Mesa County Clerk and Recorder's Office, 544 Rood Ave, Grand Junction, CO 81501, 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, CO 80203.

### **Certification:**

I, Bailie Tomlinson, hereby certify that I posted a sign containing the above notice for the proposed permit area known as Riverside Parkway, on 7/14/2020.



SIGNATURE



DATE



## **6.5 GEOTECHNICAL STABILITY EXHIBIT**

This application is for reclamation only. Mining has stopped. The ground has stabilized and existing slopes will not be disturbed.

Division of Reclamation, Mining, and Safety

Fee Receipt for M2007005

City of Grand Junction

Jerod Timothy

333 West Avenue

Building C

Grand Junction

CO 815010000

Receipt #: 31878

Date: 07/30/2020

Permit: M2007005

Payment Method	Revenue Code	Fee Description/Notes	Amount
Check #303361	4300-MAMD	Minerals Amendment Fees User: sdt Payer: AM01	\$1,258.00
Receipt Total:			\$1,258.00

# Grand Junction

COLORADO  
FINANCE DIRECTOR

TAX EXEMPT NUMBER 98 - 03544

**ANB Bank.**  
anbbank.com | 866-433-0282 | Member FDIC

82-123/1070

THIS CHECK MUST BE PRESENTED FOR PAYMENT WITHIN  
90 DAYS FROM THE DATE OF ITS MAKING AND, UNLESS SO  
PRESENTED, WILL BE CANCELLED WITHOUT NOTICE TO  
THE PAYEE OR HOLDER THEREOF.

303361

DATE

07/09/2020

Permit # 17007005  
Receipt # 3878

AMOUNT

\$1,258.00

One Thousand Two Hundred Fifty-Eight and 00/100 Dollars

AMOUNT OF

PAY TO THE  
ORDER OF

Colorado Division of Reclamation Mining & Safety  
1313 Sherman St., Room 215  
Denver, CO 80203

*[Handwritten signature]*  
*[Handwritten signature]*

Security features. Details on back.

**FedEx** US Airbill  
Express

8673 1696 3888

0200

Form  
ID No.

FedEx Retrieval Copy

**1 From**  
Date 7-7-2020 Sender's FedEx Account Number 3945-6722-1  
Sender's Name River City Consultants Phone 970 241.4722  
Company  
Address 215 Park #201  
City Grand Junction State CO ZIP 81501  
Dept./Floor/Suite/Room

**2 Your Internal Billing Reference**

**3 To**  
Recipient's Name Amy Yehlell Phone  
Company Colorado Division of Mining & Safety  
Recipient's Address 1313 Sherman St.  
We cannot deliver to P.O. boxes or P.O. ZIP codes.  
Address  
To request a package be held at a specific FedEx location, print FedEx address here.  
City Denver State CO ZIP 80203

**4a Express Package Service** Packages up to 150 lbs.  
1 ☐ FedEx Priority Overnight Next business morning.\* Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.  
5 ☐ FedEx Standard Overnight Next business afternoon.\* Saturday Delivery NOT available.  
6 ☐ FedEx First Overnight Earliest next business morning delivery to select locations.\* Saturday Delivery NOT available.  
3 ☒ FedEx 2Day Second business day.\* Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected. FedEx Envelope rate not available. Minimum charge: One-pound rate.  
20 ☐ FedEx Express Saver Third business day.\* Saturday Delivery NOT available.  
**4b Express Freight Service** Packages over 150 lbs.  
7 ☐ FedEx 1Day Freight\* Next business day.\*\* Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.  
8 ☐ FedEx 2Day Freight Second business day.\*\* Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.  
83 ☐ FedEx 3Day Freight Third business day.\*\* Saturday Delivery NOT available.  
\* Call for Confirmation. \*\* To most locations.  
**5 Packaging**  
6 ☒ FedEx Envelope\* 2 ☐ FedEx Pak\* Includes FedEx Small Pak, FedEx Large Pak, and FedEx Sturdy Pak. 3 ☐ FedEx Box 4 ☐ FedEx Tube 1 ☐ Other \* Declared value limit \$500.  
**6 Special Handling** Include FedEx address in Section 3.  
3 ☐ SATURDAY Delivery Not available for FedEx Standard Overnight, FedEx First Overnight, FedEx Express Saver, or FedEx 3Day Freight.  
1 ☐ HOLD Weekday at FedEx Location Not available for FedEx First Overnight.  
31 ☐ HOLD Saturday at FedEx Location Available ONLY for FedEx Priority Overnight and FedEx 2Day to select locations.  
Does this shipment contain dangerous goods? One box must be checked.  
4 ☒ No 4 ☐ Yes AS per attached Shipper's Declaration. Yes Shipper's Declaration not required. 6 ☐ Dry Ice Dry ice, 9 UN 1845 x kg  
Dangerous goods (including dry ice) cannot be shipped in FedEx packaging. ☐ Cargo Aircraft Only  
**7 Payment** Bill to: Enter FedEx Acct. No. or Credit Card No. below. Obtain Recip. Acct. No.  
1 ☒ Sender Acct. No. in Section 1 will be billed. 2 ☐ Recipient 3 ☐ Third Party 4 ☐ Credit Card 5 ☐ Cash/Check  
Total Packages 1 Total Weight 1.502

fedex.com 1800.GoFedEx 1800.463.3339

fedex.com 1800.GoFedEx 1800.463.3339



JUL 29 2020

DIVISION OF RECLAMATION

**8 Residential Delivery Signature Options** If you require a signature, check Direct or Indirect.  
No Signature Required Package may be left without obtaining a signature. 10 ☐ Direct Signature Someone at recipient's address may sign for delivery. Fee applies. 34 ☐ Indirect Signature If no one is available at recipient's address, someone at a neighboring address may sign for delivery. Fee applies.

520