



**Summit Engineering Co.
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November 30, 2020

Lucas West
Environmental Protection Specialist
Colorado Division of Reclamation, Mining, and Safety
101 South 3rd Street, Suite 301,
Grand Junction, CO 81501

Re: MLRB 112 Application
Robins Rock Pit

Dear Mr. West;

Summit Engineering Co has assembled and prepared a 112-C permit application for the Robins Rock Pit to be submitted to the Colorado Mining Land and Reclamation Board. We are re-submitting said application to address the comments included in the Application Adequacy Review dated 10/13/2020. Attached herewith are updated and revised documents and exhibits to be included with the re-submittal of said application. Revisions have been highlighted yellow

Please call us if you have any further questions.

Yours Truly,



Scott E. Johnson, PE & PLS 14840

Robins Rock Pit: MLRB 112-C Permit Application Exhibits

NW1/4 SE1/4 Section 15, T.33N., R.8E., N.M.P.M.
Conejos County, Colorado

Prepared By
Scott E. Johnson, PE & PLS
Summit Engineering Co.
Date: November 30, 2020



Prepared For
Robins Construction, LLLP
P.O. Box 212 Antonito, CO 81120
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Exhibit A

Legal Description

Legal Description

A 41.03 acre, more or less, parcel of land situated in the NW1/4 SE1/4 Section 15, and a portion of the NE1/4 SE1/4 Section 15, Township 33 North, Range 8 East, New Mexico Principal Meridian, Conejos County, Colorado.

Beginning at the Center Quarter Corner of said Section 15 and the Northwest corner of the herein described parcel;

Thence S89°37'44"E along the North line of said NW1/4 SE1/4 Section 15, a distance of 1318.03 feet to the East 1/16th corner of said Section 15;

Thence S00°00'27"W along the East line of said NW1/4 SE1/4 Section 15, a distance of 292.42 feet to an angle point;

Thence S90°00'00"E a distance of 40.00 feet to an angle point;

Thence S00°00'27"W along a line parallel to, and 40.00 feet East of, the East line of said NW1/4 SE1/4 Section 15, a distance of 1031.85 feet to a point on the south line of said NE1/4 SE1/4 Section 15;

Thence N89°33'30"W along the South line of said NE1/4 SE1/4 Section 15, a distance of 40.00 feet to the Southeast 1/16th corner of said Section 15;

Thence N89°33'30"W along the South line of said NW1/4 SE1/4 Section 15, a distance of 1320.58 feet to the South-Center 1/16th corner of said Section 15;

Thence N00°07'04"E along the West line of said NW1/4 SE1/4 Section 15, a distance of 1322.62 feet to the Point of Beginning.

**Entry: The Latitude and Longitude for the entry to the Robins Rock Pit operation are 37°05'51.18"N and 106°04'48.99"W respectively (WGS-84), and its location is shown on the accompanying maps.*

Exhibit B

Index Map

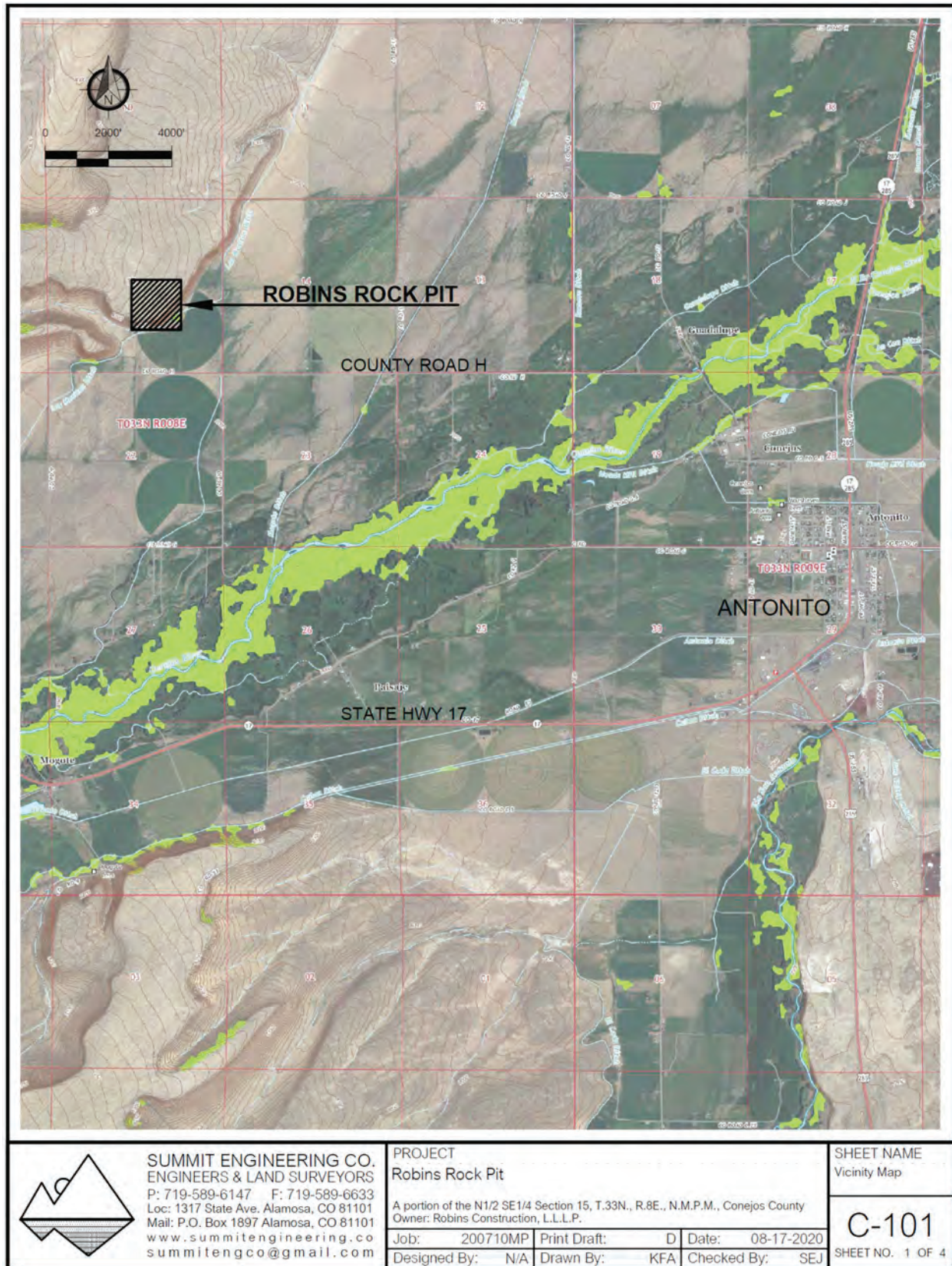
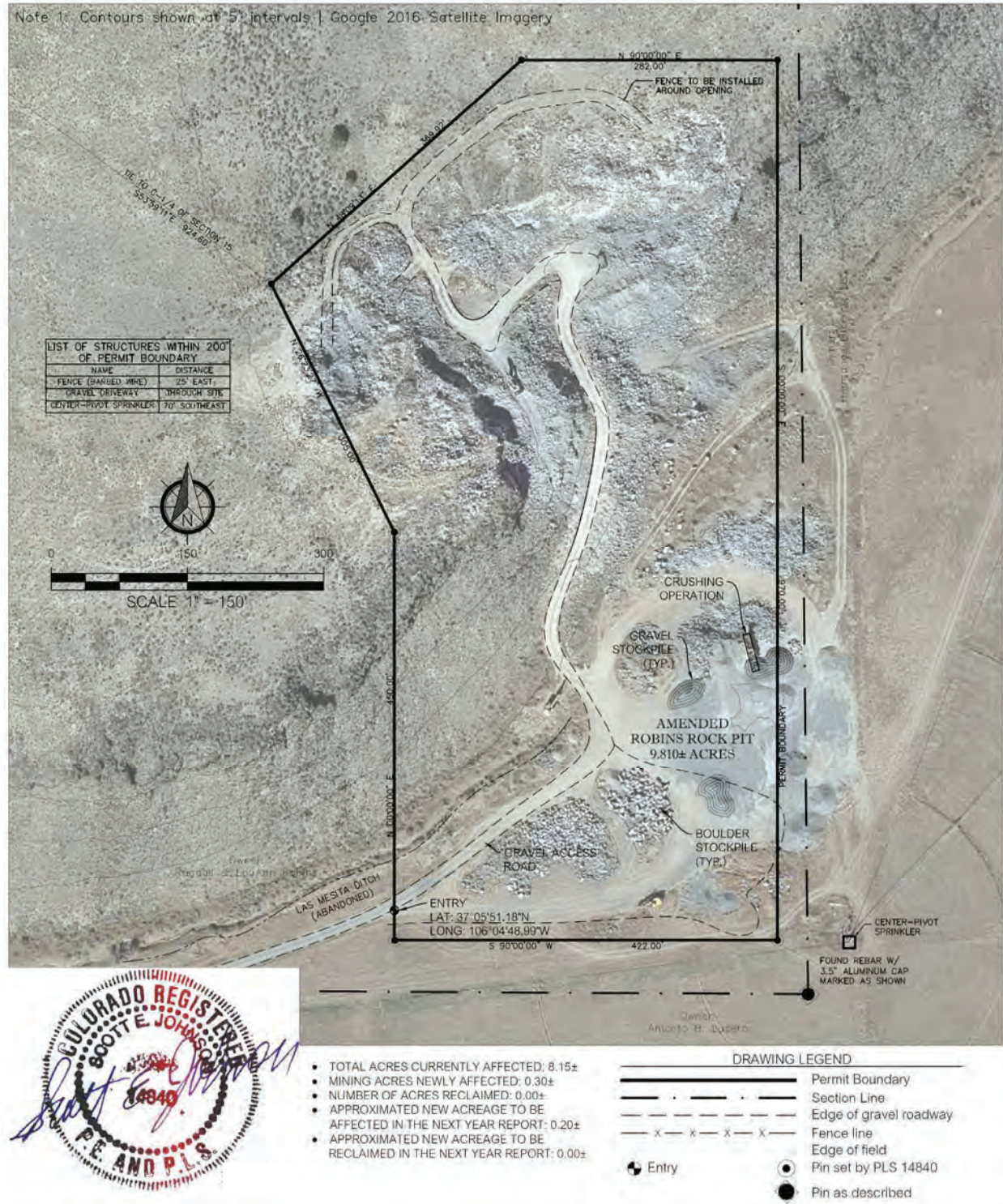


Exhibit C

Pre-Mining and Mining Plan Map(s) of Affected Lands

Pre-Mining & Mining Plan Map(s) of Affected Lands

Existing Pit (M-2007-079) 2019 Annual Pit Map

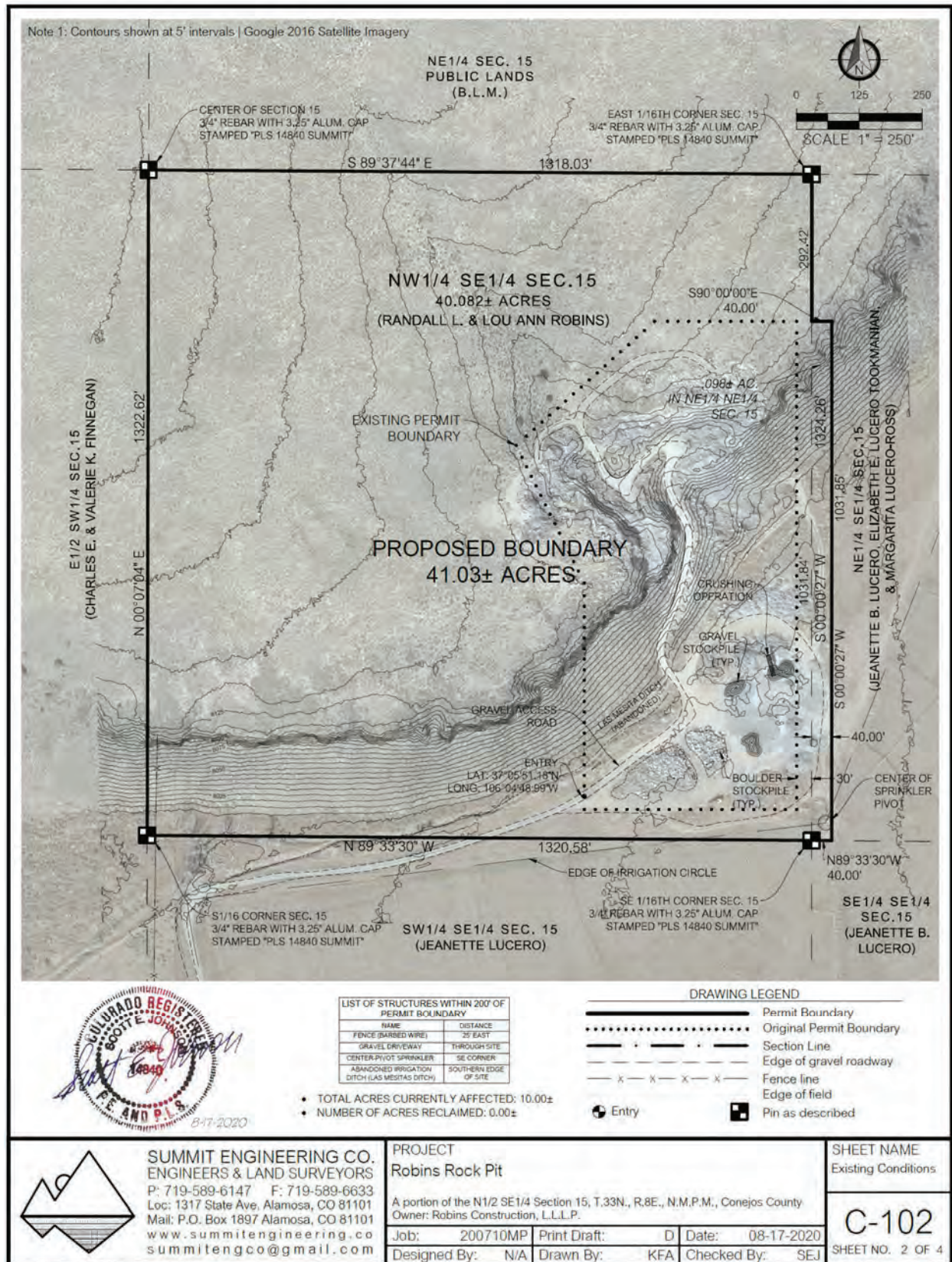


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Exhibit D

Mining Plan

Mining Plan

This proposal for the Robins Rock Pit establishes three phases of development.

Phase 1: Complete excavations in those areas within the existing pit boundary.

Phase 2: Expand excavations to the West along the edge of mesa.

Phase 3: Further expand operations northward into the mesa.

The first phase of the Robins Rock Pit, as shown in the accompanying Mining Plan map in the previous exhibit, has already been stripped of "top soil," and mining excavations and deposit processing(s) are well underway. Materials being excavated undergo a cleaning process that will proceed as it has previously. All fine materials will be separated with a power screen, and this material will be added to the topsoil stockpile. The topsoil stockpile will be located in an area in the southeastern portion of the permit boundary near the location of the abandoned/filled irrigation pond as shown on the maps in the previous exhibit. Additionally, both the loading area and rock processing areas are located at the bottom of the hill in this area. Product will be moved from the loading area to the nearby Conejos County Road H via an existing 20-foot wide gravel road. No further improvements to this haul road are anticipated. Mining operations are estimated to process approximately 50,000 tons per year.

Drilling operations in progress are based on a pattern of 3 feet by 5 feet drilled to a depth of approximately 18 feet. Drilling has resulted in a highwall along the north and west perimeter of the existing pit, so a barrier of large rocks has been placed along the perimeter to prevent livestock and human traffic from accidentally falling into the excavated area. This method will be used to protect any highwall areas that occur in the future as operations expand further. No highwalls over the height of 20-feet or longer than a length of 200-feet will be allowed to develop as mining operations continue. The maximum depth of mining is planned to be 40-feet along the west edge of the pit (50-feet or more from the permit boundary). Mining operations will focus on excavating the basaltic strata of the mesa that is part of the Hinsdale Formation (Pliocene and Miocene) as shown on the geologic map of the lower Conejos River Canyon Area authored by Lipman in 1975 and shown on the following pages. No drilling has been performed at this time, so the depth of the basaltic layer is unknown throughout the permitted area. However, based on the geologic map it is anticipated that the basalt layer will be underlaid by the Los Pino Formation consisting of "Mostly bedded conglomerates, sandstones, and mud-flow breccias" at approximately the base of the exposed bluff (8,090' above sea level), or between 20 to 40 feet below the top of the mesa within the proposed permit boundary.

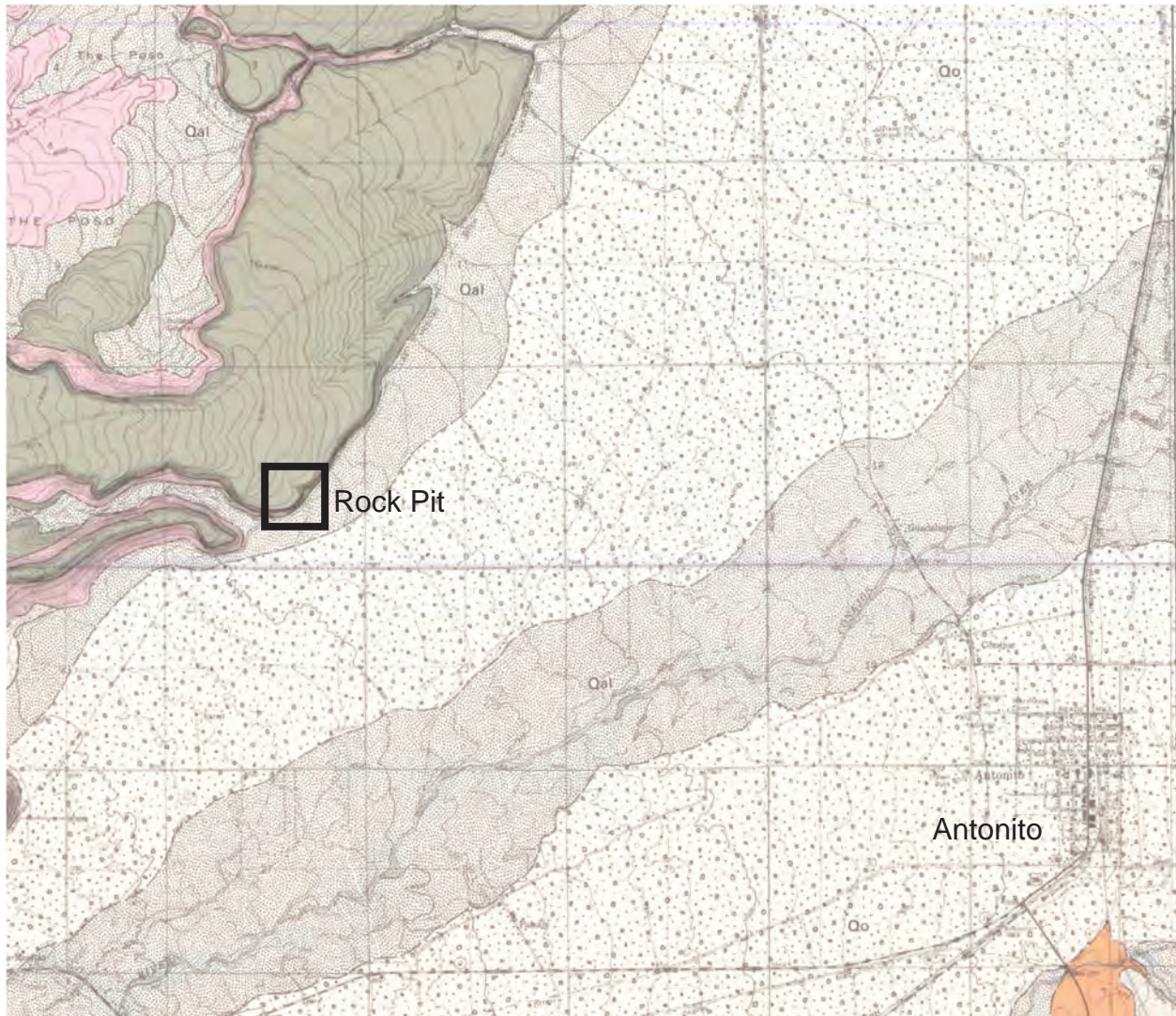
- a) Mining in Phases 2 and 3 will commence in January, 2021 and should end by December, 2030.
- b) The operator commits to salvaging or importing fine materials from the Robins Gravel Pit (M-2002-014) for enough topsoil to replace 6 to 12 inches throughout

the site during reclamation. This soil will be placed in separated stockpiles at the base of mesa in the southeastern portion of the site mentioned previously.

- c) There will be no overburden or waste rock after the initial topsoil is removed.
- d) It is anticipated that mining direction will be into the side of the mesa near the top cliffs of basalt rather than down into the ground. Excavation into the hill will be well within the permit boundary, and depth from the top of the hill should not exceed forty (40) feet. Under no circumstances will excavation reach a depth below the surface of the irrigated field south of the permit boundary.
- e) Major components of this mining operation are shown in the maps provided in the previous exhibit and will include the following:
 - A twenty-foot wide gravel access road from the base of the mesa to the top of the mesa.
 - A 300'x150' area at the base of the mesa and south end of the permit boundary for a concrete and asphalt batch plant.
- f) Significant disturbances to the land will be limited to side of the mesa within the permit boundary.
- g) An existing 20' gravel road is the only will be the only road serving this mining operation. The gravel road extends from the top of the mesa, through the entry, around the field south of the permit boundary, and on to Conejos County Road H. There are no new improvements, or proposed roads included in this project.
- h) Water will be used for dust suppression and will come from Robins Construction nearby yard in tank trucks. The Division of Water Resources has given Robins permission to use up to 37-acre feet maximum in any one year, and an average of 9-acre feet per year in any 5-year period. After mining is completed, this water will be used for operation of the concrete batch plant and asphalt hot plant.
- i) Mining will immediately cease at any depth where ground water is encountered. It is highly unlikely, based on our investigation, that groundwater will be encountered at any time of the year.
- j) Both Robins and Summit has, and will continue to, work closely with Division 3 of the Colorado Water Resources to ensure all applicable Colorado water laws and regulations are conformed to.
- k) Operations are not anticipated to expose any refuse, acidic, or toxic materials during excavation. If such materials are encountered the operator will dispose of them according to current federal, state, and county regulations.
- l) In response to the increased area of proposed mining, the operator will ensure that if any open areas develop in the course of operation these areas will

maintain a slope direction and magnitude similar to the natural grade. This is set forth in the reclamation plan as well. However, it should also be noted that overall disturbance to the hydrologic balance is not anticipated due to the arid conditions of the site, its remote nature, and natural terrain. The current area of this pit has not experienced any significant hydrologic changes or complications and its conditions are expected to be consistent throughout the pit boundary. Further, any precipitation upon the reclaimed area will migrate to groundwater level, at whatever depth encountered, without any additional resistance by the reclaimed surface. Annual precipitation for the area is very low, and normally less than 9 inches. Any runoff from the mining area will and the side of the mesa will be detained at the bottom of the hill by a graded depression and ditch. Once detained, runoff will infiltrate into the soil. The south end of the site adjacent to the field will also be graded in such a manner as to be slightly below native grade, or have a berm protection when necessary.

- m) Deposit will be processed on-site. However, the gravel and sand mined at this location will not be processed in any way other than normal crushing, screening, and stockpiling operations.
- n) No incidental products are anticipated.
- o) Explosives have been, and will be used in conjunction with mining operations. Effects of blasting are not expected to reach beyond the permit boundary. In 2007, Merritt LS, LLC was hired to perform a study on the effects of blasting within the immediate area of the Robins Rock Pit. This report can be found in the following pages within this exhibit. The operator will comply with those recommendations included in the Merritt report, and with the "Blasting Vibration Control Plan" outlined in the DRMS review by Allen Sorenson dated December 19, 2007 (DRMS File No. M-2007-080). Furthermore, a pre-blast survey of the area was conducted around the area of the Robins Rock Pit that showed there were no dwellings being lived in within a mile of the site. This survey was filed with the DRMS under PERMIT FILE - 1/19/2010, 7:17:21 AM-JWD, is included within this exhibit. Additionally, a letter dated December 18, 2009 (DRMS PERMIT FILE - 1/19/2010, 7:15:50 AM-JWD) was sent by Mr. Aniceto Lucero claiming that he had experienced no damage on his property (which include the only man made structures within 200 feet of the permit boundary) from blasting or mining operations. A copy of this letter is provided herewith. Finally, an agreement was signed by the applicant and Aniceto Lucero (DRMS PERMIT FILE - 1/25/2010, 7:12:32 AM-JWD-1) stating that Robins Construction, L.L.L.P. "will make any necessary monetary compensation to the lessee that is supported by invoices for materials or labor in connection with repairs to any manmade structures on the lessor's property." A copy of this letter can be found herewith.



Geologic Map of the lower Conejos River Canyon Area, Lipman 1975

HINSDALE FORMATION (PLIOCENE AND MIOCENE):	
Thb	Basaltic lavas – Fine-grained silicic alkali-olivine basalt and basaltic andesite. Sparse small olivine phenocrysts, partly altered to “iddingsite,” are typical, and xenocrysts of quartz and feldspar are locally abundant. Groundmass is largely andesine, augite, and olivine. K-Ar ages of flows range from 4.4 to 26.8 m.y. Older flows form scattered mesa-capping erosional remnants, but little-eroded younger flows in eastern part of mapped area define a large eastward-tilted shield volcano, with the major vent area centered at Los Mogotes. Local contacts drawn within unit indicate boundaries between prominent flows. Thickness 0–300 m
Tip	LOS PINOS FORMATION (PLIOCENE TO OLIGOCENE) – Mostly bedded conglomerates, sandstones, and mud-flow breccias containing rhyodacite and quartz latite clasts derived from stratovolcanoes on the flanks of the Platoro caldera to the northwest and smaller volcanic centers to the south. Locally includes thin beds of ash-fall and nonwelded ash-flow tuff. Accumulated as coalescing alluvial-fan deposits on west side of the subsiding San Luis Valley. Interfingers with basalt flows of Hinsdale Formation varying in age from about 5 to 25 m.y. Thickness 0–200 m



Exhibit E

Reclamation Plan

Reclamation Plan

Reclamation of the site will take place in phases as shown in those maps included in Exhibits C and F. Each phase of reclamation correlates to a phase of excavation. When one phase of excavation expires, reclamation of that particular phase will begin; thus, The Robins Rock Pit will be reclaimed as mining progresses. Mining operations should commence at the end of 2030, and the site should be fully reclaimed shortly after. Ultimately, the prominent defile in the cliff wall resulting from mining operations will be used as a livestock driveway after mining operations are completed. A semi-flat "platform" at the depth of basalt formation will be left approximately 90-feet above the valley floor. This platform will be graded to drain toward the southeast much like the existing terrain. The maximum depth of mining anticipated is 40-feet along the west edge of the pit (50-feet or more from the permit boundary). This depth will decrease to approximately 20-feet on the eastern edge of the operation extents. An outline of the plan is as follows:

- a) No overburden is expected to be encountered during mining operations because basalt rock outcrops are within a few inches of the surface. Thus, removal and replacement of overburden are not anticipated.
- b) Steep slopes exist throughout the permit boundary. These slopes are a result of the pit being located on a prominent escarpment that extends several miles in both directions. Consequently, there is little or no benefit to making all slopes within the site 3:1, particularly where the native slopes are more vertical in their original state. However, most areas affected by the excavation will not have slopes greater than 3:1, and all slopes that may occur further north and deeper in the mesa will not be greater than 3:1.
- c) Material that is appropriate for backfill encountered throughout, and during, mining operations will be stored on site to be used to establish finished 3:1 slopes in those areas where highwalls may occur. Said material may include gravel (3"-minus), sand, and loam. If not enough material is stockpiled to establish 3:1 slopes in the final phases of reclamation, material will be delivered to the site by the applicant.
- d) The following measures will be taken to revegetate the site once mining operations have been completed.
 - When the excavation has been completed, fine-grained material will be replaced to a depth of at least 6 inches and revegetated according to NRCS recommendations herewith. We estimate that approximately 18,000 CY of fine material will need to be moved from the stockpile an average distance of 400 feet with a rubber-tired load to get the material in place for final grading.

- The site will be seeded immediately after mining has been completed, but in such a way that germinated seed will have time to grow prior to freezing weather. The seed bed will be disced and harrowed to eliminate compacted conditions.
 - The seed mixture is specified by the NRCS and is expected to be readily available in quantity from Arkansas Valley Seed Company as typical reclamation mix for the dry areas of the San Luis Valley. A mixture is enclosed with this exhibit.
 - The seed mixture will be broadcast with a utility vehicle towing a PTO (power take-off) driven broadcaster.
 - The mulch-seed mixture will be crimped into the soil with grousers on the tracks of a small dozer. No fertilization is anticipated or proposed for the seeding process.
 - We do not anticipate the planting any trees or shrubs unless recommended by the NRCS. If so, we will establish small trees as recommended by the NRCS, probably the type used for windbreaks that will be planted with gel bags during the early spring months or early fall.
- e) No ponds, streams, roads, or buildings will be excavated or constructed for this operation.
- f) No waste reclamation treatment is anticipated. There will be no underground mining, or sediment control facilities for this mining operation.

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 Grass Seeding Planned and Applied Colorado State University
Aug 2015

Planner:		Tmiller			Date:		10-Jan-14	
Producer:		Robbins						
Primary soil type:		Contract/Agreement #:			Item Num:			
Seeding Operation:		Acres to be seeded:			6		Program:	
		Seedbed Prep:			Limited: less than 3 tillage operations		Rate:	
		Planting Dates:			July 1 to Aug 1		Drill Type:	
		Planting Depth (in.):			1/4" to 3/4"		Drill Spacing (in.):	
Fertilizer:		Pounds per acre recommended			<i>Attach completed Nutrient Management (590) Job Sheet</i>			
		N P ₂ O ₅ K ₂ O						
Weed Control:		Dates:			<i>(may require completion of Pesticide Mitigation Worksheet / IPM 595 Job Sheet)</i>			
		Description:						
Cover / Mulch:		Amount:						
		Description:						
		Application Method:						

Species I = Introduced, N = Native		Variety/Sci. Name (table 6: PMTN 59)		PLS/Ac to use (100%)	% in mix	Rate (PLS lb/ac)	Acres to be seeded	Total PLS
Blue grama	N	Archita	0	3.0	25	0.75	6.0	4.50
Western wheatgrass	N	Aureba	0	16.0	20	3.20	6.0	19.20
Slender wheatgrass	N	Santaluis	0	11.0	20	2.20	6.0	13.20
Russian wildrye	I	Borealis	0	10.0	20	2.00	6.0	12.00
Alkali sacaton	N	Salado	0	1.5	15	0.23	6.0	1.35
Totals				41.5	100.0	8.4	6.0	50.3

When bare-root stock shrubs are planned:

1. Document planting on Job Sheet 612, Tree and Shrub Establishment.
2. Insert 0 in "% in Mix" column for calculations to function.

N. Langmiller

1-10-14

NRCS, CO
August 2011

Exhibit F

Reclamation Plan Map

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Exhibit G

Water Information

Water Information

Groundwater is not expected for more than 30 feet from the lowest point in the area to be permitted, and 100 feet from the areas of mining operation. Robins Rock Pit will not affect either surface water or groundwater systems, since the bottom of the pit will be significantly above the Conejos River. It is expected that approximately 1 ac-foot per year will be used for reclamation purposes and minimal amounts will be used for dust control. This water will originate from the applicant's batch plant or equipment yard well off site. Both wells are adjudicated so that water can be transported from the well to the pit.

Runoff from storms and snow melt will be contained within the pit and the pit will be graded in such a way as to always be lower than the adjacent property. Since no runoff will be allowed to leave the permit area, Robins does not anticipate that a NPDES permit will need to be acquired from the Colorado Department of Public Health and Environment.

Exhibit H

Wildlife Information

Wildlife Information

There are no known endangered species within the vicinity of the permit boundary. The existing vegetation on the site is suitable for wild game such as deer, elk, and antelope, as well as native range for sheep and cattle. However, grazing on this particular area is somewhat limited as a result of low precipitation, high slopes, and sparse grass growth. Grasses within the boundary consist mostly of Indian Ricegrass, Winterfat, Blue Grama, Fourwing Saltbrush, Rabbit Brush, and Sand Dropseed.

The area adjacent to Robins Rock Pit provides habitation for many small and big game species including coyotes, rabbits, fox, skunks, and rodents of all types. Big game includes deer, antelope, elk, occasionally black bears, and mountain lions. There are also a variety of bird species in the area.

Large and small game hunting is allowed within the general vicinity, but the proximity of many nearby residences renders hunting near the pit dangerous. Very little hunting occurs in the nearby vicinity and the size of the pit is insignificant compared to the range which the small and large game have available. The pit does not in any way affect travel patterns of game in the area. Furthermore, there are no known breeding or calving grounds for wildlife on this property.

Exhibit I

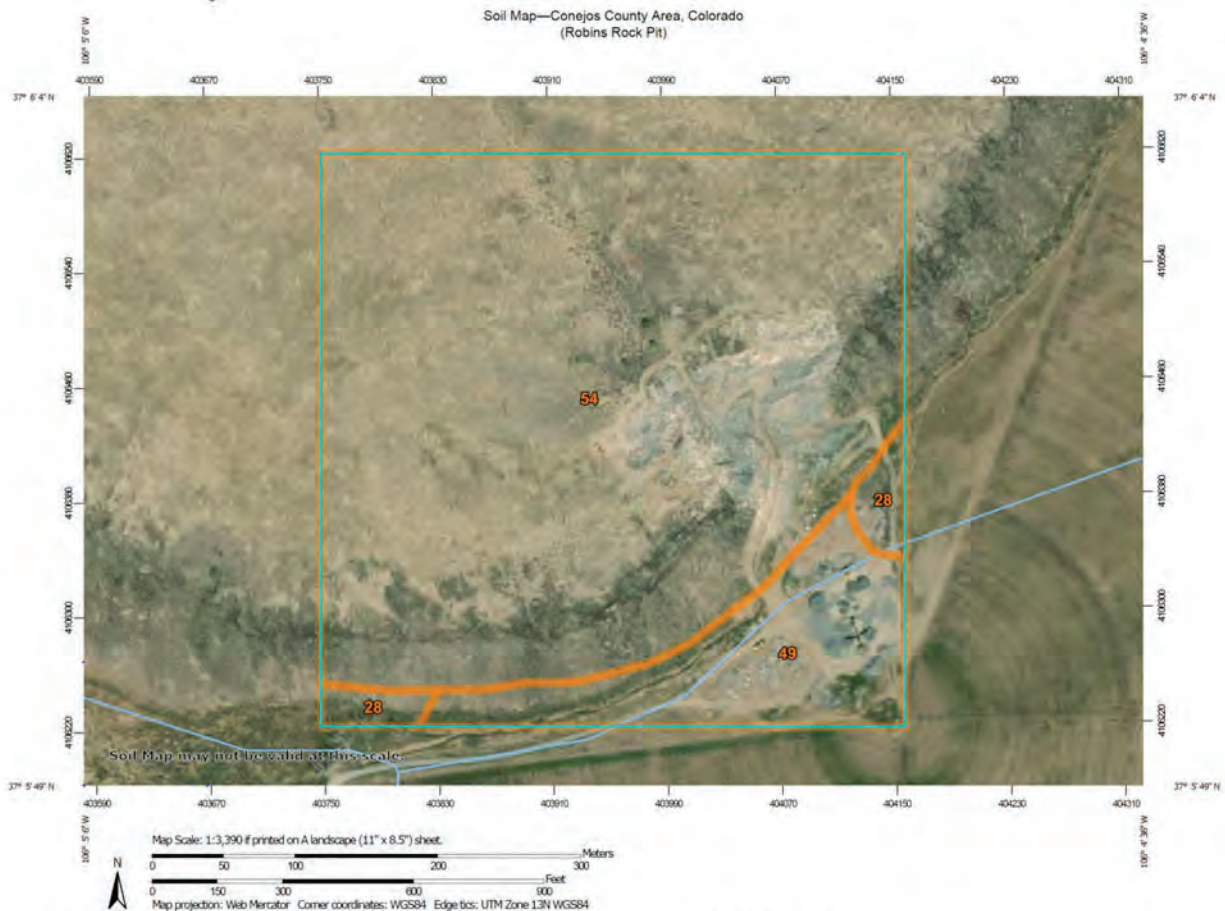
Soils Information

Soils Information

The soil and vegetation at this site as they are described in “Soil Survey of Conejos County Area, Colorado” developed by the United States Department of Agriculture (USDA) and Soil Conservation Service (SCS) are included herewith in this exhibit. The area is dominated by rocky basaltic lava outcrops which produce near vertical walls from 10 to 40 feet in height. Some erosion and cliff wall failure has occurred and talus slopes are evident at the base of the cliffs.

As it is described in the soil survey, the area to mined is Travelers Very Stony Loam which has a combined surface layer and subsoil that is approximately 12 inches deep, and the substratum is a very stony loam approximately 4 inches thick. The effective rooting depth is 10 to 20 inches.

Web Soil Survey



MAP LEGEND

Area of Interest (AOI)		Soils		Special Point Features		Water Features	
Area of Interest (AOI)		Soil Map Unit Polygons		Blowout		Streams and Canals	
		Soil Map Unit Lines		Borrow Pit			
		Soil Map Unit Points		Clay Spot		Transportation	
				Closed Depression		Rails	
				Gravel Pit		Interstate Highways	
				Gravelly Spot		US Routes	
				Landfill		Major Roads	
				Lava Flow		Local Roads	
				Marsh or swamp		Background	
				Mine or Quarry		Aerial Photography	
				Miscellaneous Water			
				Perennial Water			
				Rock Outcrop			
				Saline Spot			
				Sandy Spot			
				Severely Eroded Spot			
				Sinkhole			

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Conejos County Area, Colorado
Survey Area Data: Version 17, Jun 10, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Dec 31, 2009—Oct 27, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Web Soil Survey Continued...

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
28	Luhon loam, 1 to 3 percent slopes	1.1	2.7%
49	Shawa loam, 1 to 3 percent slopes	5.7	14.0%
54	Travelers very stony loam, 3 to 25 percent slopes	33.7	83.3%
Totals for Area of Interest		40.5	100.0%

28—Luhon loam, 1 to 3 percent slopes**Map Unit Setting***National map unit symbol: jqtr**Elevation: 7,600 to 8,000 feet**Farmland classification: Prime farmland if irrigated***Map Unit Composition***Luhon and similar soils: 85 percent**Minor components: 15 percent**Estimates are based on observations, descriptions, and transects of the mapunit.***Description of Luhon****Setting***Landform: Fan terraces**Down-slope shape: Linear**Across-slope shape: Linear**Parent material: Mixed calcareous alluvium***Typical profile***H1 - 0 to 8 inches: loam**H2 - 8 to 20 inches: gravelly loam**H3 - 20 to 60 inches: loam***Properties and qualities***Slope: 1 to 3 percent**Depth to restrictive feature: More than 80 inches**Natural drainage class: Well drained**Runoff class: Low**Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 2.00 in/hr)**Depth to water table: More than 80 inches**Frequency of flooding: None**Frequency of ponding: None**Calcium carbonate, maximum in profile: 30 percent**Salinity, maximum in profile: Very slightly saline to slightly saline (2.0 to 4.0 mmhos/cm)**Sodium adsorption ratio, maximum in profile: 5.0**Available water storage in profile: High (about 9.1 inches)***Interpretive groups***Land capability classification (irrigated): 4c**Land capability classification (nonirrigated): 6c**Hydrologic Soil Group: B**Ecological site: Limy Bench (R051XY276CO)**Hydric soil rating: No*

49—Shawa loam, 1 to 3 percent slopes

Map Unit Setting

National map unit symbol: jqvh

Elevation: 7,800 to 8,500 feet

Farmland classification: Prime farmland if irrigated

Map Unit Composition

Shawa and similar soils: 90 percent

Minor components: 10 percent

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

Description of Shawa

Setting

Landform: Stream terraces, alluvial fans

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Mixed alluvium derived from igneous rock

Typical profile

H1 - 0 to 4 inches: loam

H2 - 4 to 24 inches: loam

H3 - 24 to 60 inches: loam

Properties and qualities

Slope: 1 to 3 percent

Depth to restrictive feature: More than 80 inches

Natural drainage class: Well 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: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum in profile: 10 percent

Available water storage in profile: High (about 9.8 inches)

Interpretive groups

Land capability classification (irrigated): 4e

Land capability classification (nonirrigated): 6c

Hydrologic Soil Group: B

Ecological site: Foothill Loam (R051XY317CO)

Hydric soil rating: No

54—Travelers very stony loam, 3 to 25 percent slopes

Map Unit Setting

National map unit symbol: jqvp

Elevation: 7,600 to 8,500 feet

Farmland classification: Not prime farmland

Map Unit Composition

Travelers and similar soils: 85 percent

Minor components: 15 percent

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

Description of Travelers

Setting

Landform: Mesas, ridges, hills

Landform position (two-dimensional): Foothlope, backslope, shoulder, summit

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Weathered residuum weathered from basalt

Typical profile

H1 - 0 to 16 inches: very stony loam

H2 - 16 to 20 inches: unweathered bedrock

Properties and qualities

Slope: 3 to 25 percent

Depth to restrictive feature: 12 to 20 inches to lithic bedrock

Natural drainage class: Well drained

Runoff class: High

Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum in profile: 5 percent

Available water storage in profile: Very low (about 1.1 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 7s

Hydrologic Soil Group: D

Ecological site: Basalt Hill 7-12" (R051XY277CO)

Exhibit J

Vegetation Information

Vegetation Information

A summary of the native vegetation for this soil and area are provided in Exhibit E. This includes a variety of dry-land grasses including Blue Grama, Western Wheatgrass, Slender Wheatgrass, Russian Wild Rye, and Alkali Sacaton. Also present are smaller amounts of fourwing saltbush, rabbitbrush, and sand dropseed. None of the current or proposed mining operations will significantly impact the vegetative capabilities of the site.

With the exception of the south end of the boundary at the base of the mesa, the site was undeveloped and mostly unused prior to the commencement of mining operations. That portion at the bottom of the mesa was employed partly as farmland, and partly as a farming operation and maintenance area.

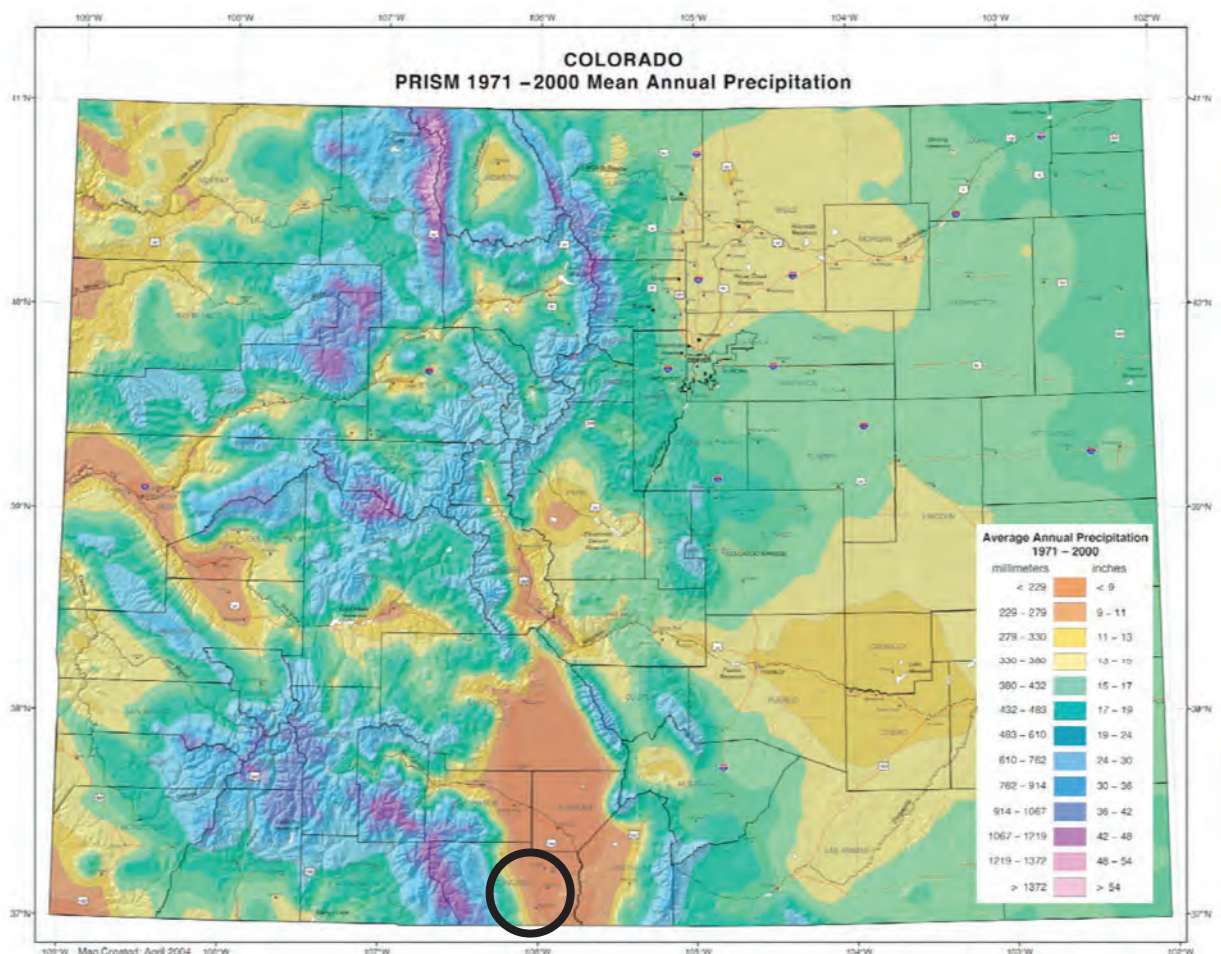
Exhibit K

Climate Information

Climate Information

The San Luis Valley is situated in South-Central Colorado. It is defined by the Sangre de Cristo Mountain Range to the east and the San Juan and La Garita Mountain Ranges to the west. This area covers approximately 7500 square miles and sits at an average elevation of 7500 feet. Although the valley itself is arid, the surrounding mountains provide snowmelt to support extensive farming in the valley.

As a result of the surrounding mountain range barriers, the valley is an extremely arid climate with most areas receiving between seven and nine inches of precipitation annually. The town of Antonito averages 8.35 inches of precipitation annually. The majority of precipitation falls during the summer months, particularly in July and August when the North American Monsoon is active and feeding moisture into the area from the southwest. During these months, scattered afternoon thunderstorms can produce locally heavy rain and occasional hail.



Temperatures

The normal monthly mean temperature ranges from approximately 16°F in January to 65°F in July. The aridity depresses normal seasonal snowfall to approximately 30 inches a year. The altitude and dryness of the air cause day–night temperature differences to be severe year-round, averaging 35.4 °F throughout the year.

Climate data for Alamosa, Colorado (1981–2010 normals, extremes 1906–present)													
Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Year
Record high °F (°C)	63	66	76	82	90	95	96	91	88	81	71	63	96
	-17	-19	-24	-28	-32	-35	-36	-33	-31	-27	-22	-17	-36
Mean maximum °F (°C)	48.6	53.9	65.2	73.2	81.5	88.2	89.9	86.8	82.3	74.3	62.6	50.8	90.5
	-9.2	-12.2	-18.4	-22.9	-27.5	-31.2	-32	-30	-27.9	-23.5	-17	-10.4	-32.5
Average high °F (°C)	34.3	39.9	50.1	59.3	69.1	78.6	82.3	79.5	73	61.7	46.9	35.2	59.2
	-1.3	-4.4	-10.1	-15.2	-20.6	-25.9	-28	-26	-22.8	-16.5	-8.3	-1.8	-15.1
Average low °F (°C)	-1.7	5.7	16.9	24.4	33.4	40.6	46.9	45.9	36.9	24.5	12.1	0.5	23.8
	(-18.7)	(-14.6)	(-8.4)	(-4.2)	-0.8	-4.8	-8.3	-7.7	-2.7	(-4.2)	(-11.1)	(-17.5)	(-4.5)
Mean minimum °F (°C)	-17.5	-13.6	0.3	10	20.4	30	38.4	37.3	24.1	8.9	-6.3	-17.3	-22.8
	(-27.5)	(-25.3)	(-17.6)	(-12.2)	(-6.4)	(-1.1)	-3.6	-2.9	(-4.4)	(-12.8)	(-21.3)	(-27.4)	(-30.4)
Record low °F (°C)	-50	-35	-18	-6	11	23	28	29	15	-9	-30	-42	-50
	(-46)	(-37)	(-28)	(-21)	(-12)	(-5)	(-2)	(-2)	(-9)	(-23)	(-34)	(-41)	(-46)
Average precipitation inches (mm)	0.26	0.26	0.53	0.59	0.58	0.49	0.97	1.27	0.91	0.68	0.42	0.35	7.31
	-6.6	-6.6	-13	-15	-15	-12	-25	-32	-23	-17	-11	-8.9	-185.1
Average snowfall inches (cm)	4	3.8	5	3.6	0.9	0	0	0	0	2.1	3.7	4.5	27.6
	-10	-9.7	-13	-9.1	-2.3	0	0	0	0	-5.3	-9.4	-11	-69.8
Average precipitation days (≥ 0.01 in)	3.5	3.9	5.4	5.2	5.6	5.1	8.1	10	6.8	4.7	3.9	4.5	66.7
Average snowy days (≥ 0.1 in)	3.6	3.6	4.2	2.5	0.9	0	0	0	0	1.1	2.8	4.2	22.9

Exhibit L

Reclamation Costs

Reclamation Costs

After rough grading is accomplished self-elevating scrapers will be used to place fine grain material to a depth of approximately 6-inches (28,000 cubic yards approximately). The maximum haul distance will be approximately 1/4-mile. The average haul distance will be roughly 600-feet.

It is estimated that if independent contractors were hired by the State of Colorado to perform reclamation of the site, the cost would be broken out as follows:

•	Mobilization	\$8,000
•	Seed & Mulch	\$9,000
•	"Topsoil" Placement	\$9,000 (fine grain materials to a depth of 6-inches)
•	Grading	\$6,000
•	Planting	\$4,000
•	Water	\$800
•	Demobilize	\$8,000
	Total =	\$44,800
	5% Contingency=	\$2,240
	Total Cost =	\$47,040

The total cost would be about \$47,040. The entire pit is 34.807 acres more or less, so the costs of reclamation for the pit would be \$1,080 per acre.

Exhibit M

Other Permits and Licenses

Other Permits and Licenses

There are no other permits or licenses for this operation.

Exhibit N

Source of Legal Right-To-Enter

Lawrence D. Gallegos Recp. No: 11000814
 Conejos County Clerk and Recorder Page: 1 of 1
 Recorded: 6/14/2011 8:20 AM Rec Fee: \$11.00
 Doc Fee: \$4.00 Min Fee: \$0.00

WARRANTY DEED

THIS DEED, Made this day of June 8, 2011, between

ANICETO B. LUCERO AND JEANNETTE LUCERO

of the County of CONEJOS, in the State of COLORADO, grantor, and

RANDALL L. ROBINS AND LOU ANN ROBINS

whose legal address is P.O. BOX 212, ANTONITO, CO 81120 of the County of CONEJOS
 in the State of COLORADO, grantees:

WITNESSETH, that the grantor, for and in consideration of the sum of Forty thousand exactly (\$ 40,000.00) DOLLARS, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantees, THEIR heirs and assigns forever, not in tenancy in common but in joint tenancy, all the real property, together with improvements, if any, situate, lying and being in the County of CONEJOS and State of COLORADO, described as follows:

THE NW1/4 SE1/4 OF SECTION 15, TOWNSHIP 33 NORTH, RANGE 8 EAST OF THE N.M.P.M. TOGETHER WITH ANY AND ALL WATER APPURTAINING TO SAID LAND.

TOGETHER WITH A 50 FOOT ACCESS EASEMENT FOR INGRESS AND EGRESS AND UTILITIES ALONG THE WEST BOUNDARY LINE OF THE SW1/4 SE1/4 OF SECTION 15, TOWNSHIP 33 NORTH, RANGE 8 EAST N.M.P.M. SAID ACCESS EASEMENT IS AN EXISTING ROAD WHICH BEGINS ON CONEJOS COUNTY ROAD "H" AND CONTINUES NORTH TO SUBJECT PROPERTY BEING PURCHASED IN THIS DEED.

GRANTOR'S, THEIR HEIRS AND ASSIGNS, RESERVE A 50 FOOT DITCH AND ROAD EASEMENT ALONG THE SOUTH BOUNDARY LINE OF THE NW1/4 SE1/4 OF SECTION 15, TOWNSHIP 33 NORTH, RANGE 8 EAST, N.M.P.M. FOR ACCESS TO SPRINKLER PIVOT AND MAINTENANCE.

also known by stroot and number as VACANT LAND, WEST OF ANTONITO, CO 81120

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the said grantees. THEIR heirs and assigns forever. And the grantor, for themselves, THEIR heirs and personal representatives, does covenant, grant, bargain and agree to and with the grantees, THEIR heirs and assigns, that at the time of the enrolling and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, EXCEPT FOR TAXES FOR THE CURRENT YEAR AND SUBSEQUENT YEARS, EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS AND RIGHTS- OF-WAY OF RECORD, IF ANY.

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantees, THEIR heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF the grantor has executed this deed on the date set forth above.

Aniceto B. Lucero
 ANICETO B. LUCERO

Jeannette B. Lucero
 JEANNETTE LUCERO A/K/A JEANNETTE B. LUCERO

STATE OF COLORADO

COUNTY OF CONEJOS

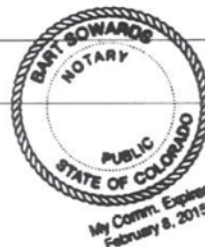
The foregoing instrument was acknowledged before me on June 8, 2011 by:

ANICETO B. LUCERO AND JEANNETTE LUCERO A/K/A JEANNETTE B. LUCERO

My commission expires: February 8, 2015

Witness my hand and Official seal.

Bart Sowards
 Notary Public





P.O. Box 212, Antonito CO 81120 / 719-376-2351

August 13, 2020

To Whom it may concern and Mr. Randall L. Robins
Robins Construction Co., L.L.P.
P.O. Box 212
Antonito, CO 81120

Re: Robins Rock Pit
9501 County Rd H
Antonito, CO 81120

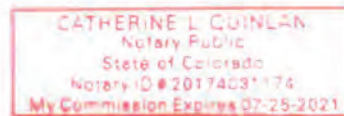
Dear Mr. Robins:

We, the undersigned, Randall L. and Lou Ann Robins, are the owners of that real property situated in the NW 1/4SE1/4 Section 15, T.33 N., R. 8 E., N.M.P.M., Conejos County, Colorado as shown on that Warranty Deed filed in the Office of the Conejos County Clerk at Reception Number 11000814, which is currently permitted by The Colorado Mined Reclamation Board for 9.8 Acres and which will be expanded to approximately 41 acres, do hereby give Robins Construction Co., L.L.P. and its successors and assigns permission to enter said property to operate the rock quarry thereon and to reclaim said property upon cessation of mining until the Colorado Division of Reclamation and Mine Safety has approved the property's reclamation.

Randall L. Robins

Lou Ann Robins

State of Colorado
County of Conejos



The foregoing instrument was acknowledged before me this 15th day of August 2020 by
Randall L. Robins and Lou Ann Robins

(Signature of Notary)
(Commission Expiration Date) 07-25-2021

SUMMIT ENGINEERING CO | ENGINEERS & LAND SURVEYORS

Mail: P.O. Box 1897 Alamosa, CO 81101

P: 719-589-6147

E: summitengco@gmail.com



Summit Engineering Co. Engineers & Land Surveyors

Mailing Address: P.O. Box 1897 Alamosa, CO 81101

Location: 1317 State Avenue Alamosa, CO 81101

Phone: (719) 589-6147 Fax: (719) 589-6633

Email: summitengco@gmail.com

August 13, 2020

To Whom it may concern and Mr. Randall L. Robins
Robins Construction Co., L.L.L.P.
P.O. Box 212
Antonito, CO 81120

Re: Robins Rock Pit
9501 County Rd H
Antonito, CO 81120

Dear Mr. Robins;

I, the undersigned, Antonio Lucero, as agent for Jeannette Lucero owner of that real property situated in the SE1/4 Section 15, T.33 N., R. 8 E., N.M.P.M., Conejos County, Colorado and adjacent to Robins Rock Pit as shown on the attached map which is currently permitted by The Colorado Mined Reclamation Board for 9.8 Acres and which will be expanded to approximately 41 acres, do hereby give Robins Construction Co., L.L.L.P. and its' successors and assigns permission to enter the said adjacent property to reclaim said property upon cessation of mining until the Colorado Division of Reclamation and Mine Safety has approved the property's reclamation.

Antonio Lucero
Agent for Jeanette Lucero

State of Colorado
County of Conejos



The foregoing instrument was acknowledged before me this 13th day of August 2020 by Antonio Lucero

Catherine L. Quinlan (Signature of Notary)

(Commission Expiration Date) 7-25-2021

Mail: P.O. Box 1897 Alamosa, CO 81101 P: 719-589-6147 E: summitengco@gmail.com



Exhibit O

Owners of Record of Affected Land (Surface Area) and Owners of Substance to be Mined

Owners of record (surface area) & owners of substance to be mined

Randall L. Robins and Lou Ann Robins are the owners of record and mineral rights to be mined.

Exhibit P

Municipalities Within Two Miles

Municipalities Within Two Miles


THERE ARE NO MUNICIPALITIES WITHIN A TWO MILE RADIUS. The following communities are the closest municipalities to the site, and are between three and four miles from the permit boundary.


1. Conejos (Unincorporated County Seat of Conejos County) – 3.3 miles distant
2. Town of Antonito – 4 miles distance
307 Main Street
Antonito, CO 81120
719-376-2355

See vicinity map in Exhibit B.

Exhibit Q

Proof of Mailing of Notices to County Commissioners and Conservation District

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete Items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> <i>Tamera Casas</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Tamera Casas</i></p> <p>C. Date of Delivery <i>7-29-20</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p>	
<p>1. Article Addressed to: <i>Conejos County Clerk PO Box 127 Conejos, CO 81129</i></p>  <p>9590 9402 4951 9063 0785 07</p>		<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>	
<p>2. Article Number (Transfer from service label) <i>7019 0700 0001 0502 7681</i></p>		<p>Domestic Return Receipt</p>	
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p>			

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete Items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> <i>Cheryl Raybal</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Cheryl Raybal</i></p> <p>C. Date of Delivery <i>7/28/20</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p>	
<p>1. Article Addressed to: <i>Conejos County BOCC PO Box 157 Conejos, CO 81129</i></p>  <p>9590 9402 4951 9063 0784 91</p>		<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>	
<p>2. Article Number (Transfer from service label) <i>7019 0700 0001 0499 1235</i></p>		<p>Domestic Return Receipt</p>	
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p>			


SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete Items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> <i>Arlene Sandoval</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Arlene Sandoval</i></p> <p>C. Date of Delivery <i>7-28-20</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>	
<p>1. Article Addressed to: <i>Conejos County District Conservancy 101 S Craft Drive, Suite A Alamosa, CO 81101</i></p>  <p>9590 9402 4951 9063 0785 14</p>		<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>	
<p>2. Article Number (Transfer from service label) <i>7019 0700 0001 0502 7698</i></p>		<p>Domestic Return Receipt</p>	
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p>			

Exhibit R

Proof of Filing with County Clerk or Recorder

Nathan Ruybal Recp. No: 20000643
Conejos County Clerk and Recorder Page: 1 of 8
Recorded: 5/18/2020 11:39 AM Rec Fee: \$0.00
Doc Fee: \$0.00 EF: \$0.00
Min Fee: \$0.00 RS: \$0.00

**CONEJOS COUNTY RESOLUTION NUMBER C-21-20
A RESOLUTION APPROVING A SPECIAL USER PERMIT
FOR EXTRACTION OF LARGE ROCK/MINING
ROBINS CONSTRUCTION CO., LLLP**

Special Use Permit for a 112 Permit Extraction of Large Rock/Mining

WHEREAS, Robins Construction Co., LLLP submitted an application per the Conejos County Land Use Code, Article 3 – Application and Review Procedures for the purpose of a Special Use Permit for the real property more particularly described below as:

The Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ in Section 15, of Township 33 North, in Range 8 East of the NMPM; Conejos County, State of Colorado, 40 acres M/L.

Assessor's Schedule # 598515400048

WHEREAS, a public hearing was held before the Conejos County Planning Commission on February 19, 2020, upon proper notice to adjoining land owners and publication in a legal newspaper of general circulation in Conejos County, State of Colorado; and,

WHEREAS, a hearing has been duly conducted by the members of the Conejos County Planning Commission at which hearing interested persons were given an opportunity to be heard; and,

WHEREAS, the Planning Commission recommended approval of the applicant's Special Use Permit for Large Rock Extraction/Mining; and,

WHEREAS, a public hearing was held before the Board of Conejos County Commissioners on March 5, 2020, upon proper notice to adjoining landowners and publication in a legal newspaper in general circulation on the County of Conejos, State of Colorado; and,

WHEREAS, a hearing has been duly conducted by the members of the Board of Conejos County Commissioners at which hearing interested persons were given an opportunity to be heard and the applicant agreed to continue the hearing to May 7, 2020 to confer with and negotiate conditional use terms with the Conejos County Attorney, the Conejos County Land Use Office and Conejos County Road & Bridge Office to address public concerns which arise from applicant's Special Use Permit application; and,

WHEREAS, the Board of County Commissioners has concluded that the Special Use Permit for Large Rock Extraction/Mining shall be granted with the following conditions;

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF CONEJOS COUNTY COMMISSIONERS:

RESOLUTION C-21-20 IN ON FILE IN THE CLERK &
RECORDER'S OFFICE (In the Vault) PAGES 6-8
ARE NOT LEGIBLE ON SCANNED DOCUMENT.

Nathan Ruybal Recp. No: 20000643
Conejos County Clerk and Recorder Page: 2 of 8
Recorded: 5/18/2020 11:39 AM Rec Fee: \$0.00
Doc Fee: \$0.00 EF: \$0.00
Min Fee: \$0.00 RS: \$0.00

SECTION 1. The real property (40 acres) which is subject to this Special Use Permit is located and legally described as:

The Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ in Section 15, of Township 33 North, in Range 8 East of the NMPM; Conejos County, State of Colorado, 40 acres M/L.

Assessor's Schedule # 598515400048

SECTION 2. The Special Use Permit for Large Rock Extraction/Mining is hereby granted with the following terms and conditions:

A. The permit for Large Rock Extraction/Mining shall comply with the Permit Conditions set forth in the Conejos County Land Use Code, Article 5, Permits – Division 5.2 Land Use Permits – Section 5.520 Permit Conditions:

I. **Term of Permit:** This Special Use Permit shall remain valid for the duration of the 20 acre mining permit issued by the Colorado Division of Reclamation, Mining and Safety. This Special Use Permit authorizes the mining, pursuant to this Special Use Permit, of the 20 acres depicted in the attached survey. See Attachment A. Should the Permit issued by the State for these 20 acres be revoked, amended, or expanded, this Special Use Permit shall be automatically revoked and or lapsed. Commencement of the approved land use must begin and proceed in compliance with the conditions of the permit within three (3) years of the date the permit was issued. The Special Use Permit shall be deemed lapsed if there is no operational conduct of the approved land use for a continuous period of eighteen (18) months.

II. Conditions:

- (1) **Hours of Operation:** The applicant may operate its mine from Monday –Friday, 7:00 am–7:00 pm, and on Saturday, 8:00 am–5:00 pm;
- (2) **Speed Limit:** The applicant agrees to limit the speed of its trucks to 25 mph on ingress/egress County roads to its above described mine excepting travel within a $\frac{1}{4}$ mile of residential land owners where the speed of the trucks will be limited to 15 mph.
- (3) **Restricted Routes:** The hauling of any material shall be restricted to the following routes highlighted in blue in the attached Maps. See Attachment B. Unless an emergency exists, all hauling of material shall be restricted to those routes. If an emergency exists, the Applicant shall call Land Use as soon as practicable to explain and document the emergency. Applicant may use county roads to reach a job site.

Cultural Events, Festivities, and Funerals: To the extent possible, applicant shall avoid hauling on County Road H during funerals or cultural events or festivals relating to or occurring at the Catholic Church, jury trials at the Conejos County Courthouse, or any festivals or cultural events on Veteran's Boulevard. The applicant shall use one of the other restricted routes during such events. To the extent possible the Land Use Office and the Applicant shall attempt to

Nathan Ruybal Recp. No: 20000643
Conejos County Clerk and Recorder Page: 3 of 8
Recorded: 5/18/2020 11:39 AM Rec Fee: \$0.00
Doc Fee: \$0.00 EF: \$0.00
Min Fee: \$0.00 RS: \$0.00

determine ahead of time the upcoming cultural events, festivals, funerals, and jury trials. In some circumstances, neither the applicant nor the Land Use Office will have knowledge of an event and the applicant may haul a load without being aware of the event. In that case, hauling one load in front of the event shall not be deemed a violation of this special use permit.

- (4) **Water Spraying on Restricted Routes:** The applicant shall water a restricted route only on the days when the applicant hauls 18 or more loads using that particular route. When 18 or more loads are planned for a particular route for a certain day, the watering shall occur before and during that hauling day for a total of two sprayings for that day. The watering shall be limited to the portion of the restricted route that serves as an ingress or egress for a residence. Water shall not be applied to areas on the restricted route that are not near a residence. The applicant shall provide proof of the watering of said roadways to the Land Use Office. The special use road mitigation fee for loads hauled when restricted routes are sprayed with water by applicant shall be \$7.00 per load, no other provision of subsection (5) of paragraph A.II are modified by this provision.
- (5) **Cost/Load Mined:** Subject to the modification of the fee pursuant to subsection (4) of paragraph A.II of this special use permit, the applicant agrees to pay a special use road mitigation fee of \$10.00/load of mined material hauled from the mine toward maintenance and mitigation of dust on ingress/egress of Conejos County roads to its mine and in mitigation of any impact pursuant to Land Use Code 5.500B5. Said special use fee will be restricted toward the cost of replacing bridges and culverts and mitigating wash boarding of roads on the restricted routes. This ten (\$10.00) dollar/load sum shall increase/decrease by the cost of inflation as published annually by the United States Department of Treasury, but at no point shall the amount be adjusted below ten dollars per load. The applicant shall keep track of the number of loads of material hauled by the day, week, month and year over the term of this Special Use Permit. The applicant will submit its spreadsheet to the Conejos County Land Use Office at the time of the annual permit review for calculation of the number of trips on each restricted road, application of the fee credit or payment and annual inflation factor increase or decrease.

Prepayment: In lieu of payment into the special use road mitigation fund at the time the permit is issued, the applicant agrees to pre-pay into the restricted special use fund a one-time contribution, by supplying labor and materials to construct a steel and concrete bridge on Conejos County Road H, to replace the bridge known as "Lazaro's Bridge," approximately $\frac{3}{4}$ miles East of its mine, at a cost of \$134,800.00. Each load hauled from the mine will be credited back to the applicant by Conejos County toward the cost of constructing the bridge. Until such time as the number of loads @ \$10.00/load + annual inflation equals the cost of constructing the bridge, the applicant shall pay no additional sums into the fund. The Applicant agrees that it will forfeit any credit due back at the end of the permit, if any.

Nathan Ruybal Recp. No: 20000643
Conejos County Clerk and Recorder Page: 4 of 8
Recorded: 5/18/2020 11:39 AM Rec Fee: \$0.00
Doc Fee: \$0.00 EF: \$0.00
Min Fee: \$0.00 RS: \$0.00

The County accepts the attached proposal from the applicant as the fair market value of constructing a new bridge at Conejos County Road H. The construction of the bridge shall be in accordance with industry specification and standards and shall be inspected and approved by a professional engineer and by a county official or designee. The applicant shall warrant the bridge for workmanship 1 year. The applicant shall enter into a separate contract with Conejos County for the construction of said bridge. Should the construction of the bridge not occur, for any reason, the applicant shall pay the required road mitigation fee without any credit.

- III. **Extension of Permit:** An extension of the term of the permit may be requested by the applicant. A request for extension of the permit term requires a public hearing and recommendation by the Planning Commission and review and public hearing by the Board of Conejos County Commissioners. Any such request shall be made within the final eighteen (18) months of this permit and shall be subject to the Land Use Code's application for a new special use permit procedure.
- IV. **Transfer of Ownership:** Any permit for land use and mining approved in compliance with the Conejos County Land Use Code shall be binding upon the applicant, applicant's heir, and applicant's assigns. Further, this shall be construed as a covenant that runs with the land during the time the permit is in effect. The transfer of this permit to any new owner may occur only after a statement has been filed with the Conejos County Land Use Office by the transferee indicating that it/he/she will comply with the terms and conditions of this permit.
- V. **Change in Conditions of Permit:** Unless otherwise provided in the Conejos County Land Use Code, any proposal to change the permit conditions shall require a new Special Use Permit.
- VI. **Violations of Conditions of Permit:** Failure to comply with these permit conditions shall cause the permit to be revoked by the Board of the Conejos County Commissioners pursuant to the procedures set forth in Article 16 of the Conejos County Land Use Code.
- VII. **Complaint Procedure:** In the event that a formal written complaint is made concerning the operation, the Applicants shall initially handle the complaint. If the formal complaint is filed with Conejos County, the County shall, within 7 days, transmit the complaint to the Applicants. The Applicants and the County Land Use Office may meet with the complainant to resolve the complaint. The Applicants shall provide a written response to the complaint within 21 days of receiving the complaint. If the complaint cannot be resolved, the complaint will be referred to the Planning Commission, who shall review the complaint and offer recommendations to the Board of County Commissioners. The Board of County Commissioners shall then hold a hearing to determine the merits of the complaint. The Applicants and the County should strive to handle the complaint in a fair, transparent, and timely manner.
- VIII. **Other Compliance:** The applicant shall comply with the Colorado Division of Reclamation and Mine Safety rules and regulations (DRMS). A copy of the DRMS permit shall be provided to the Conejos County Land Use Office together with a

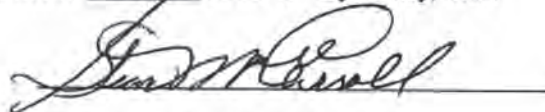
Nathan Ruybal Recp. No: 20000643
Conejos County Clerk and Recorder Page: 5 of 8
Recorded: 5/18/2020 11:39 AM Rec Fee: \$0.00
Doc Fee: \$0.00 EF: \$0.00
Min Fee: \$0.00 RS: \$0.00

survey of the platted mining area upon approval of this permit. The permit is subject to any and all applicable requirements now in effect or which County, State or Federal laws may establish or amend.

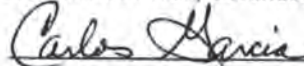
- IX. **Annual Review:** The Conejos County Land Use Office shall annually review this permit for compliance by the applicant of the terms and conditions set forth in this permit. The Conejos County Land Use Office shall incorporate any formal written complaints and steps taken to resolve the complaints in its review. The review shall take place during the month (May) in which this permit was originally approved. The
- X. **Non-Precedential Effect and Severability:** The County and the Applicant recognize that identifying the impacts caused by this special use permit is difficult. In particular, residential, recreational, and agricultural uses also cause dust, wash boarding and wear and tear on the restricted routes and its infrastructure. The requirements imposed in this special use permit are the best approximation in identifying and mitigating the impact caused by this special use while also considering the other uses on these particular routes. As such, this special use permit is a compromise between the County and the parties and should not be construed as precedent or binding on future special use permits. Further, because each part of this special use permit is integrated with other parts or requirements of this permit, should any section, subsection, clause, sentence, or phrase of this Special Use Permit be adjudged by any court of competent jurisdiction to be invalid, such invalidity shall affect, and impair, and invalidate this entire special use permit.

THIS RESOLUTION WAS CONSIDERED, DISCUSSED AND ADOPTED ON THE 12TH OF MAY, 2020 AT A PUBLIC MEETING OF THE BOARD OF CONEJOS COUNTY COMMISSIONERS AT WHICH A MAJORITY WERE PRESENT.

APPROVED on Motion by Commissioner McCarroll, Seconded by Commissioner Garcia and passed on a vote of 2-0 on the 12th day of May, 2020.



Steven McCarroll, Commissioner



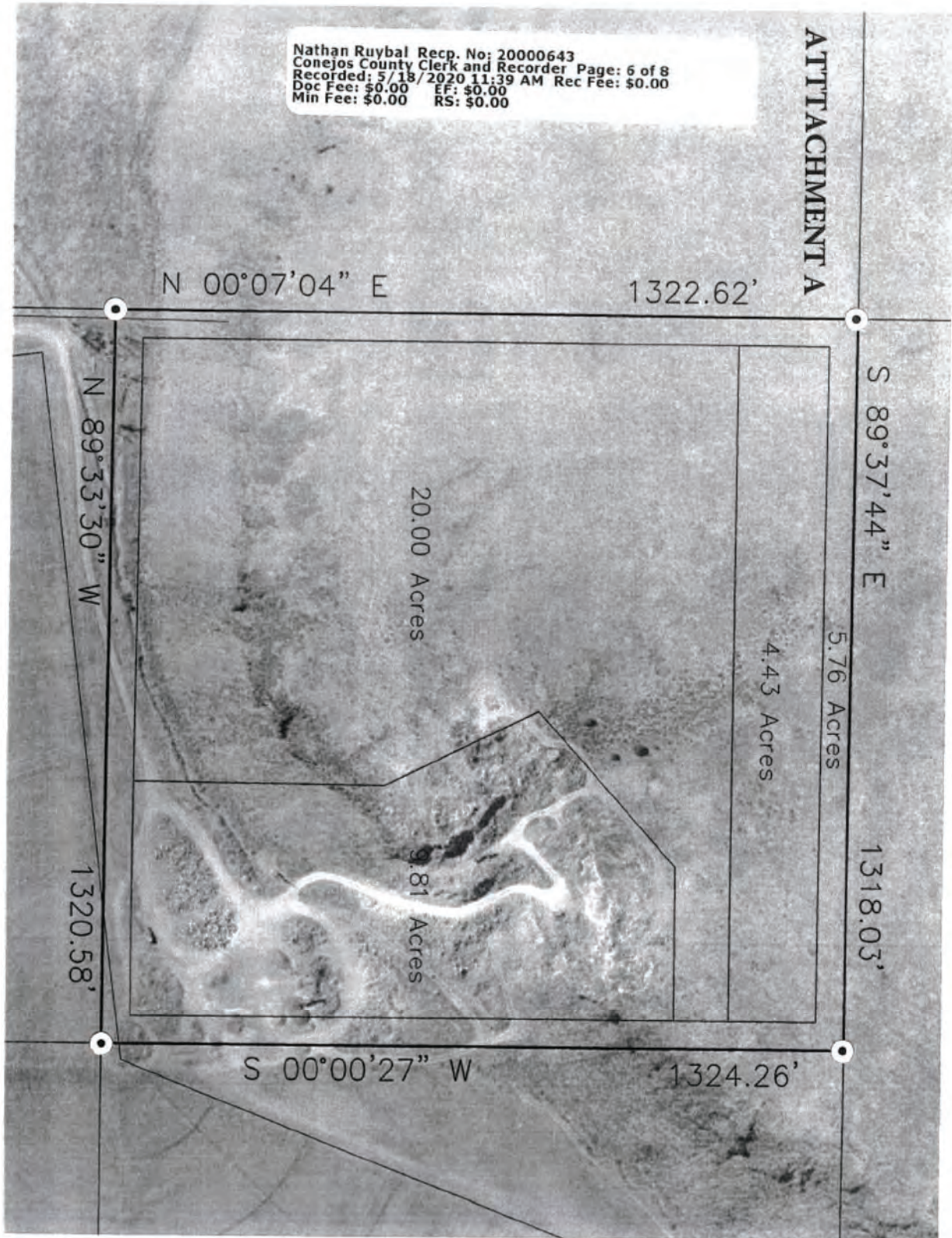
Carlos Garcia, Co-Chair, Commissioner

ATTEST:



Nathan Ruybal, Conejos County Clerk & Recorder





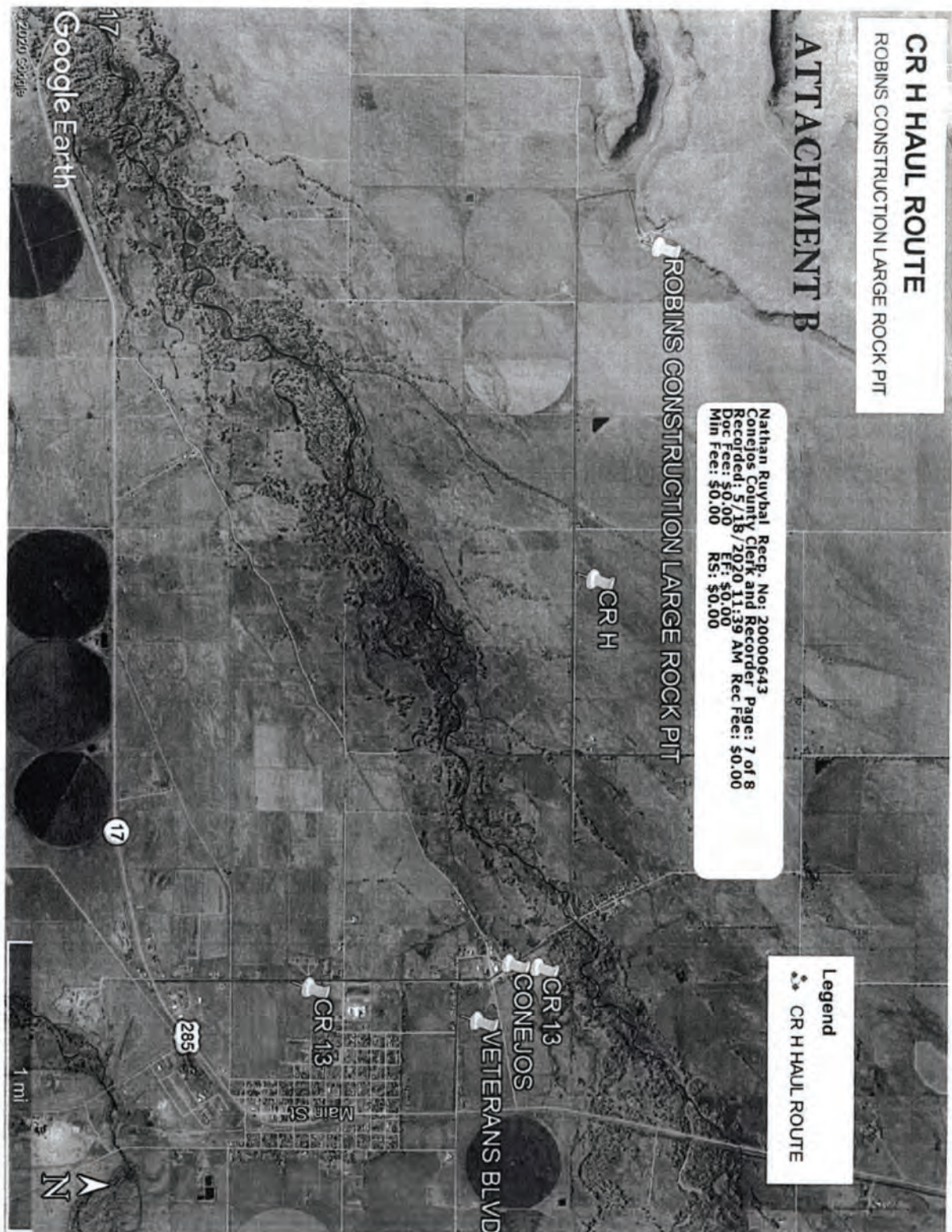


Exhibit S

Permanent Man-Made Structures

Permanent Man-Made Structures

The following man-made structures are located within 200 feet of the permit boundary, and can be seen in more detail on the maps provided herein.

- **Center Pivot Sprinkler:** This sprinkler is roughly 70 feet from the southeast corner of the permit boundary, and roughly 600 feet from the extent of mining excavation operations. The sprinkler serves the field south of the permit boundary.
- **3-Strand Barbed Wire Fence:** This is a north/south fence that runs roughly parallel to, and 25 feet away from, the east end of the permit boundary.
- **Gravel Road:** A 10-20ft wide gravel road from Conejos County Road H to the permit boundary is located at the base of the mesa along the edge of the circular alfalfa field.
- **Irrigation Ditch (Abandoned):** The Las Mesitas Ditch is located along the gravel road, and has been abandoned for nearly ten years and filled in through some of its length.

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:

1. Center Pivot Sprinkler
2. 3-Strand Barbed-Wire Fence
3. Gravel Road
4. Abandoned Irrigation Ditch (Las Mesitas Ditch)
- 5.

(Please list additional structures on a separate page)

SUMMIT ENGINEERING CO | ENGINEERS & LAND SURVEYORS

Mail: P.O. Box 1897 Alamosa, CO 81101

P: 719-589-6147

E: summitengco@gmail.com

CERTIFICATION

The Applicant, Robins Construction, LLLP (print applicant/company name),
by Randall L. Robins (print representative's name), as Partner (print
representative's title), does hereby certify that Jeanette Lucero (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 Robins Rock Pit (operation name),
File Number M-2009-053.

*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 Randall Robins Representative Name _____

Date 8-17-20 Title General Partner / owner

STATE OF Colorado)
) ss.

COUNTY OF Conejos)

The foregoing was acknowledged before me this 17th day of August, 2020, by
Randall L. Robins as _____ of _____.

Catherine L. Quinlan
Notary Public

My Commission Expires: 7/25/20

CATHERINE L. QUINLAN
Notary Public
State of Colorado
Notary ID # 20174031174
My Commission Expires 07-25-2021

SUMMIT ENGINEERING CO | ENGINEERS & LAND SURVEYORS

Mail: P.O. Box 1897 Alamosa, CO 81101

P: 719-589-6147

E: summitengco@gmail.com

NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner Antonio Lucero Name Antonio Lucero

Date 8/17/20 Title Manager / Owner

STATE OF Colorado)
) ss.

COUNTY OF Conjós)

The foregoing was acknowledged before me this 17th day of August, 2020, by
Antonio Lucero as _____ of _____.

Catherine L. Quinlan
Notary Public

My Commission Expires: 7-25-2021

CATHERINE L. QUINLAN
Notary Public
State of Colorado
Notary ID #20174031174
My Commission Expires 07-25-2021

RULE 1.6.2(1)(b)

ADDENDUM 1 - Notice Requirements

ADDENDUM 1 - Notice Requirements

RULE 6.5

Geotechnical Stability Exhibit

Geotechnical Stability Exhibit

Please see the Merrit, LS, L.L.C. report and the findings of a blasting survey conducted by Summit Engineering Co that are provided on the following pages.

Merritt LS, L.L.C.

743 Horizon Ct., Suite 100B

Grand Junction, CO 81506

(970) 255-7386

Fax: (970) 256-7386

Received
DEC 18 2007
Durango Field Office
Division of Reclamation,
Mining and Safety

Robins Rock Pit
111 Permit Application
Colorado Division of Reclamation, Mining and Safety
File No. M-2007-080

Effects of Blasting within the Immediate Area

December 17, 2007

By:

Thomas W. Sylvester,
P. E. 14249
P. L. S. 38005



Robins Construction Co. LLLP is applying for a mining permit through the Colorado Division of Reclamation, Mining and Safety, File No. M-2007-080. The mine is to be located in the NW1/4 SE1/4 Section 15, Township 33 North, Range 8 West of the New Mexico Principal Meridian, Conejos County, Colorado, approximately 4 miles northwest of Antonito, Colorado.

Robins Construction Co. has a lease to mine on property with the surface and mineral estates owned by Mr. Aniceto Lucero, P. O. Box 152, Antonito, Colorado. They intend to produce large size basaltic boulders for "J" hooks in an NRCS sponsored reclamation project on the Conejos River and crushed basaltic railroad ballast for the Cubres & Toltec Scenic Railroad.

Mining will require blasting of the massive basaltic flows at the mine site to produce the desired products. Because blasting is involved, the Division of Reclamation, Mining and Safety requires an engineering analysis as to the effects blasting will have on the surrounding area. This report is intended to meet that requirement.

The manmade structures within 200 feet of the mine site consist of barb wire fencing, irrigation pond and pump, Las Mesitas Ditch, and a farm service road. Las Mesitas Ditch is an earthen ditch and the pond is created by a low level earthen dam on the Las Mesitas Ditch. Although these structures are within 200 feet of the 9.7 acre permit site, none of them is within 200 feet of the proposed 2 1/2 acre active blasting area. The dam, a portion of the pond and a portion of the ditch are approximately 250 feet from the active blasting area at their nearest point. The mining faces will retreat from this nearest point resulting in an ever increasing distance from the blasting face. The final face will be approximately 700 feet from the nearest structures.

The pivot of a radial center pivot sprinkler irrigation system is approximately 750 to 800 feet south of the active blasting area.

The fences, farm road, pond and irrigation pump and sprinkler are all owned by Mr. Aniceto Lucero. It is my understanding that the mining lease contains language that will protect Mr. Lucero should damages occur to his property.

The nearest permanent residence is a vacant home approximately 0.8 miles to the southeast of the blasting area. The residence is located at 10421 County Road H, Antonito, Colorado, owned by Mr. William Haberkon.

Blasting will consist of drilling 3-inch blast holes on an approximate 3-foot by 5-foot pattern with holes approximating 18 feet deep. Initially, nine to ten holes will be shot in any one operation using millisecond delays. This will produce approximately 200 tons of material. As they approach their anticipated 50,000 ton per year production goals, blasting could occur on a daily basis for approximately 250 days per year using their nine- to ten-hole shot operation or on a less frequent basis shooting more holes per shot.

Each hole will contain approximately 1 stick of dynamite with approximately 20 pounds of ANFO prill. The nine- to ten-hole shot will utilize approximately 180 to 200

pounds of explosives. This amount of explosive results in a ratio of approximately 1 to 1.11 tons of material produced per pound of explosive used. This indicates a rather heavy load ratio. On site testing may determine that they can use a lighter load than initially anticipated.

The DuPont Blasters' Handbook, fifteenth edition, indicates that in order to keep the velocity of vibrations caused by blasting within acceptable levels for structures located 200 feet from the blast, 92 pounds of explosive maximum should be used per each delay in a multiple delay shot. For structures within 300 feet, 116 pounds of explosives is the maximum per delay. At the nearest point of 250 feet to structures in this operation, the extrapolated maximum amount of explosives per delay is 104 pounds. A portion of the DuPont table is produced below to use as a guide for determining numbers of delays per shot:

Distance for blast area to nearest structure, neither quarry owned nor leased, in feet.	Maximum quantity of explosives per shot for instantaneous firing or per delay, for delay firing in pounds.
100	75
200	92
300	116
400	140
500	176
600	209
700	259
800	330
900	403
1000	495
1200	770

The nine- to ten-hole shot pattern, fully loaded, would result in using at least 2 delays for the shot at the nearest location to the structures. When the face reaches its farthest distance to the structures of approximately 700 feet, 259 pounds of explosives is the listed maximum amount per delay. Shot sizes and the necessary number of delays must keep the maximum amount of explosives per delay within the distant dependent quantities listed in the table. Using millisecond delays will also reduce the effects of any blasting seismic vibrations.

If the recommendations are followed, there should be no damage to the structures mentioned above from the blasting operations.

In addition, I recommend that the operator have an inspection completed of each of the structures mentioned including the residence 0.8 miles away prior to commencing any blasting operations. Note any structural problems such as cracks, dents, un-level structures, etc. Numerous pictures should be taken as part of this report with the proper date and time of the pictures noted. The reports and pictures could be invaluable should a claim arise in the future regarding damages due to blasting.

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

Bill Ritter, Jr.
GovernorHarris D. Sherman
Executive DirectorRonald W. Cattany
Division Director
Natural Resource Trustee

DATE: December 19, 2007 ✓

TO: Kate Pickford ✓

FROM: Allen Sorenson ✓

RE: Review of Blasting Vibration Control Plan, Robins Construction, L.L.L.P.,
Robins Rock Pit, File No. M-2007-080 ✓

The Division of Reclamation, Mining, and Safety (DRMS) minerals program engineering section has reviewed the blasting report for the proposed Robins Rock Pit, prepared by Merritt LS, L.L.C. and dated December 17, 2007 (Merritt Report). The Merritt Report provides a good structure and template for the regulation of blasting at the proposed Robins Rock Pit. However, a number of details must be sufficiently addressed prior to DRMS consideration to approve or deny the permit application.

1. The maximum charge weight per delay criterion suggested in the Merritt Report was published in the 1960s, and has been superseded by the Scaled Distance Equation, which is based on investigations conducted by the U.S. Bureau of Mines in the 1980s. The Scaled Distance Equation is:

$$W = (D/D_s)^2$$

Where W = the maximum charge weight per 8 millisecond delay period, in lbs.

D = the distance from the blast location to potentially affected structures, in feet

D_s = the minimum scaled distances, which by definition are:

for D = 0 to 300 ft., D_s = 50

for D = 301 to 5000 ft., D_s = 55

and for D = 5001 ft. and beyond, D_s = 65

The DRMS will require that all blasting at the proposed quarry be conducted in accordance with the Scaled Distance Equation. The following table illustrates how the Scaled Distance Equation is used, and that anomalies occur at the regulatory D_s change distances of 301 and 5001 feet. These anomalies will not affect operations at the proposed Robins Pit because as explained in item no. 2 below, the location of the Haberkon House 0.8 miles from the blast site is the controlling factor for blasting.

DISTANCE - FT.	MINIMUM D _s	MAX. CHARGE WT./DELAY, LBS.
100	50	4.0
300	50	36.0
310	55	31.8
330	55	36.0
500	55	82.6

Office of
Mined Land Reclamation

Denver • Grand Junction • Durango

Office of
Active and Inactive Mines

Memo to Kate Pickford
Blasting Vibration Control Plan

2

December 19, 2007
File No. M-2007-080

DISTANCE – FT.	MINIMUM D _s	MAX. CHARGE WT./DELAY, LBS.
1,000	55	330.6
2,000	55	1,322.3
4,224 (Haberkon House)	55	5,898.2
5,000	55	8,264.5
5,100	65	6,156.2

2. Reference to the table above shows that the Scaled Distance Equation is rather restrictive for blasting in close proximity to potentially affected structures. The nearby (within 200 feet) structures to the proposed blasting are barb wire fencing, irrigation pond and pump, Las Mesitas Ditch, and a farm service road. There is an irrigation pivot 750 feet from the blasting location, and, as mentioned above, there is a house owned by Mr. William Haberkon located 0.8 miles from the blasting. The Scaled Distance Equation is designed to limit blasting vibrations to a point where preexisting cracks in plaster walls will not extend or separate as a result of the vibration level imposed. Therefore, the types of structures that are closer to the blasting than the Haberkon House are not the types of structures that are very sensitive to blasting vibration, and the Haberkon House is the logical control structure for proposed blasting operations. Reference to the table in item no. 1 above shows that 5,898 pounds of explosive could be shot in the proposed pit and be protective of the Haberkon House. This amount of explosive is orders of magnitude greater than that proposed in the permit application.
3. The Merritt Report suggests that pre-blast surveys of all nearby structures out to the Haberkon House be conducted. The DRMS will make it a permit requirement to conduct pre-blast surveys of the fences, farm road, pond and irrigation pump, and sprinkler. The pre-blast survey must be conducted prior to initiation of blasting in the pit, and the pre-blast survey reports must be provided to the DRMS for inclusion into the permit file. The DRMS endorses the Merritt Report suggestion to conduct a pre-blast survey of the Haberkon House, but will not make such a survey a requirement of the permit since the house is outside that one half mile radius in which pre-blast surveys are typically required.
4. The DRMS requires all Operators using explosives to complete a blasting report for each shot. The report must be retained by the Operator for at least 3 years and be available for inspection by the DRMS on demand. The record shall contain the following data:
 - a. Location, date, and time of blast;
 - b. Name, signature, and license number of blaster-in-charge;
 - c. Identification, direction and distance, in feet, from the nearest blast hole to the nearest potentially affected structure, such as any dwelling, school, church, or community or institutional building either:
 - i. not located in the permit area; or
 - ii. Not owned nor leased by the person who conducts the mining operations.
 - d. Weather conditions, including temperature, wind direction, and approximate velocity;
 - e. Type of material blasted;
 - f. Sketches of the blast pattern including number of holes, burden, spacing, and delay pattern. Sketches shall also show decking, if holes are decked to achieve different delay times within a hole;

Memo to Kate Pickford
Blasting Vibration Control Plan

3

December 19, 2007
File No. M-2007-080

- g. Diameter and depth of holes;
- h. Types of explosives used;
- i. Total weight of explosives used per hole and maximum weight of explosives used per 8-millisecond period;
- j. Initiation system;
- k. Type and length of stemming;
- l. Mats or other protections used;
- m. Type of delay detonator and delay periods used;
- n. Number of persons in the blasting crew; and
- o. Seismographic records, where required, including:
 - i. Type of instrument, sensitivity, and the calibration signal of the gain setting or certification of annual calibration;
 - ii. Exact location of instrument and the date, time and its distance from the blast;
 - iii. Name of the person and firm taking the reading;
 - iv. Name of the person and firm analyzing the seismographic record;
 - v. The vibration level recorded.

cc: Tony Waldron, DRMS (*via email*)
Carl Mount, DRMS (*via email*)

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**SUMMIT ENGINEERING CO
PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

P.O. Box 1897
ALAMOSA, COLORADO 81101
(719)589-6147 FAX(719) 589-6633
EMAIL: seco6147@qwestoffice.net

December 22, 2009

Mr. Michael A. Cunningham
Environmental Protection Specialist
Colorado Division of Reclamation, Mining & Safety
1313 Sherman Street, Room 215
Denver, CO 80203

Re: Robins Rock Pit; DRMS File No. M-2009-053; Preliminary Adequacy Review

Dear Mr. Cunningham;

Summit Engineering conducted a pre-blast survey of the area near the above captioned Pit on December 9, 2009. We have enclosed photographs and note that the dwellings approximately one mile east north-east of the pit have been abandoned for some time and that the electric service is disconnected and the meter has been removed.

The adobe home has a significant portion of the roof missing, and the two mobile homes have significant damage to the plumbing because they have not been properly winterized. In addition they appear to be infested with rodents and are likely to harbor hanta virus. It does not seem likely that these homes are any longer habitable; never the less, no damage due to blasting is evident at these structures. The blue barn and surrounding livestock are owned by Mr. Aniceto Lucero, lessor of the Pit property. Mr. Lucero has informed us that no damage has occurred to this barn or his livestock due to blasting activities.

Closer to the pit, the irrigation pump and center pivot sprinkler have likewise not been damaged, and the pond, which is dry has no rock-fall contained within it. Hopefully, these photographs together with this short narrative description satisfy the pre-blast survey requirements.

Yours truly,

Scott E. Johnson

xc: Robins Construction Co., L.L.L.P.

Support Information

Photographs



Photo 1: Summit Blasting Survey Photo



Photo 2: Summit Blasting Survey Photo



Photo 3: Summit Blasting Survey Photo



Photo 4: Summit Blasting Survey Photo



Photo 5: Summit Blasting Survey Photo



Photo 6: Summit Blasting Survey Photo



Photo 6: Summit Blasting Survey Photo

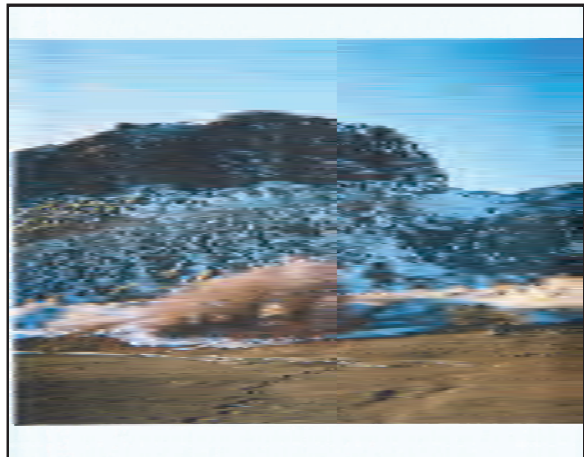


Photo 8: Summit Blasting Survey Photo



Photo 9: Summit Blasting Survey Photo



Photo 10: Summit Blasting Survey Photo

Monumented Land Survey

See the following sheet.

This concludes the Robins Rock Pit 112-C application.