



December 21, 2020

Tim Cazier
Division of Reclamation, Mining & Safety
Department of Natural Resources
1313 Sherman St., Room 215
Denver, Co. 80203
(303) 866-3567

Mr. Cazier,

Re: Langston Concrete Inc. M 2020-023
Fremont County, Colorado
Langston Borrow Pit – New 112c Application, Adequacy Review #1

On October 26, 2020 Langston Concrete Inc. received an adequacy review request from the Division. Please see the enclosed information as response to the requested adequacy questions.

Thank you,


Zac Langston
Langston Concrete Inc.
Corporate Secretary





Rule 6.2.1(2)

#1 Please see all enclosed updated maps.





Exhibit B: Index Map

#2 Please see the updated Exhibit B map.



EXHIBIT B - Index Map
Langston Borrow Pit M-2020-023
Fremont County, Colorado
Langston Concrete Inc. Florence CO

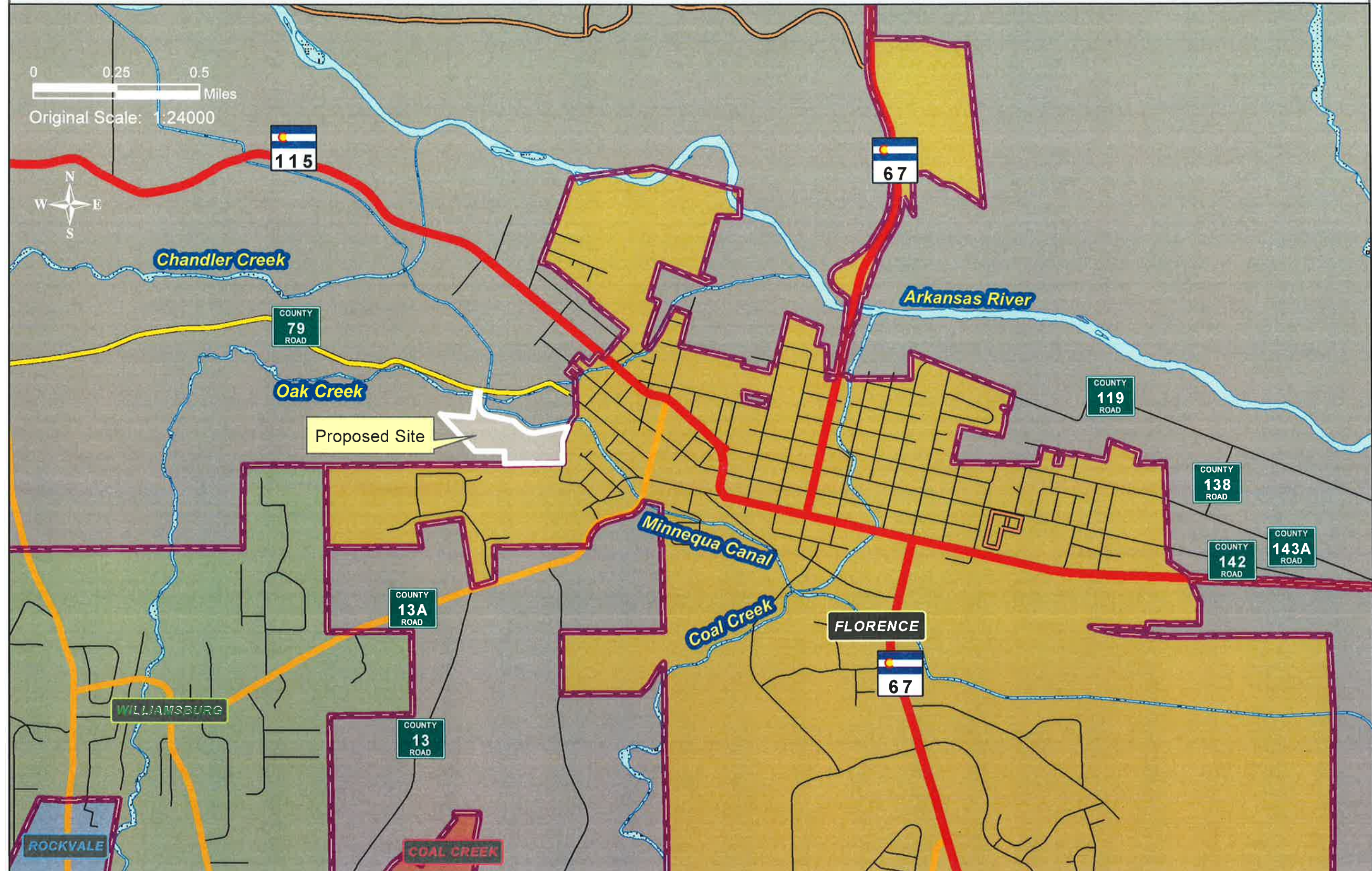




Exhibit C: Pre-mining & Mining Plan Map(s) of Affected Lands

#3 Please see updated map.

#4 Please see updated map. Black Hills Energy owns the powerlines. Please see the attached Structure Agreement.

#5 Please see updated map.

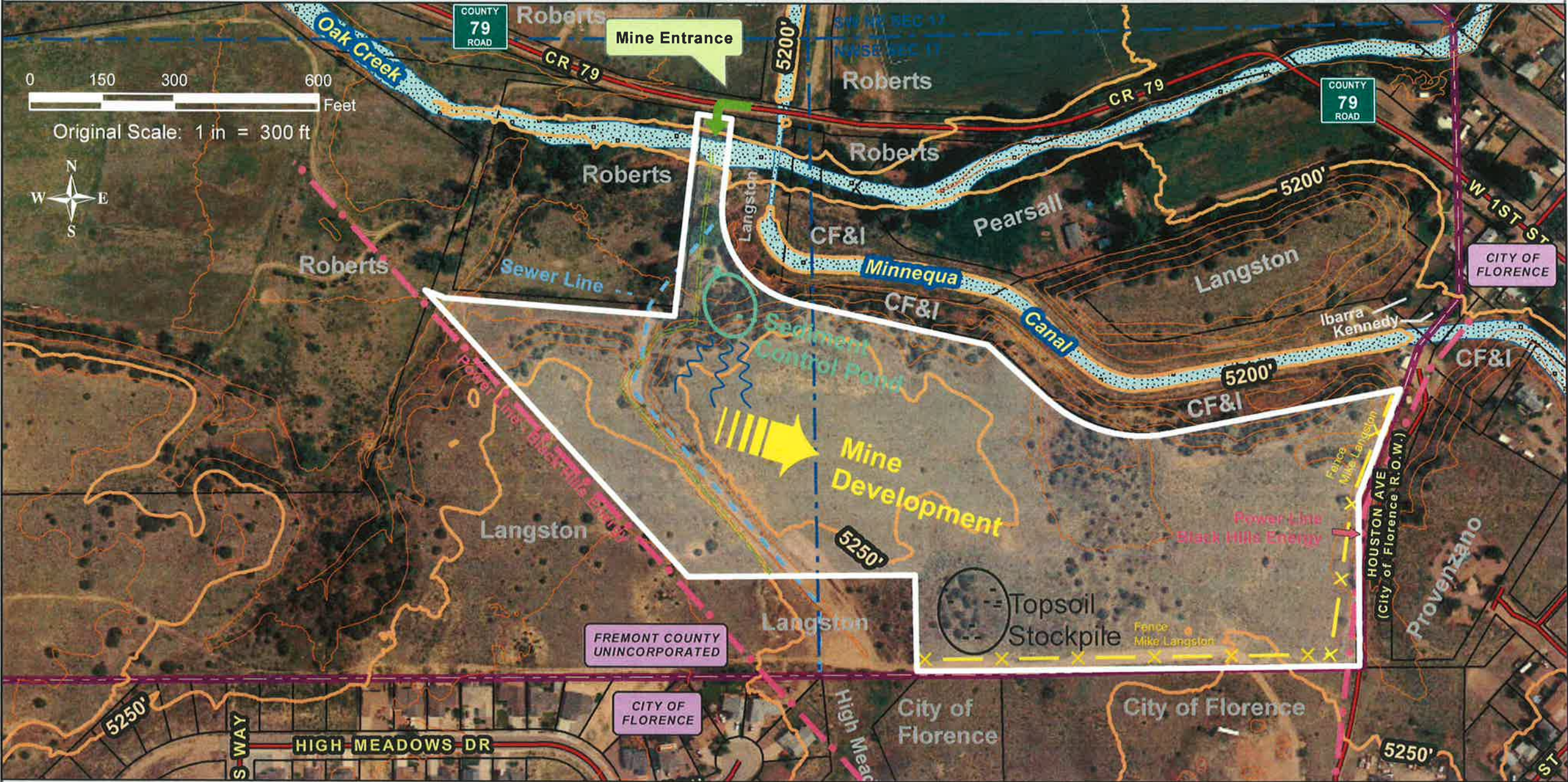
#6 Please see updated map.

#7 Please see updated map.

#8 Yes, there is a fence. The owner of the fence is Mike Langston. Please see the attached Structure Agreement.



EXHIBIT C - Premining and Mine Plan Map
Langston Borrow Pit M-2020-023
Fremont County, Colorado
Langston Concrete Inc. Florence, CO



Map Explanation

Elevation Contours: April 2016
CI original: 2 ft
CI shown: 10 ft
Aerial Photos: April 2016
*Aerial Data Courtesy of
Fremont County Regional GIS Authority*

Site Characteristics

Size: 22 Acres
Vegetation: Kim Prairie Grassland
Soil: Kim-Cascajo Complex

Symbols

- Municipal Boundary
- PLSS Lines
- FSD Sewer Line
- Proposed Access Road

Applicant:

Mike Langston
Map Prepared by:
x _____
Ken Kico, Azurite, Inc
Cotopaxi, CO
First Revision: 16dec2020

Langston Concrete and Black Hills Colorado Electric, LLC

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. 143
- 2. 144
- 3. 145
- 4. Structures 1, 2, & 3 west of Houston Ave.
- 5.

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, Langston Concrete Inc. (print applicant/company name),
by Mike Langston (print representative's name), as President (print
representative's title), does hereby certify that Black Hills Energy (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 Langston Concrete Inc. (operation name),
File Number M-2016-023.

*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 [Signature] Representative Name Mike Langston
Date 9-8-2020 Title President

STATE OF Colorado)
COUNTY OF Fremont) ss.

The foregoing was acknowledged before me this 8 day of September, 2020, by
Mike Langston as President of Langston Concrete Inc.

[Signature] My Commission Expires: April 17, 2021
Notary Public



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner

Black Hills Energy

Name

Kenneth A. Murry

Date *11/17/2020*

Title *Operations Manager at Black Hills Colorado Electric, LLC*

STATE OF *Colorado*

) ss.

COUNTY OF *Fremont*

The foregoing was acknowledged before me this *17th* day of *NOVEMBER*, 20*20*, by
KENNETH MURRY as *OPERATIONS MANAGER* of *BLACK HILLS ELECTRIC*

[Signature]
Notary Public

My Commission Expires: *041322*





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. Fence line along Eastern Property Boundary - 5 strand Barb wire
2. Fence line along Southern Property Boundary - 5 strand Barb wire
3. _____
4. _____
5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, Langston Concrete Inc (print applicant/company name),
by Mike Langston (print representative's name), as President (print
representative's title), does hereby certify that Mike Langston (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 Langston Concrete Inc (operation name),
File Number M-2020-023.

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  Representative Name Mike Langston

Date 12-17-2020 Title President

STATE OF Colorado)
) ss.
COUNTY OF Fremont)

The foregoing was acknowledged before me this 17 day of December, 2020, by Mike Langston as President of Langston Concrete Inc.

My Commission Expires: April 17, 2021



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner Mike Langston Name Mike Langston 

Date 12-17-2020 Title Owner

STATE OF Colorado)

COUNTY OF Fremont) ss.

The foregoing was acknowledged before me this 17 day of December, 2020, by
Mike Langston as Owner of 4823 CR 79 Florence, Co. 81226

 My Commission Expires: April 17, 2021
Notary Public

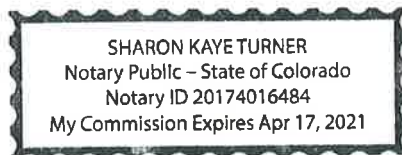




Exhibit D: Mining Plan

#9) It is my apology if my statements caused contradiction and are not clear. The explanation provided in the 112 application were meant to provide clarity: not confusion.

In its infant stages, the access road is meant to be used to access the permitted area for material extraction. It is our intention to leave the access road once material extraction activities have subsided. The owner of the land has expressed the desire to maintain an access to the land for future use.

To answer your question in #9, the road will be used for both activities, material extraction first, then a subdivision road later. Neither will occur at the same time. The remaining land owned by the landowner will not be subdivided until material extraction activities have subsided.

#10) We have a requirement to provide a drainage report for the Fremont County Special Land Use Permit application that is a follow up to this 112 application with the State. Within that permitting process, there exists a requirement to have a drainage analysis performed on the land and a report to be filled out by a licensed engineer. That analysis and report was recently completed and provided to use by 3 Rocks Engineering from Canon City, CO. The report is attached to this document. From the information derived from this report, we are under the impression there does not exist a drainage issue as there are no impermeable surfaces. Including analysis from peak flows.

However, upon further investigation and consultation, we have decided to create a sediment pond on the North side of the property. This will have to occur after some material extraction has occurred as there currently exists no where to place a sediment basin. Some of the mesa will have to be removed to make room for a sediment basin. Once the material is removed, we can then install a proper sediment basin. It is a little hard to explain exactly where we plan on this occurring. However, it should be on the map included with this review. It will be due straight South of where the access point enters off of CR79. From there, it will be up on the mesa portion of the property, near the area where the access road turns to the West and then back South. The access road coming onto the property is at a lower elevation than mese. So, we will be catching water/sediment before it gets to the lower elevation.

#11) The approximate timetable of the material extraction operation is estimated to be for about 3 months a year on average. As stated in the original permit, we do not plan on operating this as a revenue generating project. This will be used for fill in work as our company can afford it. We anticipate the entire deposit to be roughly at 500,000cy +/- . So, if we take material from the site for three months out of the year that is around 30,000cy per year. At that rate, we should be completed in about 17 years. For permitting purposes, we are going to say 20 years total.

#12) No explosives will be used in conjunction with the material extraction operations at the site.





November 18th, 2020

Matthew Sheldon
Fremont County Engineer / Project Manager
615 Macon Avenue
Room 204
Cañon City, CO 81212

The Langston Concrete Pit is located at Parcel # 991-041-57 in Florence, CO 81226. The entire property is 46.9 acres but only 22 acres are being applied for in the permit application. The existing conditions are undeveloped land with a gravel access road. The property currently has no impervious areas. It has been proposed to extract aggregate from the site of interest. Under proposed development there will be no impervious areas added. A common practice, including at The Mile-High Flood District, is to calculate historical peak flow rates using an imperviousness of 2%. Since the existing and proposed impervious areas are both less than 2%, the proposed peak flows will not exceed historical peak flows and therefore no detention is required. Please feel free to reach out to me if you have any questions, comments, or concerns.

Thank you,



Alex Ewers, PE, CFM
Civil Engineer, Owner
alexe@3rocksengineering.com
719.430.5333



Exhibit E: Reclamation Plan

#13) We will lay everything back to a 3:1 slope. We didn't think there was too much of a difference on whether they were 3:1 or 4:1 given the location of the land and the fact that there really isn't a driving reason to do one or the other. Nobody is really going to see it, there is no drainage issues to speak of, and there should be no access into the site for any person to be on the slopes for any reason.

Also, we plan on excavating the highwalls vertical and then backfilling the slopes back in as compacted lifts to achieve the slopes. Overburden from the site will be utilized to perform this activity.

#14) Again, I must apologize for this not being clear. It was our intention to over-explain what is anticipated to occur. With that, it is difficult to explain. The material extraction site is a bluff. The bluff is approximately 50'-75' high. The deposit is anticipated to be 15'-20' deep. So, we will not be excavating all the way to the bottom of the bluff. We will be "daylighting" the excavation out and roughly 50' high. So, when the material extraction has subsided, there is no slope to reclaim.

We hope this is a little clearer to understand after the site inspection on 12/3/2020.

#15) a. We have evaluated the post mining land use and feel it is in line with other land uses in the vicinity. High Meadows Subdivision is straight South of the proposed permitted area. Thus, residential homes will coincide with the adjoining property.

b. We feel our revegetation plan was rather extensive, regardless of the post mining land use. We plan on revegetating the land regardless of the post mining land use. However, we would like to reassure the Division that it is our intention to develop the land and turn it into residential properties. Almost all necessary utilities are within close proximity to the proposed property and are readily accessible. Existing sewer bisects the property and power is overhead. Water is close. Phone and communication will have to be figured out at a later point in time, but we believe access to these will be achieved from the High Meadows Subdivision.

c. Coordination with the local building department and permit issuing agency will occur closer to permit close out. In the line of business we are in, we work hand in hand with the local agencies on a daily basis and are familiar with the "ins and outs" of obtaining such permits. We will do so when the time comes.



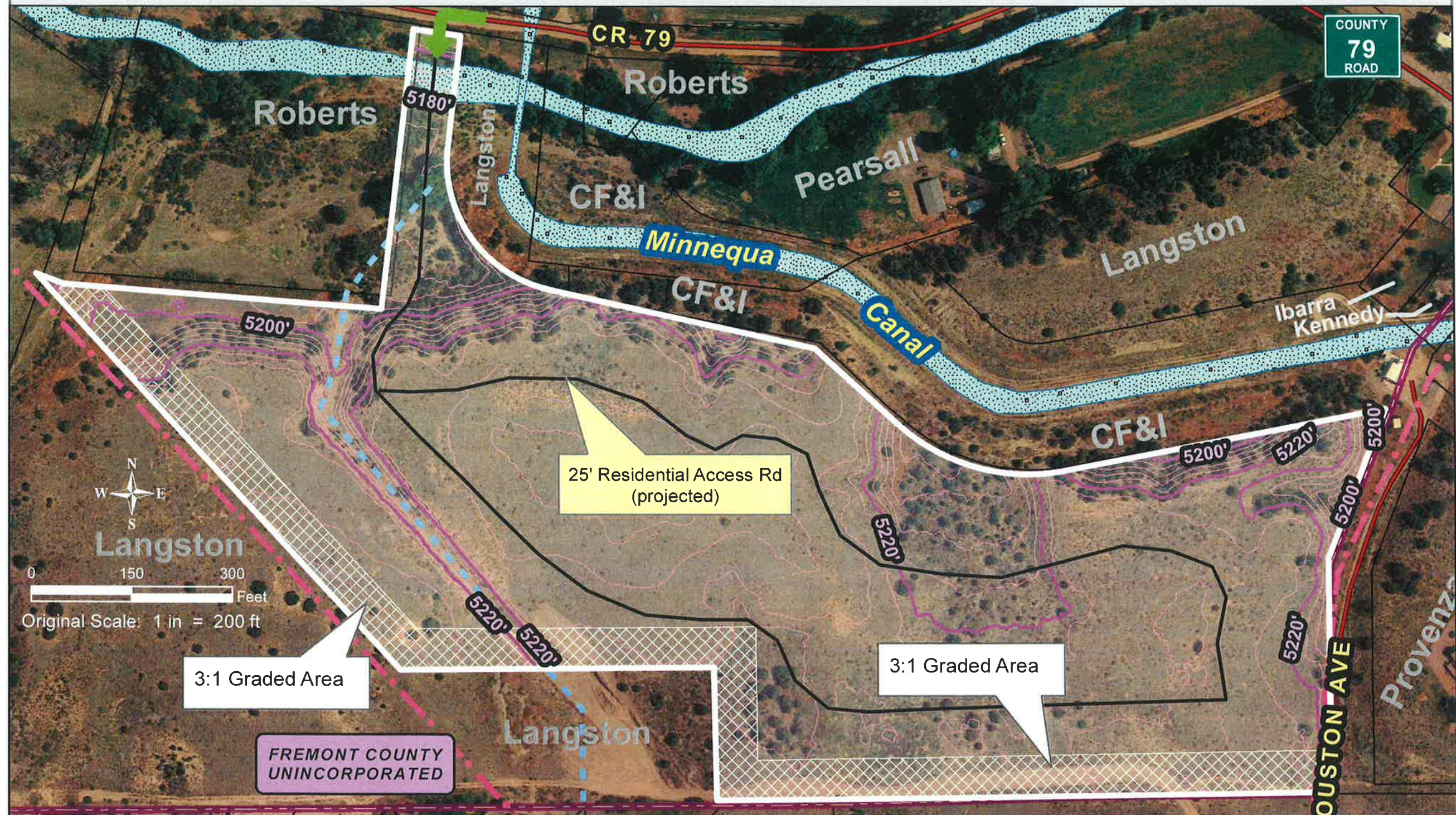


Exhibit F: Reclamation Plan Map

#16) Please see the attached, updated map.



EXHIBIT F - Reclamation Plan Map
Langston Borrow Pit M-2020-023
 Langston Concrete Inc. Florence CO



Map Explanation

Elevation Contours: April 2016
 CI original: 2 ft
 CI shown: 4 ft
 Aerial Photos: April 2016

*Aerial Data Courtesy of
 Fremont County Regional GIS Authority*

Site Characteristics

Size: 22 Acres
 Vegetation: Kim Prairie Grassland
 Soil: Kim-Cascajo Complex

Symbols

- Municipal Boundary
- Post-Mining Elevations
- FSD Sewer Line
- Proposed Residential Access Rd

Applicant:
 Mike Langston
 Map Prepared by:

x _____
 Ken Kico, Azurite, Inc
 Cotopaxi, CO
 First Revision: 16dec2020



Exhibit G: Water Information

#17) There will be no water required for the material extraction process. This facility is going to be a load out facility only. There is no on-site processing planned in this project.

Water needs for the facility will be determined on an as needed basis. The only water needs we anticipate are to keep the dust down on the access road. We will water the road as needed. We do not plan on being at the site 365 days a year. So, there exists no daily requirement. We will only need water on days when we are there and if conditions require it. On days we are not at the site, there will be no disturbance to the road and we don't anticipate any need for water.

We own and operate two 4,000 gallon trucks and one 2,000 gallon water truck. These trucks will be utilized for water need. Water will be purchased from the City of Florence at the bulk water filling station on the other side of town off County Road 100.





Exhibit L: Reclamation Costs

#18) We took information from our existing mine property bond located at 480 South Union street in Florence, Co. and tried to apply the reclamation costs from that bond to the bond needed for this site. The two properties are comparable in size and we feel the reclamation burden on this property are less stringent than the property at 480 South Union street. Also, we own and operate heavy equipment on a daily basis. We also bid projects with such equipment and know what the going rate for most of the machines are per hour/day/week/month.

There will be no structures installed on site.

The topography of the site are going to be very similar to what they are now, just located at a lower elevation overall. The "mesa" will still exist, it will just be lower than it is now. However, this will create a backslope on the South side of the property, and given the lay of the land, also on the West side. These slopes will be pulled down at a 3:1 and will be revegetated with on site topsoil and seeded with the mix provided in the permit application.

#19) We understand and are hopeful that the site visit on 12/3/2020 helped clarify the lay of the land and gave a clearer picture of the overall plan of the project. We feel the site visit yielded good results in the fact that we should all be on the same page with the project and are in line with the permit requirements.





Exhibit S: Permanent Man-made Structures:

#20) The structure agreement was submitted to the Division on November 4, 2020 via Certified mail.

#21) Please see the attached structure agreement with Black Hills Energy reflecting the power lines on the Eastern side of the property.

#22) There is a fence along the Southern boundary of the property. The fence is owned by Mike Langston. (the land owner). Which is, in turn, owned by Langston Concrete Inc. Please see the Structure Agreement also in exhibit C.

