

January 29, 2021

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

RE: Pueblo County Aggregate Project M2016-009 Amendment, Incompleteness Notice Response

Mr. Lennberg,

Thank you for your response to the amendment application. All items on the application form have been updated and corresponding pages have been included for your review.

Items 7 and 8 have been addressed and updated maps are included for your review, labeled Exhibit A and Exhibit B. Fremont Paving and Redi Mix has also updated maps C-1a and C-1b, F-1a and F-1b, C-5, C-4a and C-4b, C-3, and C-2 to depict the adjustment in the haul route. All other exhibits, including the Exhibit G - Water, Exhibit H - Wildlife, Exhibit I - Soils, Exhibit J - Vegetation, Exhibit K - Climate, and Exhibit L - Reclamation Costs have no change requested.

Please withdraw the supporting permit documentation sent with the original amendment application.

Finally, it was unclear as to how to proceed with the haul route inside the permit boundary of the State Pit. We have amended our maps referenced above to include the 1.9-acre area where the roads converge inside the secondary site. This additional acreage has also been included on the amendment application page as well.

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

Sincerely,

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

ARY CORPORATION

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

839 Mackenzie Ave. Cañon City, CO 81212 719.275.3264

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

GENERAL OPERATION INFORMATION	The application for a Construction Materials Regular 112 Operation Reclamation Permit contains three major parts: (1) the application form; (2) Exhibits A-S, Addendum 1, any sections of Exhibit 6.5 (Geotechnical Stability Exhibit; and (3) the application fee. When you submit your application, be sure to include one (1) complete signed and notarized ORIGINAL and one (1) copy of the completed application form, two (2) copies of Exhibits A-S, Addendum 1, appropriate sections of 6.5 (Geotechnical Stability Exhibit, and a check for the application fee described under Section (4) below. Exhibits should 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.	Permit # M 2016 009 (provide for Amendments and Conversions of existing permits)	Permit # M2.016 0.09 - (Please reference the file number currently assigned to this operation) New Application (Rule 1.4.5) Conversion Application (Rule 1.11)	CHECK ONE: 1 There is a File Number Already Assigned to this Operation
-------------------------------	--	--	--	--

									;-		•		
5.3	5.2		5.1	Prim	Fees: 4.1 4.2 4.4 4.5	3.2	3.1	Pern	Ope	Ξ	App		
Anticipated end use of incidental commoditie(s) to be mined:	ommoditie(s) to be mined:	3. / lbs/Tons/vr 4. /	Incidental commoditie(s) to be mined: I. NA	Primary commoditie(s) to be mined:	New Application New Quarry Application Amendment Fee Conversion to 112 operation (set by statute)	Total acreage in Permit area	Change in acreage (+)	Permitted acreage (new or existing site):	Operation name (pit, mine or site name): Pueblo County Aggregate Project	1.1 Type of organization (corporation, partnership, etc.): Corporation	Applicant/operator or company name (name to be used on permit):	GENERAL OPERATION INFORMATION Type or print clearly, in the space provided, <u>ALL</u> information requested below.	
NA	Construction/Landscape Aggregate	lbs/Tons/yr	lbs/Tons/yr						gregate Project	ration		IFORMATION LL information re	
	ldsc	5	2	•							ying.	ques	
	ape Aggrega	1	1		\$2,696.00 \$3,342.00 \$2,229.00 \$2,696.00	1530.29	+59.29	1471			Fremont Paving and Redi Mix	ted below.	
	ate	lbs/Tons/yr	lbs/Tons/yr		application fee quarry application amendment fee conversion fee	acres	acres	permitted acres			lix		

STATE OF COLORADO
AMATION, MINING AND SAFETY
lesources
COLORADO DIVISION OF RECLAMATION MINING
CONSTRUCTION MATERIALS
REGULAR (112) OPERATION
RECLAMATION PERMIT APPLICATION FORM
There is a File Number Already Assigned to this Operation
M2.016 009 - (Please reference the file number currently assigned to this operation)
New Application (Rule 1.4.5) Amendment Application (Rule 1.10)

-2-

											10.									9.	ço	7.	6.	
Northing	UTM Datum (specify NAD27, NAD83 or WGS 84) Nad 83 Zone 13	Universal Tranverse Mercator (UTM) Example: 201336.3 E NAD27 Zone 13 4398351.2 N	OR	Longitude(W) 104 44315 (5 decimal places)	Latitude (N) 38 192589 (5 decimal places)	Example: (N) 39.73691° (W) -104.98449°	Longitude (W): deg min sec (2 decimal places)	Latitude (N): deg min sec (2 decimal places)	Example: (N) 39° 44′ 12.98″ (W) 104° 59′ 3.87″	Latitude/Longitude:	Primary Mine Entrance Location (report in either Latitude/Longitude OR UTM):	GENERAL DESCRIPTION: (the number of miles and direction from the nearest town and the approximate elevation):	QUARTER/QUARTER SECTION (check one): V NE LINW LISE LISW	QUARTER SECTION (check one): V NE NE NE SE SW	RANGE (write number and check direction): R 63 East V West	TOWNSHIP (write number and check direction): T 21 North South	SECTION (write number): S 25	PRINCIPAL MERIDIAN (check one): oth (Colorado) 10th (New Mexico) Ute	COUNTY: Pueblo	Location Information: The center of the area where the majority of mining will occur:	Type of mining operation: V Surface Underground	Name of owner of surface of affected land: Refer to Exhibit C	Name of owner of subsurface rights of affected land: Telef to Exhibit O If 2 or more owners, "refer to Exhibit O".	

-4-

17	2. Primary future (Post-mining) land use (check one):	
	Cropland(CR) Pastureland(PL) General Ag	General Agriculture(GA)
	Rangeland(RL) Forestry(FR) Wildlife Ha	Wildlife Habitat(WL)
	Residential(RS) Recreation(RC) Industrial/C	Industrial/Commercial(IC)
	Developed Water Resources(WR)	Solid Waste Disposal(WD)
سا	3. Primary present land use (check one):	
	Pastureland(PL)	General Agriculture(GA)
	Rangeland(RL) Forestry(FR) Wildlife Ha	Wildlife Habitat(WL)
	Residential(RS) Recreation(RC) Industrial/C	Industrial/Commercial(IC)
	Developed Water Resources(WR)	
4.	1. Method of Mining: Briefly explain mining method (e.g. truck/shovel):	
	Material will be extracted from mesas using front end loaders and excavators	paders and excavators
5.	on Site Processing: Crushing/Screening	
	13.1 Briefly explain mining method (e.g. truck/shovel):	
	List any designated chemicals or acid-producing materials to be used or stored within permit area:	ed within permit area:
	No designated chemicals or acid-producing materials will be used or stored within the permit area	ed or stored within the permit area
6.	5. Description of Amendment or Conversion:	
	If you are amending or converting an existing operation, provide a brief narrative describing the proposed change(s).	ative describing the proposed change(s).
	The haul road is being realigned, thus increasing the acreage by 59.29 acres	ege by 59.29 acres.

- 6 -



- contained in the application or your permit misrepresent important material facts; 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
- 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;
- 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):
- , the name of the operator,
- 5 a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and,
- ņ the permit number.
- visible and adequate to delineate such boundaries prior to site disturbance. The boundaries of the permit boundary area must be marked by monuments or other markers that are clearly
- 8. It is a provision of this permit that the operations will be conducted in accordance with the terms and conditions listed in your application, as well as with the provisions of the Act and the Construction Material Rules and Regulations in effect at the time the permit is issued.
- penalty, revocation of your permit, and forfeiture of your financial warranty. It is your responsibility, as the example, a permit with the anniversary date of July 1, 1995, the annual fee is for the period of July 1, 1994 through and an annual report which includes a map describing the acreage affected and the acreage reclaimed to date (if permittee, to continue to pay your annual fee to the Office until the Board releases you from your total reclamation June 30, 1995. Failure to submit your annual fee and report by the permit anniversary date may result in a civil annually on the anniversary date of the permit approval. Annual fees are for the previous year a permit is held. For there are changes from the previous year), any monitoring required by the Reclamation Plan to be submitted responsibility. Annually, on the anniversary date of permit issuance, you must submit an annual fee as specified by Statute.
- application. 10. For joint venture partnership operators: the signing representative is authorized to sign this document and a power of attorney (provided by the partner(s)) authorizing the signature of the representative is attached to this

3









PERMIT BOUNDARY DESCRIPTION **REGULAR 112 PERMIT**

LEGAL DESCRIPTION: PERMIT BOUNDARY PARCEL NO. 1 - ROUTE B

A TRACT OF LAND BEING A PORTION OF BECTTON 27 AND THE MORTHEAST QUARTER OF BECTTON 34, TOMISSING 21 SOLINTY OF PLEBLO, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARNOS: THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 21 SOUTH, RANGE 63 WEST OF THE 6TH PERKLEPAL MESTIONAY, COUNTY OF PUEBLO, STATE OF COLORADO, BEAN ACKINILIANTED ON THE WESTERY END BY A 3-14 ALLININIUM CAP STAMPED "PLS 33200" AND AT THE EASTERY END BY A 3-14 ALLININIUM CAP STAMPED "PLS 33200" AND AT THE EASTERY END BY A 3-14 ALLININIUM CAP STAMPED "PLS 33200" ASSUMED TO BEAR NIB" 14/23TE A DISTANCE OF 2,8/16.27 FEET.

COMMENCINO AT THE MORTHWEST CORNER OF SAID SECTION 27, THENCE SOOTST'E A DISTANCE OF 2000 37 FEET TO A POINT ON THE WEST LINE OF THE MORTHWEST QUARTER OF SAID SECTION 27, SAID FORM 25 FEET TO A POINT ON THE WEST LINE OF THE MORTHWEST QUARTER OF SAID SECTION 27, SAID FORM 25 FEET TO A POINT OF THE MORTHWEST QUARTER OF SAID SECTION 27, SAID FORM 25 FEET TO A POINT OF STREET, THENCE SON THE MAST OF A CHARLE TO THE MORTHWEST LINE OF THE MAST LINE O

CONTAINING A CALCULATED AREA OF 822,309 SQ, FEET, DR 14,256 ACRES.

LEGAL DESCRIPTION: PERMIT BOUNDARY PARCEL NO. 2

A TRACT OF LAND BEING A PORTION DE SECTIONS 24, 25, 35 AND 31, TOWNSHIP 21 SOUTH, RANGE 63 WEST AND SECTIONS 19 AND 30, TOWNSHIP 21 SOUTH, RANGE 62 WEST OF THE 6TH PRINCIPAL NEEDWAL COUNTY OF PUEBLO, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BASIS OF BEARBACS: THE MORTH LIME OF THE NORTHWEST CHARTER OF BECTION 33, TOWNISHE 21 SOUTH, RANGE BL WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF PUEBLD, STATE OF COLORADO, BRONG MONSMERED ON THE WESTERLY BIO BY A 3-14 ALLIMINION CAP STAMPED THE 33300" AND AT THE EASTERLY BIO BY A 3-14 ALLIMINION CAP STAMPED THE 33300" AND AT THE EASTERLY BIO BY A 3-14 ALLIMINION CAP STAMPED THE 33300" AND AT THE EASTERLY BIO BY A 3-14 ALLIMINION CAP STAMPED THE 33300" AND AT THE EASTERLY BIO BY A 3-14 ALLIMINION CAP STAMPED THE 33300" AND AT THE EASTERLY BIO BY A 3-14 ALLIMINION CAP STAMPED THE 33300" AND AT THE EASTERLY BIO BY A 3-14 ALLIMINION CAP STAMPED THE STAMPED THE STATE A DISTANCE OF 2,818.27 FEET.

LEGAL DESCRIPTION: PERMIT BOUNDARY PARCEL NO. 3 - ROUTE A

DESCRIPTION

A TRACT OF LAND SEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 28, THE NORTHEAST QUARTER OF SECTION 31, AND THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 21 SOUTH, RANGE 33 YEST OF THE STH PROJECTAL MERDINAL COUNTY OF PUEBLO, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE HORTH LINE OF THE MORTHWEST QUARTER OF BECTION 33, TOWNSHIP 21 SOUTH, RANGE 63 WEST OF THE 8TH PRINCIPAL ALERBANK, COUNTY OF PUEBLO, STATE OF COLORADO, BERNO MONUMENTED OH THE WESTERLY END BY A 3-14 ALIMINUM CAP STAIPED "PLS 33200" AND AT THE EXSTERLY END BY A 3-14 ALIMINUM CAP STAIPED "PLS 33200" AND AT THE EXSTERLY END BY A 3-14 ALIMINUM CAP STAIPED "PLS 33200" ASSUMED TO BEAR 1881 1472" E A DISTANCE OF 2,816,27 FEET.

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 25, THENCE NOW'S 143°E A DISTANCE OF 2,037.50 FRET TO A POINT ON THE MORTH LINE OF SAID SOUTHEAST CLARRER OF SECTION 28, SAID FOWT BLUE THE FORM OF DECIMANOS, IT FINENCE SOVYWEE A DISTANCE OF 2823.75 FREET TO A POINT OF CURVE, THENCE SOVYWEE A DISTANCE OF 2823.75 FREET TO A POINT OF CURVE, THENCE ON THE ARC OF A CURVE TO THE RIGHT HAWARD A DELTA OF 3927'T A RADAILS OF CURVE, THENCE ON THE ARC OF A CURVE TO THE RIGHT HAWARD A DELTA OF 3927'T A RADAILS OF 1000.00 FRET, AND A LEXCITUD OF 89728'T FRET, THENCE SESTIVATE OF 112.1 A FEET TO A POINT ON THE EAST LINE, A DISTANCE OF THE MORTHWEST COLUMNETS OF 300 SECTION 31. THENCE SO "THE MORTHWEST CLARRED TO THE LEFT HANDAL EXCITUD OF SECTION 31. THENCE OF THE MORTHWEST COLUMNETS OT THE LEFT THANDA A DELTA OF 5127'TA, A RADAILS OF \$7200 FRET, AND A LEXCITUD OF \$120 FRET, THENCE SISTEMATOR OF SECTION 32. THE RIGHT HAWARD OF SECTION 32. THE REST TO A POINT OF CURVE, THENCE ON THE ARC OF A CURVE TO THE REST THENCE OF 152.50 FRET TO A POINT ON THE ARC OF SECTION 32. THE REST TO A POINT ON THE ARC OF SECTION 32. THE REST TO A POINT ON THE ARC OF SECTION 32. THE REST TO A POINT ON THE ARC OF SECTION 32. THE REST TO A POINT ON THE ARC OF SECTION 32. THE REST TO A POINT ON THE ARC OF SECTION 32. THE REST TO A POINT ON THE ARC OF SECTION 32. THE REST TO A POINT ON THE ARC OF SECTION 32. THE REST TO A POINT ON THE ARC OF SECTION 32. THE REST TO A POINT ON THE ARC OF SECTION 32. THE REST TO A POINT ON THE ARC OF SECTION 32. THE REST TO A POINT ON THE ARC OF SECTION 32. THE REST TO A POINT ON THE ARC OF SECTION 32. THE REST TO A POINT ON THE ARC OF SECTION 32.

THIS DRAWING DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE LEGAL DESCRIPTION

REGULAR 112 PERMIT PERMIT BOUNDARY DESCRIPTION

CONTAINING A CALCULATED AREA OF III, IISU SQ FEET, OR 1,925 ACRES

BASIS OF BEARMASS. THE MORTH LINE OF THE MORTHWEST CALARITER OF SECTION 33, TOWNISHE? 21 SOUTH PARKED MA, COLUNTY OF PERBLO, STATE OF PARKED MA, MERCHAIN, COLUNTY OF PERBLO, STATE OF CALARAGE OR BEING MORTHWEATHED OF THE MESTERY FERD BY A 3 14 ALLIMMYIN CAP STAMPED PLS 33200° AND AT THE EASTERY FIND BY A 3 14 ALLIMMYIN CAP STAMPED PLS 33200° ASSUMED TO BEAR MID 14" 38"E A DISTANCE OF 2814.27 FEET.

A TRACT DE LAND BEING A PORTION OF SECTION 27, AND THE HORTHEAST QUARTER OF THE SECTION 24, TOWNSWED 21 SOUTH, MANGE HE WEST OF THE STREAM PRINCIPLAL MERCHAN, COUNTY OF PUBBIO, STATE OF COLORNOO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

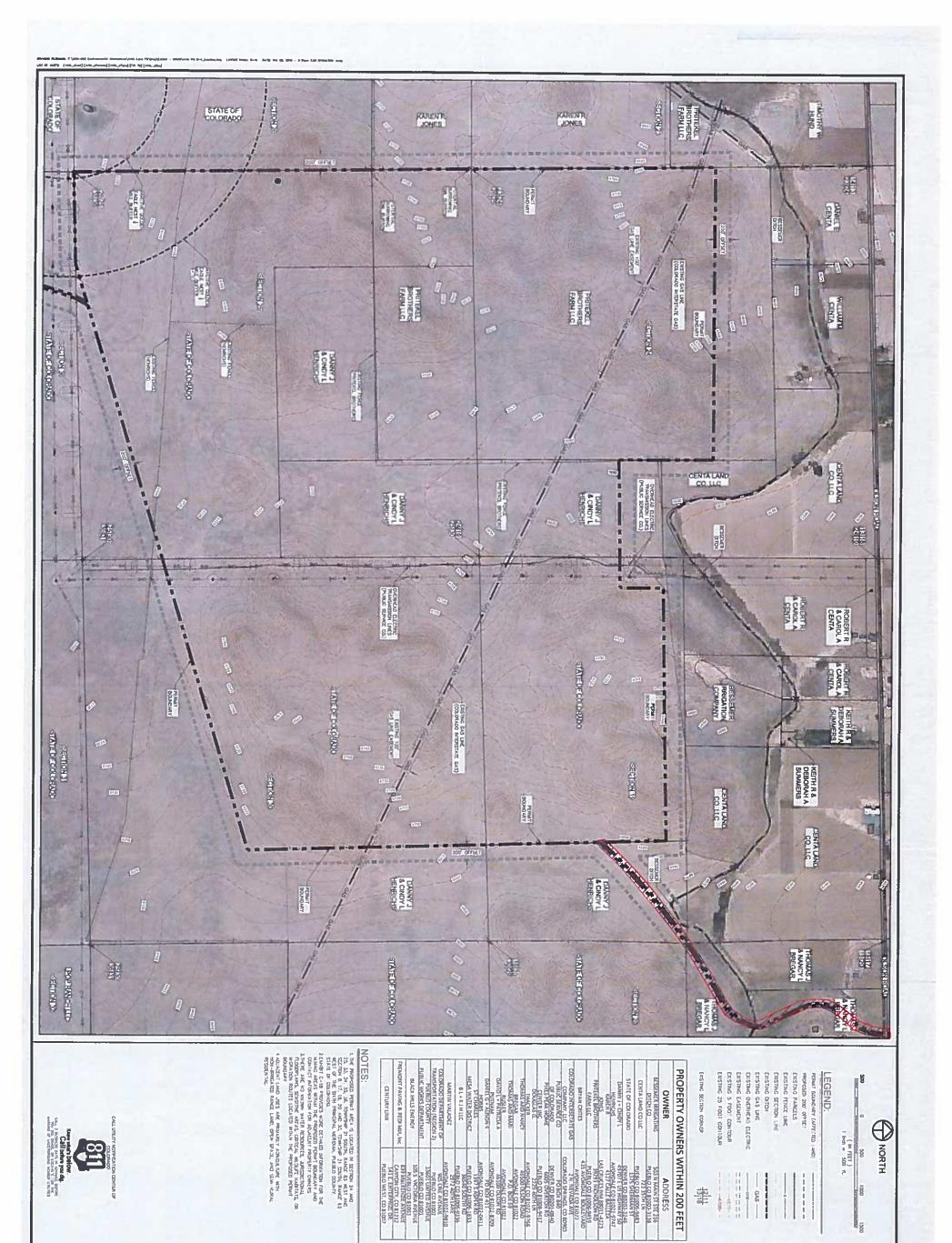
CONTAINING A CALCULATED AREA OF 65,603,490 SQ. FEET, OR 1,508,049 ACRES

PUEBLO COUNTY AGGREGATE PROJECT FREMONT PAVING AND REDI-MIX INC.

askings

Map Prepared by James Higgs

NOTES: 1) NO CHANGES EXCEPT FOR REVISED HAUL ROUTES 2) FOR MINING PLAN, SEE EXHIBIT C LOCATION LOC 22 PERMIT BOUNDARY DESCRIPTION **REGULAR 112 PERMIT** 36 25 24 ᇔ PERMIT BOUNDARY PARCEL NO. 2 40TH LANE EAST 8 $\frac{\omega}{\omega}$ THIS DRAWING DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE LEGAL DESCRIPTION. 9 28 SCALE: 1" - 1500" REVISIONS DESCRIPTION Exhibit B REGULAR 112 PERMIT PERMIT BOUNDARY DESCRIPTION DATE PUEBLO COUNTY AGGREGATE PROJECT FREMONT PAVING AND REDI-MIX INC. Map Prepared by James Higgs



200 No. 390-002 33 (290n C. 500-000n eddn B. 50-0000 No. 1" = 500 neet: 1" = 500 2 Or 7 REGULAR 112 PERMIT

EXHIBIT C-1b EXISTING SITE CONDITION & SURFACE OWNERS OF RECORD PUEBLO COUNTY AGGREGATE PROJECT

FREMONT PAVING AND REDI-MIX INC.

Map Prepared By James Higgs

