# STATE OF COLORADO

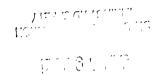
# DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

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



# M-2021-004





# CONSTRUCTION MATERIALS

# **LIMITED IMPACT (110) OPERATION**

	RECLAMATION PERMIT APPLICATION FORM					
<u>CH</u>	CHECK ONE: There is a File Number Already Assigned to this Operation					
	Permit # M (Please reference the file number currently assigned	ed to this operation)				
	New Application (Rule 1.4.5)  Amendment Application (	Rule 1.10)				
	Conversion Application (Rule 1.11)					
	Permit # M (provide for Amendments and Conversions of	existing permits)				
app the to i Exh app	e application for a Construction Materials Limited Impact (110) Operation Reclamation Permit condication form; (2) Exhibits A-J, Exhibit L, Addendum 1, any sections of Exhibit 6.5 and Geotechnic 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 need to ensure the signed and notarized <b>ORIGINAL</b> and one (1) copy of the completed applicits A-J, Exhibit L, Addendum 1, and appropriate sections of 6.5 (Geotechnical Stability Exhibit lication fee described under (4) below. Exhibits should <b>NOT</b> be bound or in a 3-ring binder; maps stability in the format and order described under (4) below. Exhibits should the information in the format and order described under (4) below.	al Stability Exhibit, as required by ou submit your application, be sure oplication form, two (2) copies of ), as required, and a check for the nould be folded to 8 1/2" X 11" or 8				
	GENERAL OPERATION INFORMATION					
	Type or print clearly, in the space provided, ALL information describe	d below.				
1. 2.	Applicant/operator or company name (name to be used on permit): Rio Grande Bento  1.1 Type of organization (corporation, partnership, etc.): Corporation  Operation name (pit, mine or site name): Rio Grande Bentonite-Romans Pit	onite, Inc.				
3.	Operation name (pit, mine or site name): Rio Grande Bentonite-Romans Pit  Permitted acreage (new or existing site):	8.68 permitted acres				
٥.	3.1 Change in acreage (+)	O O				
		8 68				
4.	3.2 Total Acreage in Permit Area  Fees:	acres				
	4.1 New Application:	\$1258.00 application fee				
	Amendment Fee (C.R.S. 34-32.5-125(II)):	\$827.00 application fee				
5.	Primary commoditie(s) to be mined: Pit Run Gravel					
5.	Primary commoditie(s) to be mined: Pit Run Gravel  5.1 Incidental commoditie(s) to be mined: 1. / lbs/Tons/yr 2. / lbs/Tons/yr	3/ lbs/Tons/yr				
5.						
5.	5.1 Incidental commoditie(s) to be mined: 1. / lbs/Tons/yr 2. / lbs/Tons/yr 4. / lbs/Tons/yr 5. / lbs/Tons/yr					
5.	5.1 Incidental commoditie(s) to be mined: 1. / lbs/Tons/yr 2. / lbs/Tons/yr 4. / lbs/Tons/yr 5. / lbs/Tons/	<u>yr</u>				

# 11. Correspondence Information:

APPLICANT/OPERATOR (name, address	ess, and phone of name to be used on permit)
Contact's Name: Larry Mor	ndragon Title: President
Company Name: Rio Grand	de Bentonite, inc.
Street/P.O. Box: 9451 Sou	uth Hwy 285 P.O. Box:
City: Alamosa	
State: CO	Zip Code: 81101
Telephone Number: (719	) - <u>589-6652</u>
Fax Number:	
PERMITTING CONTACT (if different f	from applicant/operator above)
Contact's Name:	Title:
Company Name:	
Street/P.O. Box:	P.O. Box:
City:	
State:	Zip Code:
Telephone Number: (	
Fax Number: (	<u> </u>
INSPECTION CONTACT	
Contact's Name: Larry Mo	
Company Name.	nde Bentonite, Inc.
Street/P.O. Box: 9451 Sou	uth Hwy 285 P.O. Box:
City: Alamosa	
State: CO	Zip Code: 81101
Telephone Number: (719	
Fax Number:	)-
CC: STATE OR FEDERAL LANDOW	NER (if any)
Agency:	
Street:	
City:	
State:	Zip Code:
Telephone Number: (	
CC: STATE OR FEDERAL LANDOW	NER (if any)
Agency:	
Street:	
City:	
•	7: 0 - 1
State:	Zip Code:

7.	Name of owner of the subsurface rights of affected land:  Rio Grande Bentonite, Inc.		
8.	Name of owner of the surface of affected land: Rio Grande Bentonite, Inc.		
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: Conejos		
	PRINCIPAL MERIDIAN (check one): 6th (Colorado) 10th (New Mexico) Ute		
	SECTION (write number): S 23		
	TOWNSHIP (write number and check direction): T 33.0 North South		
	RANGE (write number and check direction): $R = 9.0$ East West		
	QUARTER SECTION (check one):  V 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):		
	5.5 Miles North East of the Town of Antonito, CO 81120, Elevation 7888'.		
11.	Primary Mine Entrance Location (report in either Latitude/Longitude OR UTM):		
	<u>Latitude/Longitude</u> :		
	Example: (N) 39° 44′ 12.98″ (W) 104° 59′ 3.87″		
	Latitude (N): deg 37 min 05 sec 36.70 (2 decimal places)		
	Longitude (W): deg 105 min 57 sec 18 .0 9 (2 decimal places)		
	OR .		
	Example: (N) 39.73691° (W) -104.98449°		
	Latitude (N) (5 decimal places)		
	Longitude(W)(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) NAD83 Zone 13		
	Easting		
	Northing		

12.	Primary future (Post-mining) land use (chec	k one):	<b>F</b>
	Cropland(CR)	Pastureland(PL)	General Agriculture(GA)
	Rangeland(RL)	Forestry(FR)	Wildlife Habitat(WL)
	Residential(RS)	Recreation(RC)	Industrial/Commercial(IC)
	Developed Water Resources(WR)		Solid Waste Disposal(WD)
13.	Primary present land use (check one):	<b></b>	<del>[</del> 1
	Cropland(CR)	Pastureland(PL)	General Agriculture(GA)
	Rangeland(RL)	Forestry(FR)	Wildlife Habitat(WL)
	Residential(RS)	Recreation(RC)	✓ Industrial/Commercial(IC)
	Developed Water Resources (WR)		Mining (MN)
	form. You must submit either a 110d or 112d a any acidic or toxic-forming materials, exposed result in or presently has acid mine drainage:	or disturbed as a result of the m	ining Operations. In either case, you must his ining operation, and whether the operation wil
	N/A		
15.	Description of Amendment or Conversion:		
	If you are amending or converting an existing	operation, provide a brief narrati	ive describing the proposed change(s):
	N/A		
Maj	os & 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. <u>Please read and initial each requirement</u>, 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.



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;



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 Mineral 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. <u>For joint venture/partnership permittee</u>: 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.

## 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:

- All necessary approvals from local government have been applied for (Section 34-32.5-110(1)(a)(VIII). Attached 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.). (NOTE: For 110 operations, the affected area includes all lands delineated by the permit boundary.)
- 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.).
- 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.).
- 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 30 <sup>th</sup> day of December	, 2030
Rio Grande Pontarit, Inc. Applicant/Operator	If Corporation Attest (Seal)
Signed:	Signed: LMS——
	Corporate Secretary or Equivalent
Title: President	Town/City/County Clerk
State of <u>Colorado</u> ) ss.	
County of <u>Alamosa</u> )	
The foregoing instrument was acknowledged before me this	day of December 3000 ,
, by Larry J. Mondragon as President	of Rio Grande Bentonite Inc
MARY BETH GLOWCZEWSKI NOTARY PUBLIC STATE OF COLORADO	Mary Public Notary Public
NOTARY ID 20154031208 MY COMMISSION EXPIRES AUGUST 10, 2023	My Commission expires: August 10, 2023

MY COMMISSION EXPIRES AUGUST 10, 2023

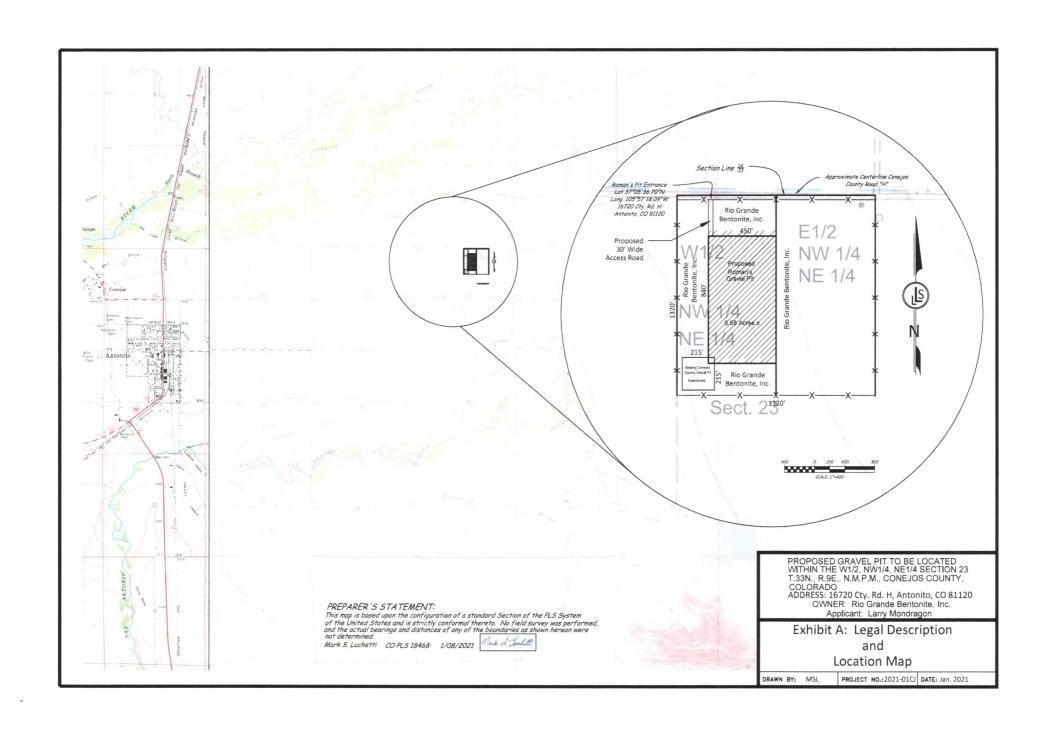
# **Maps & Exhibits**

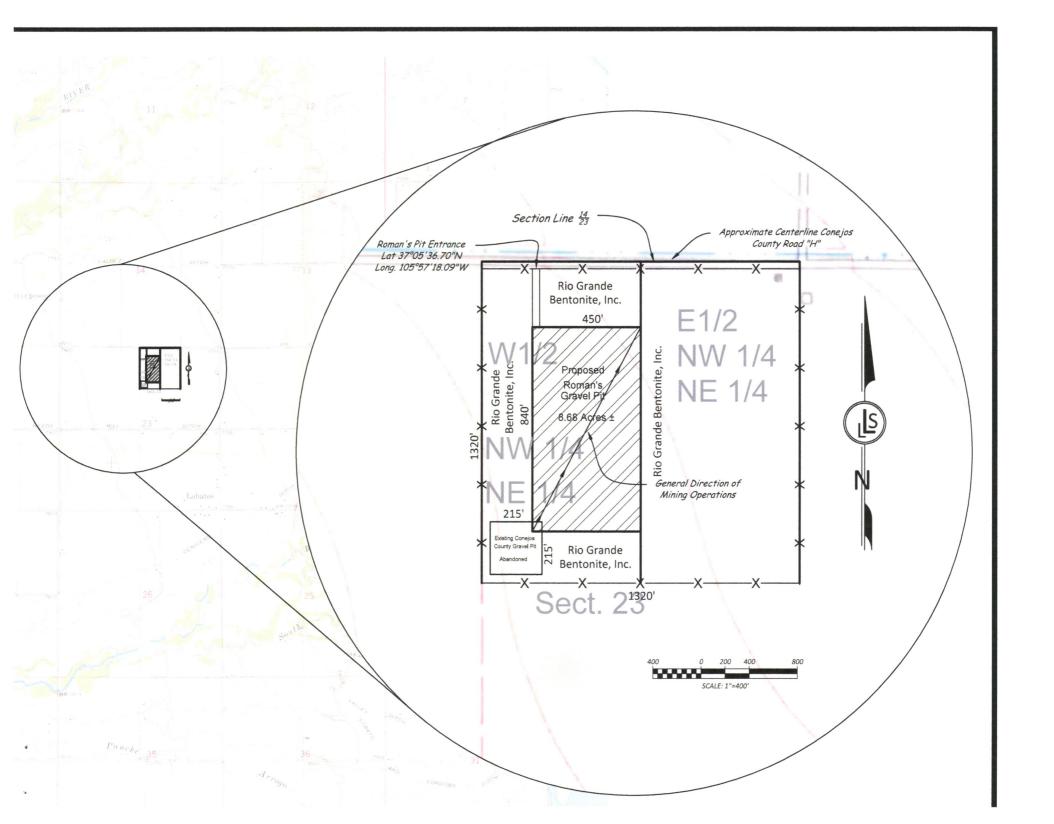
# **Exhibit A: Legal Description and Location Map**

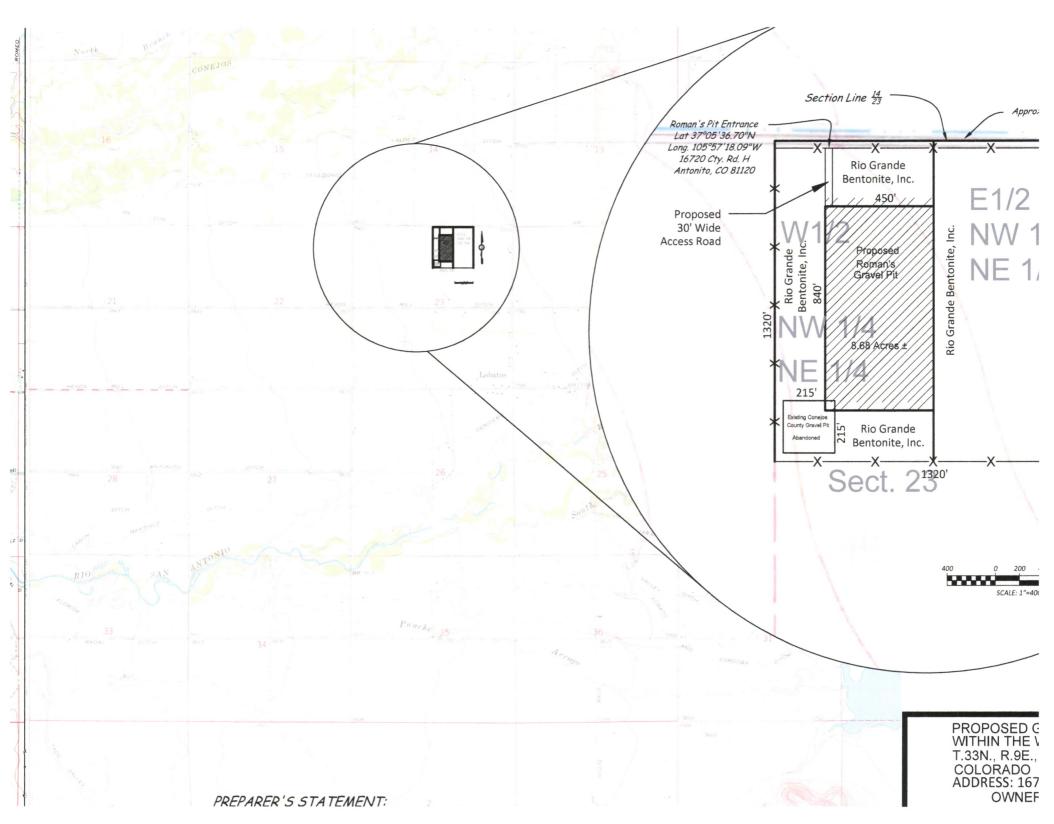
- 1. Legal Description W1/2, NW1/4, NE1/4, Section 23, T33N, R9E, NMPM., 16720 County Road H, Antonito, CO 81120
- 2. Main Entrance is Lat. 37 Degrees, 05 Minutes, 36.70 Seconds North, Long. 105 Degrees, 57 Minutes, 18.09 Seconds West.
- 3. One proposed 30'wide access road to be used in connection with the mining operation All immediately adjacent surface owners of record are Rio Grande Bentonite, Inc.

  Mine Site Name is Rio Grande Bentonite Roman's Pit

# See Exhibit Map A







**Exhibit B: Site Description** 

a. Vegetation and soil characteristics in the area of the proposed operation consists of the Salt Meadow Range, However, vegetation is almost nonexistent at the proposed site. See information and pictures attached in Exhibit B of existing vegetation in area 21, the location of the proposed gravel pit site of NRCS custom soil resource Soils Maps and reports. In addition, Soil characteristics of Area 21, the location of the proposed gravel pit site is Graypoint gravelly sandy loam wet. See attachments

## See Exhibit Map B

- b. There are NO permanent man made structures within 200' of the affected area.
- c. There is no water resources in the area of the proposed operation that would receive drainage directly from the affected area. Observed water table for the past 25 years from adjacent abandoned Conejos County gravel pit at its deepest point, approximately 20' below ground level has been dry as it is currently.
- d. No wildlife statement prepared by the Colorado Parks and Wildlife is required for 110 Limited Impact Operations.

Exhibit B

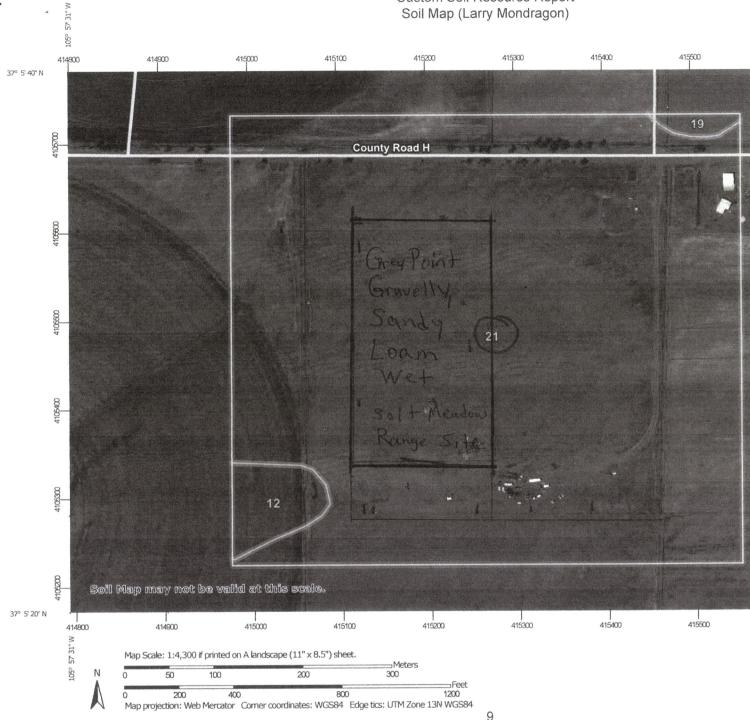


Current Vegetation on Affected Area

Exhibit B



Current Vegetation on Affected Area



# Map Unit Legend (Larry Mondragon)

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
12	Derrick very cobbly sandy loam, 0 to 1 percent slopes	2.1	2.9%
19	Graypoint gravelly sandy loam, 0 to 1 percent slopes	0.5	0.7%
21	Graypoint gravelly sandy loam, wet	70.0	96.4%
Totals for Area of Interest		72.6	100.0%

# Map Unit Descriptions (Larry Mondragon)

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or

#### **Minor Components**

#### San acacio

Percent of map unit: 5 percent

#### Derrick

Percent of map unit: 5 percent Hydric soil rating: No

#### **Platoro**

Percent of map unit: 5 percent

# 21—Graypoint gravelly sandy loam, wet

## **Map Unit Setting**

National map unit symbol: jqtj Elevation: 7,600 to 7,800 feet

Farmland classification: Not prime farmland

## **Map Unit Composition**

Graypoint, wet, and similar soils: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

#### **Description of Graypoint, Wet**

# Setting

Landform: Fan terraces, alluvial fans

Down-slope shape: Linear Across-slope shape: Linear

Parent material: Alluvium derived from basalt

#### Typical profile

H1 - 0 to 5 inches: gravelly sandy loam
H2 - 5 to 14 inches: gravelly sandy clay loam
H3 - 14 to 18 inches: very gravelly sandy loam

H4 - 18 to 60 inches: very gravelly sand

## Properties and qualities

Slope: 0 to 1 percent

Depth to restrictive feature: More than 80 inches Drainage class: Somewhat poorly drained

Runoff class: Low

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high

(0.20 to 2.00 in/hr)

Depth to water table: About 18 to 24 inches

Frequency of flooding: None Frequency of ponding: None

Calcium carbonate, maximum content: 10 percent

Maximum salinity: Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)

Available water capacity: Low (about 3.5 inches)

# Custom Soil Resource Report

# Interpretive groups

Land capability classification (irrigated): 4w Land capability classification (nonirrigated): 6w

Hydrologic Soil Group: B/D

Ecological site: R051XY267CO - Salt Meadow

Hydric soil rating: No

# **Minor Components**

## Lajara

Percent of map unit: 5 percent

Landform: Terraces
Hydric soil rating: Yes

## Quamon

Percent of map unit: 5 percent

## San acacio

Percent of map unit: 5 percent

feet. Because of the map scale, small areas of different soils may be included within the mapped areas of a specific soil.

The information is not site specific and does not eliminate the need for onsite investigation of the soils or for testing and analysis by personnel experienced in the design and construction of engineering works.

Government ordinances and regulations that restrict certain land uses or impose specific design criteria were not considered in preparing the information in this table. Local ordinances and regulations should be considered in planning, in site selection, and in design.

# Report—Source of Sand and Gravel (Larry Mondragon)

[Onsite investigation may be needed to validate the interpretations in this table and to confirm the identity of the soil on a given site. The numbers in the value columns range from 0.00 to 0.99. The larger the value, the greater the likelihood that the bottom layer or thickest layer of the soil is a source of sand or gravel]

Source of Sand and Gravel–Conejos County Area, Colorado						
Map symbol and soil name Pct. of		Potential as a source of	gravel	evel Potential as a source of sa		
	map unit	Rating class and limiting features	Value	Rating class and limiting features	Value	
12—Derrick very cobbly sandy loam, 0 to 1 percent slopes						
Derrick	90	Poor		Fair		
		Bottom layer	0.00	Thickest layer	0.41	
		Thickest layer	0.00	Bottom layer	0.77	
19—Graypoint gravelly sandy loam, 0 to 1 percent slopes						
Graypoint	85	Fair		Fair		
		Thickest layer	0.00	Thickest layer	0.41	
		Bottom layer	0.13	Bottom layer	0.64	
21—Graypoint gravelly sandy loam, wet						
Graypoint, wet	85	Fair		Fair		
		Thickest layer	0.00	Thickest layer	0.41	
		Bottom layer	0.13	Bottom layer	0.64	

# **Soil Physical Properties**

This folder contains a collection of tabular reports that present soil physical properties. The reports (tables) include all selected map units and components for each map unit. Soil physical properties are measured or inferred from direct observations in the field or laboratory. Examples of soil physical properties include percent clay, organic matter, saturated hydraulic conductivity, available water capacity, and bulk density.

# **Water Features**

This folder contains tabular reports that present soil hydrology information. The reports (tables) include all selected map units and components for each map unit. Water Features include ponding frequency, flooding frequency, and depth to water table.

# Water Features (Larry Mondragon)

This table gives estimates of various soil water features. The estimates are used in land use planning that involves engineering considerations.

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The four hydrologic soil groups are:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas.

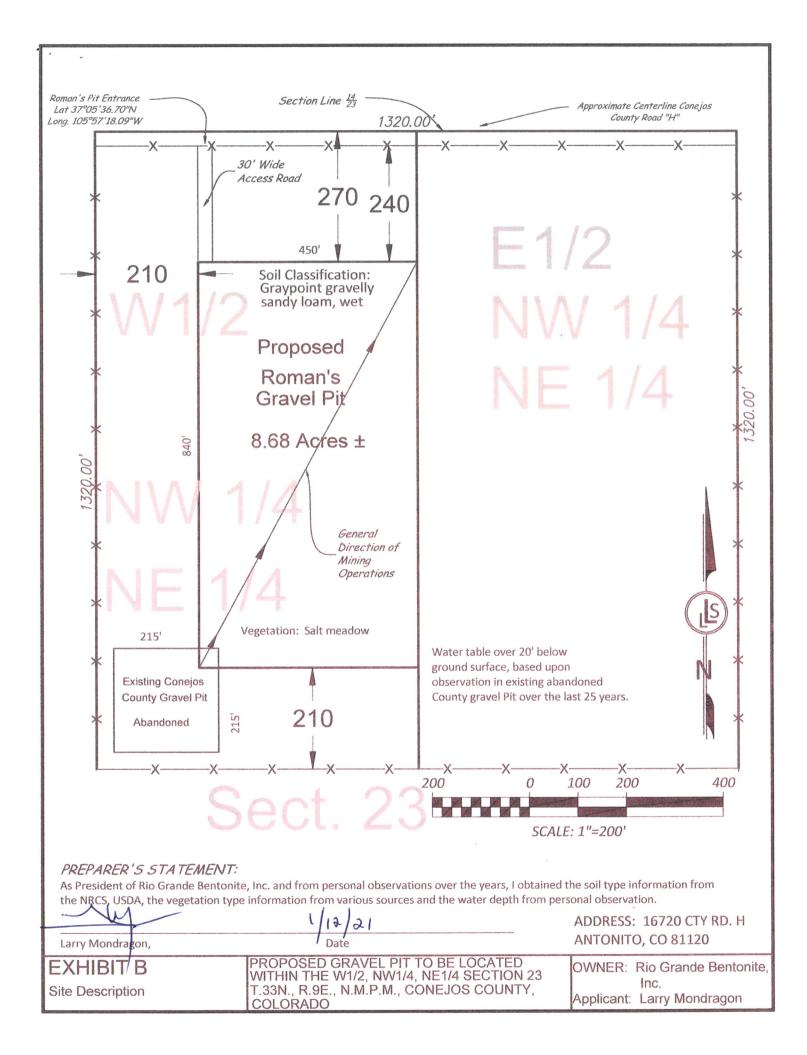
Surface runoff refers to the loss of water from an area by flow over the land surface. Surface runoff classes are based on slope, climate, and vegetative cover. The concept indicates relative runoff for very specific conditions. It is assumed that the surface of the soil is bare and that the retention of surface water resulting from irregularities in the ground surface is minimal. The classes are negligible, very low, low, medium, high, and very high.

The *months* in the table indicate the portion of the year in which a water table, ponding, and/or flooding is most likely to be a concern.

Water table refers to a saturated zone in the soil. The water features table indicates, by month, depth to the top ( *upper limit* ) and base ( *lower limit* ) of the saturated zone in most years. Estimates of the upper and lower limits are based mainly on

# Custom Soil Resource Report

Map unit symbol and soil	Hydrologic	Surface	Most likely		Water table			Ponding	
name	group runoff	months	Upper limit	Lower limit	Kind	Surface depth	Duration	Fred	
				Ft	Ft		Ft		
12—Derrick very cobbly sar	dy loam, 0 to	1 percent slop	oes						
Derrick	С	Low	Jan-Dec				_	_	None
19—Graypoint gravelly sand	dy loam, 0 to 1	percent slope	es	1				<u> </u>	-
Graypoint	B/D	Low	Jan-May	_		_	_		None
			Jun-Sep	1.5-2.0	6.0	Apparent	_	_	None
~			Oct-Dec	_	_	_	_	_	None
21—Graypoint gravelly sand	dy loam, wet			1					
Graypoint, wet	B/D	Low	Jan-May	_					None
			Jun-Sep	1.5-2.0	6.0	Apparent	_	_	None
			Oct-Dec						None



## **Exhibit C: Mining Plan**

- a. The estimated date mining will Commence: 3/1/2021, and estimated date mining will end: 12/31/2030.
- b. At end of mining, affected area will be returned back to Industrial-Commercial use as approved by the Conejos County Commission Conditional Use Permit dated November 3, 2004 Contractor equipment storage and Bentonite stockpiling and staging area. See Attached letter.
- c. No overburden to be removed. Minable gravel is at ground level. See pictures attached.
- d. Thickness of deposit to be mined is approximately 15 +or- feet.
- e. Major components of the mining operation will consist of grading 30' wide access road into proposed gravel pit area, Excavation of Pit Run material at a 3:1 sideslopes with excavator to load trucks and exit on same 30' wide access road. Construct 3:1 sideslopes as we mine.
- f. Pit excavation dimensions of 450'\*840', 8.68 Acres is the most significant disturbance of the land surface.
- g. Proposed access road is 30' wide, and 1100' long across the field to the beginning of the mining area. No improvements will be required on access road. No drainage and runoff conveyance structures required.
- h. No water required to excavate pit run gravel.
- Do not expect to encounter ground or surface water. Based upon observation, in existing adjacent abandoned County gravel pit over the last 25 years water table has been over 20' below ground surface.
- i. No injury to existing water rights.
- k. Do not expect to encounter refuse, acid or toxic materials exposed. Plan is to haul pit run gravel offsite, however if refuse encountered, it would be hauled to the SLV regional landfill to prevent unsightliness and protect the drainage system from pollution.
- Proposed future land use Return back to approved conditional use Industrial-Commercial, Storage of contractor equipment and Bentonite stockpile and staging area.

#### See Exhibit Map C

- m. Do not plan to process deposit on-site. Plan to haul material off-site.
- n. Primary commodities to be extracted is Pit run gravel for farm/ranch fill, road construction fill, building pad fill, etc. /No secondary commodities expected to extract.
- o. Don't expect to have incidental products.
- p. No explosives will be used in conjunction with the mining or reclamation operations.

# ONEJOS COUNTY LAND USE O BOX 197 CONEJOS, COLORADO 8112

NEJOS, GOLORADO 81129 PHONE:719-376-20 Fone.net Fax:719-376

November 3, 2004

Larry Mondragon Rio Grande Bentonite, Inc. 9451 South Highway 285 Alamosa, CO 81101

**RE: Conditional Use Permit** 

Dear Larry:

This letter is to inform you that at a meeting held on October 15, 2004 the Conejos County Board of County Commissioners approved your application for a Conditional Use for the purpose of operating an extractive industry for the removal of gravel from and storing contractor equipment on the real property located:

West ½ Northwest ¼ Northeast ¼ of Section 23; Township 23 North; Range 9 East of the NMPM, Conejos County, Colorado.

Enclosed, please find a copy of Conejos County Resolution Number C-04-34 which itemizes the terms and conditions of said Conditional Use. We thank you for your cooperation and look forward to working with you in the future.

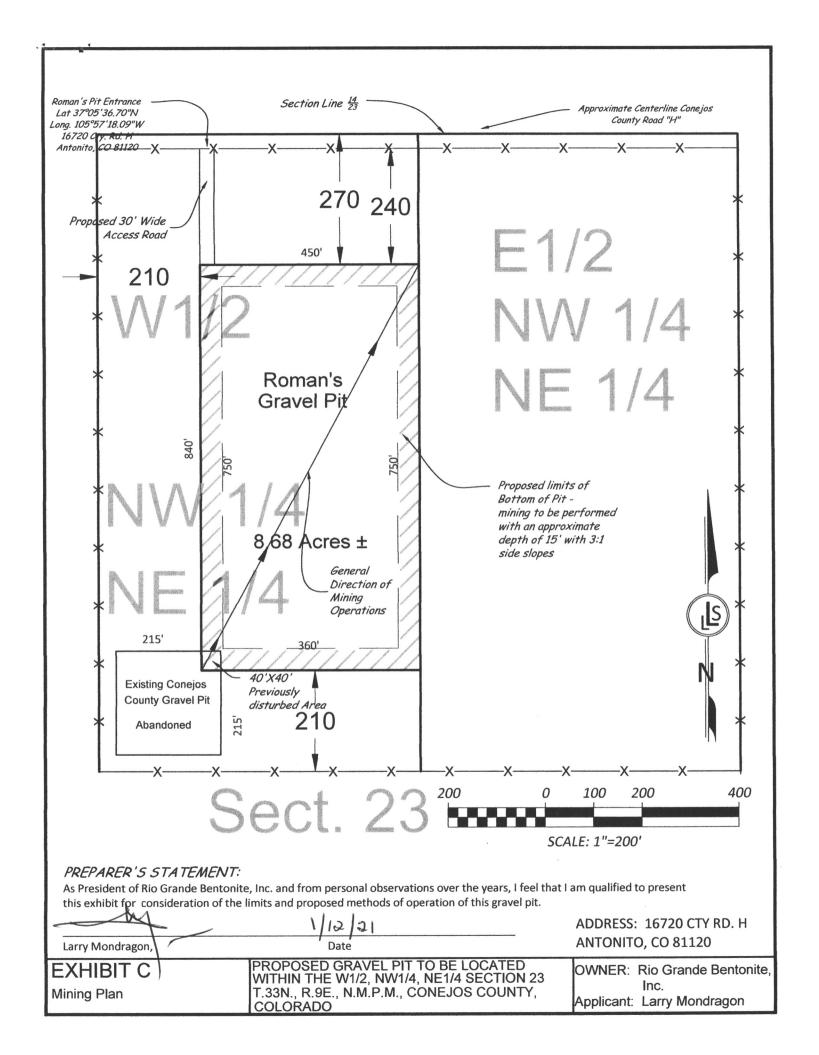
Sincerely, Linda & Detterries

Linda L. DeHerrera Land Use Administrator

Cc: File



1/12/2021, 3:21 AM



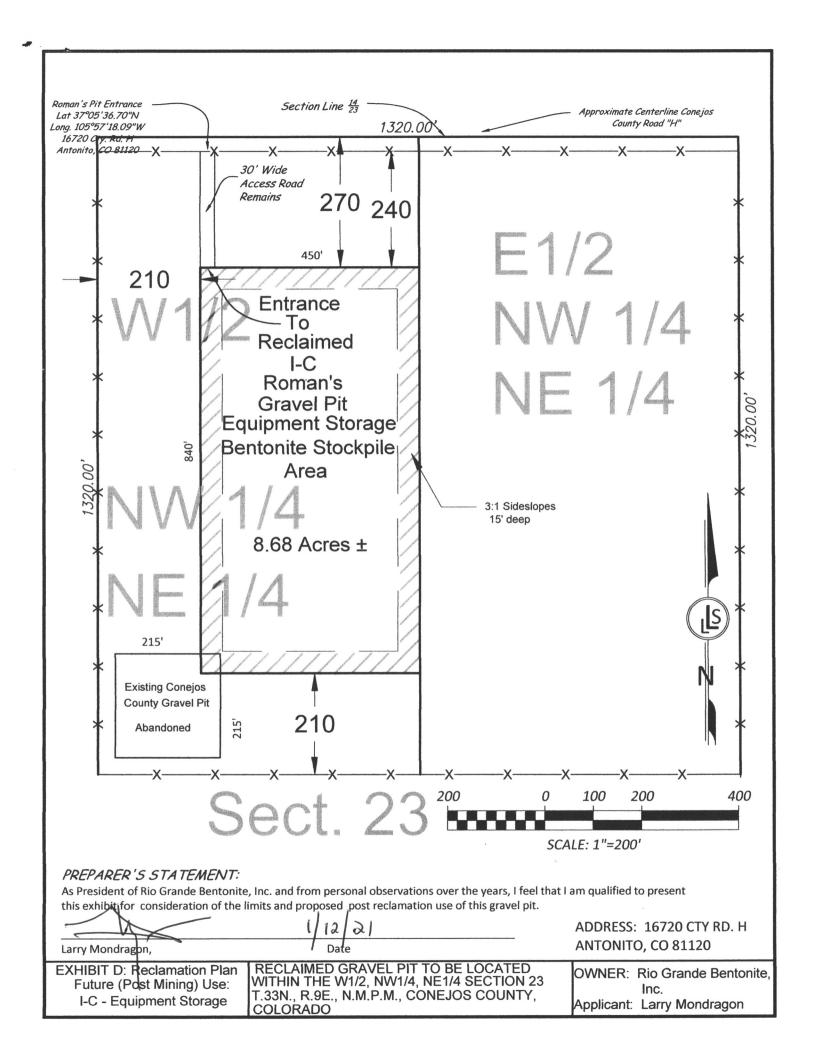
#### **Exhibit D: Reclamation Plan**

1.

- a. Proposed future land use is Industrial-Commercial, Lay down yard-Storage yard for contractor equipment and stockpiling Bentonite. Conditional use permit approved.
  3:1 sideslopeing as mining takes place.
- b. Maximum gradient for reclaimed side slopes is 3:1. Will construct 3:1 sideslopes as mining takes place.
- c. No measures will be taken to revegetate the site, Proposed future land use is Industrial-Commercial, Lay down yard-Storage yard for contractor equipment and Bentonite stockpiling staging area. Conejos County Conditional use permit approved.
- d. Access road will remain into the Northwest corner of pit to bring in contractor equipment for storage and Bentonite stockpiling staging area.

## See Exhibit Map D

- e. Proposed future land use is Industrial-Commercial, Lay down yard-Storage yard for contractor equipment and Bentonite stockpiling staging area. Conditional use permit approved.
- No reclamation estimates required. 3:1 sidesloping will take place during extraction of pit run.
   Site has been approved by Conejos County Conditional Use for Contractor Equipment storage
   And Bentonite stockpiling staging area.





#### **Exhibit E: Map**

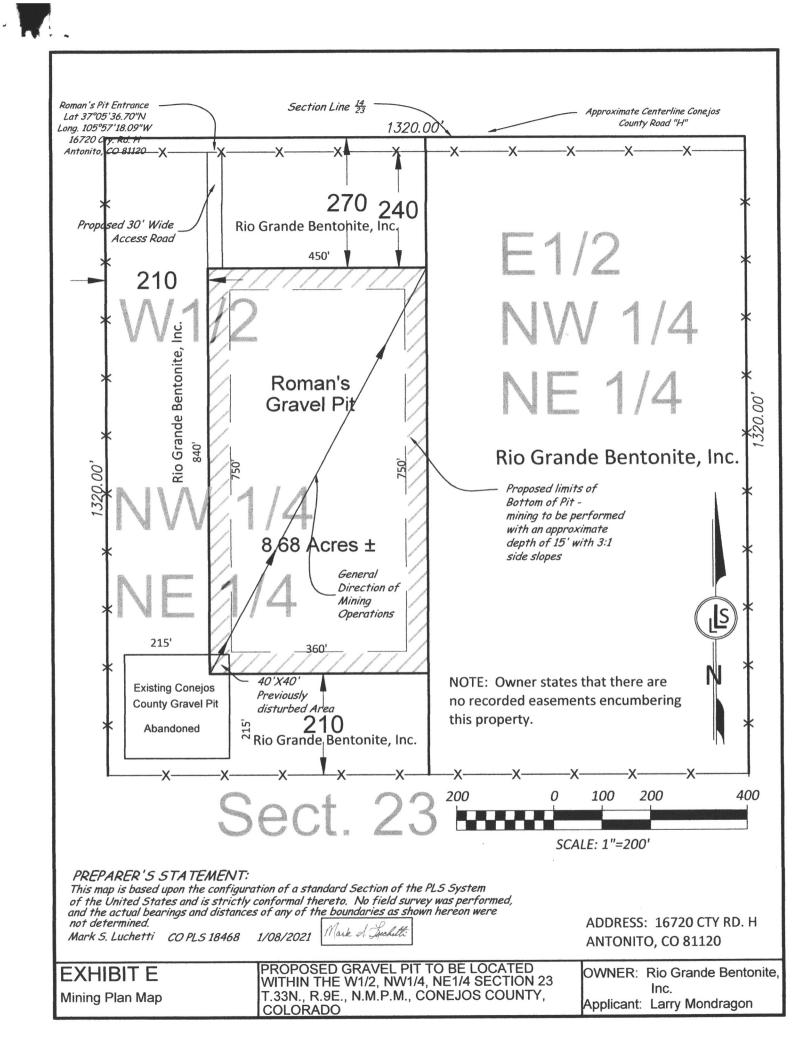
# 1. See Exhibit Map E

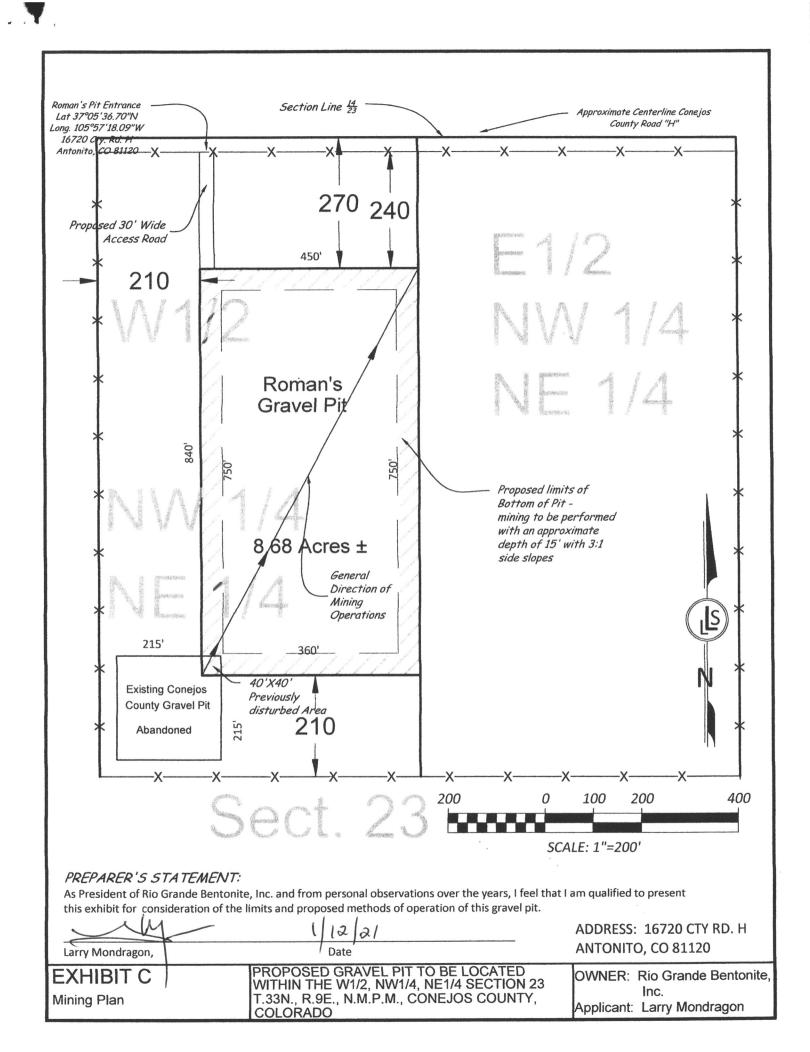
## 2. Mining Plan Map: Exhibit C

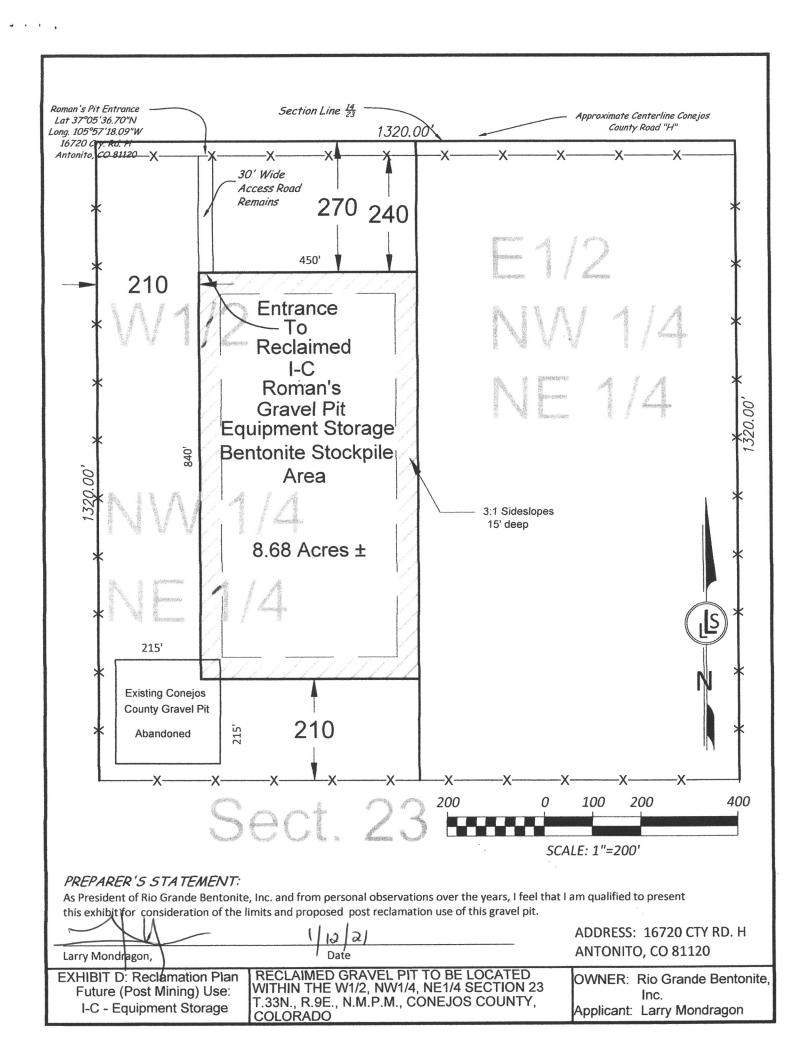
- a. Proposed gravel pit to be located within the W1/2, NW1/4, NE1/4, Section 23, T.33N, R9E., NMPM., Conejos County Colorado.
- b. Owners of record of the surface of the affected area: Rio Grande Bentonite, Inc.
  - Owners of land within 200 feet of affected area: Rio Grande Bentonite, Inc.
  - Owners of substance to be mined: Rio Grande Bentonite, Inc.
  - No permanent or man made structures within 200 feet of affected area.
- c. Only major feature to be used in connection with the proposed operation is a 30' wide entrance road.
- d. The direction that construction material will proceed is North East.
- e. No significant, valuable and permanent man made structures within 200 feet of the affected area.
- f. Existing disturbance adjacent to affected area is 215'\*215' abandoned Conejos County gravel pit and re-disturbance of previously disturbed area of 40'\*40' within the proposed mining operation is included in the permit area and will be 3:1 side slope.

#### 3. Reclamation Plan Map: Exhibit D

- a. The gradient of all reclaimed slopes will be 3:1 and will get 3:1 side slope during excavation/extraction.
- b. Proposed future land use is Industrial-Commercial, Lay down yard-Storage yard for contractor equipment and Bentonite stockpiling staging area. Conditional use permit approved.
- c. No Ponds are part of reclamation plan.
- d. Overburden replacement is not part of reclamation plan.
- e. Topsoil replacement is not part of reclamation plan.

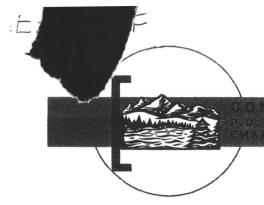






# Exhibit F: List of other permits and licenses required

County Zoning and Land use permits - See attached Conditional Use Permit letter issued by Conejos County Board of County Commissioners.



# ELOS COUNTY LAND USE OF 187 CONEJOS, COLORADO 81129

PHONE:719-376-2014 FAX:719-376-5661

November 3, 2004

Larry Mondragon Rio Grande Bentonite, Inc. 9451 South Highway 285 Alamosa, CO 81101

**RE: Conditional Use Permit** 

Dear Larry:

This letter is to inform you that at a meeting held on October 15, 2004 the Conejos County Board of County Commissioners approved your application for a Conditional Use for the purpose of operating an extractive industry for the removal of gravel from and storing contractor equipment on the real property located:

West ½ Northwest ¼ Northeast ¼ of Section 23; Township 23 North; Range 9 East of the NMPM, Conejos County, Colorado.

Enclosed, please find a copy of Conejos County Resolution Number C-04-34 which itemizes the terms and conditions of said Conditional Use. We thank you for your cooperation and look forward to working with you in the future.

Sincerely, Linda L. D. Etterriera

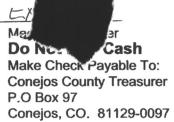
Linda L. DeHerrera

Land Use Administrator

Cc: File

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

Operator/Applicant is the owner and has legal right to enter to conduct mining and reclamation See attached current tax receipts



(719) 376-5919

PARCEL	TYPE	TAX YEAR	TAX DISTRICT
598723100006	REAL	2019	503

LEGAL DESCRIPTION (MAY BE INCOMPLETE) NW1/4 NE1/4 23-33-9 TNA 40 (M H ON PROPERTY SCH.#50419

A STATE OF

LOCATION: CO DD H 16720 9 16720

# 2019 Tax Notice

598723100006

RIO GRANDE BENTONITE INC 6526 COUTY ROAD 17 ANTONITO CO 81120-9520

Go Paperless Next Year Go to eNoticesOnline.com and register with this code: CCT-F705VE8B

Taxing Authority	Mill Levy	Amount
CONEJOS COUNTY	25.001	152.29
NEW CONEJOS-LOS CERRITOS CEMETERY	2.000	12.18
NEW CONEJOS-LOS CER CEM. ABATEMENT	0.011	0.07
SOUTH CONEJOS FIRE PROTECTION	4.055	24.70
SOUTH CONEJOS FIRE ABATEMENTS	0.014	0.09
CONEJOS WATER CONSERVANCY	6.125	37.31*
CONEJOS WATER CONSERVANCY ABATEMENTS	3 0.081	0.49
RIO GRANDE WATER CONSERVANCY	2.140	13.04*
SCHOOL DIST RE10 GENERAL FUND	18.788	114.44
SCHOOL DIST RE10 ABATEMENT	0.122	0.74
SCHOOL DIST RE10 BOND	14.754	89.87
LIBRARY DISTRICT	2.000	12.18
LIBRARY DISTRICT ABATEMENT	0.021	0.13

LOCATION. CO ND H 10720 & 10730	
Actual Value	21,004
Assd. Land Value	5,864
Assd. Imp. Value	227
Total Assd. Value	6,091
Mill Levy	75.112
Tax	\$457.52

Without State Aid Your School Tax Rate Would 3e 108.455 Instead of 18,788 ' denotes temporary property tax credit or temporary mill levy rate reduction per CRS 39-1-111.5.

**Internet Payments made by Credit Cards** or E-Check can be made at: conejoscounty.org/Webpages/treasurer.html For assistance with online payments call (866) 290-54

Consider this your Notice of Valuation if there were no changes to your Property. You have the Right to Protest your Valuation vith the Assessor's Office between May 1, 2020 and June 1, 2020.

irst Half Payment Coupon Parcel Number: 598723100006

**Dwner:** 

RIO GRANDE BENTONITE INC

**Amount Due:** 

\$228.76

Return this Coupon With Payment to: Conejos County Treasurer P.O Box 97 Conejos, CO. 81129-0097

Due By Feb. 29, 2020

Retain Top Portion For Your Records

Second Half Payment Coupon Parcel Number: 598723100006

Owner: RIO GRANDE BENTONITE INC

**Amount Due:** 

\$228.76

Return this Coupon With Payment to: Conejos County Treasurer P.O Box 97 Conejos, CO. 81129-0097

Due By June 15, 2020

**Full Payment Coupon** Parcel Number: 598723100006

Owner: RIO GRANDE BENTONITE INC

Amount Due:

\$457.52

Return this Coupon With Payment to: Conejos County Treasurer P.O Box 97 Conejos, CO. 81129-0097

Due By April 30, 2020

# **Exhibit H: Municipalities within a Two-mile radius**

No Municipalities within a Two-mile radius of the proposed mining operation.

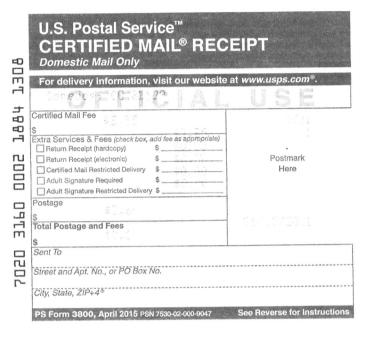
# **Exhibit I: Proof of Filing with County Clerk**

See attached affidavit of receipt indicating the date on which the application was placed with the local County clerk and recorder for public review on 1/12/21

7.2	U.S. Postal Service™ CERTIFIED MAIL® RECEIPT  Domestic Mail Only					
H	For delivery information,	visit	ou	r web	site	at www.usps.com®.
1884	Certified Mall Fee \$ Extra Services & Fees (check box,	add for	90.0	nomono.	otal	172.1
2000	Return Receipt (nardcopy) Return Receipt (electronic) Certified Mail Restricted Delivery Adult Signature Required Adult Signature Restricted Delivery	\$ \$ \$			ate)	Postmark Here
3760	Postage \$ Total Postage and Fees \$					61/11/1921
7020	Sent To  Street and Apt. No., or PO Box I  City, State, ZIP+4*  PS Form 3800, April 2015 PSI		02-0	00-9047		See Reverse for Instructions

# Exhibit J: Proof of Mailing of Notices to Board of County Commissioners and Conservation District

See attached Post Office receipts to Board of Conejos County Commissioners and Conejos Conservation District.



그그	U.S. Postal Service™ CERTIFIED MAIL® RECEIPT  Domestic Mall Only						
E	For delivery information,		our	web	site a	t www.usps.com®.	
<b>_</b>				14	il.		
9	Certified Mail Fee	Mary Control of the State of th				177	
40	\$		-	00			
-7	Extra Services & Fees (check box,	add fee \$	as ap	propri	ate)		
П	Return Receipt (electronic)	\$				Postmark	
000	Certified Mail Restricted Delivery	\$		- 110		Here	
	Adult Signature Required	\$	44				
	Adult Signature Restricted Deliver	y \$					
	Postage						
3760	\$ Total Postage and Fees						
m	\$ p. 1/4						
fermed	\$ Sent To	-	parameter				
7020	Sent to						
	Street and Apt. No., or PO Box No.						
~							
	City, State, ZIP+4®						
	PS Form 3800, April 2015 PS	N 7530-	02-00	0-9047	7	See Reverse for Instructions	

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

No Permanent Man Made structures within 200 feet of affected lands.

# Addendum 1 – Notice requirements

Public notice to the local newspaper is prepared and ready to send once the application is considered submitted to the Division of Reclamation, Mining and Safety.

Public Notice required for Rule 1.6.2(1)(b) Site Notice

Certification of posting of site notice is attached.

# Addendum 1

. .

# **PUBLIC NOTICE**

Rio Grande Bentonite, Inc. – Roman's Pit 9451 South Hwy 285 Alamosa, CO 81101 719-580-6652 has filed an application for a Construction Materials Limited (110) Reclamation Permit with the Colorado Mined Land Reclamation Board under provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials. The proposed mine is known as the Rio Grande Bentonite – Roman's Pit, and is located at or near Section 23, Township 33 N, Range 9E, NM Principal Meridian.

The proposed future use of the land is Industrial-Commercial Contractor Equipment Storage

Additional information and tentative decision date may be obtained from the Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, (303) 866-3567 or at the Conejos County Clerk and Recorder's office, 6683 County Rd 13 Conejos, CO 81129 or the above named applicant. A complete copy of the application is available at the above named County Clerk and Recorder's office and at the division's office.

Comments concerning the application and exhibits must be in writing and must be received by the Division of Reclamation, Mining and Safety by 4:00 p.m. on

# Addendum 1

# **Notice**

This site is the location of a proposed mining operation. Rio Grande Bentonite, Inc., whose address and

Phone number is 9451 South Hwy 285, Alamosa, CO 81101, 719-580-6652 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 Conejos County Clerk and Recorder's Office, P.O. Box 197

Conejos, CO 81129 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 Larry Mondragon, hereby certify that I posted a sign containing the above notice for the							
Proposed permit area known as the Rio Grande Bentonite-Romans Pit on							
	Date 1/12/21						



# Division of Reclamation, Mining, and Safety

# Fee Receipt for M2002106

Larry Mondragon Larry Mondragon

9451 U.S. Hwy. 285 S

Alamosa CO 811010000

**Receipt #:** 33683

**Date:** 01/26/2021

**Permit:** M2002106

Check #11768 4300-MAPP Minerals Application Fees \$1,258.00 User: SDT Payer: Rio Grande Bentonite,Inc.	Payment Method	Revenue Code	Fee Description/Notes	Amount
	Check #11768	4300-MAPP	Minerals Application Fees	\$1,258.00

Receipt Total: \$1,258.00

Rio Grande Bentonite, Inc. 9451 So. Huy 285 Alamoson CO 81101





U.S. POSTAGE PAID PM 1-Day ALAMOSA, CO 81101 JAN 12, 21 AMOUNT

\$13.90 R2304M112648-1



Attn: Locas West Division of Reclamation, Mining & Safety 1313 Sherman Street, Room 215 Denver, CO 80203



JAN 192021

DIVISION OF RECLAMATION MINING AND SAFETY