

Date: August 27, 2021

Colorado Sand Company LLC Brady C. Reece 9590 E Grand Ct Greenwood Village, CO 80111 (970) 978-9858 Colorado Division of Reclamation, Mining and Safety Attn: Mine Land Reclamation Board 1313 Sherman St. – Room 215 Denver, CO 80203 (303) 866-3567

Subject: Request to the Board for Reconsideration of Previous Approval – Keenesburg No. 2 Mine – Permit No. M-2019-058

Dear Mine Land Reclamation Board,

Colorado Sand Company LLC (CSC) respectfully requests the Board to reconsider the previously approved Keenesburg No. 2 Mine Permit (No. M-2019-058). CSC has completed the renotification process pursuant to the Public Notice Procedures outlined in Construction Materials Rule 1.6. Please see new verification of all required public notices and expiration of the comment period. The notices sent are as follows:

- 1. CSC sent a letter to the Division confirming our wish to pursue reconsideration of the previously approved permit.
- 2. A copy of the approved application, all required exhibits and adequacy review responses have been sent to the County Clerk and Recorder.
- 3. A notice of the Application was sent and received by the local Board of County Commissioners.
- 4. A notice of the Application was sent and received by the Board of Supervisors of the Soil Conservation District.
- 5. Notices were posted at the mine site.
- 6. A public notice was posted in a newspaper of general circulation in the locality of the proposed mining operation. It was published four times, once a week for four consecutive weeks.
- 7. Immediately after the first publication, a copy of the notice was sent to all Owners of Record of the surface and mineral rights of the affected land and the Owners of Record of all land surface within 200 feet of the boundary of the affected lands.

CSC requests a new deadline for submittal of the Financial and Performance Warranties of one calendar year (August 27, 2022). Please contact me at (970) 978-9858 or via email at breece@capitalsand.com with any questions or comments.

Respectfully,

Brady Reece



1. CSC sent a letter to the Division confirming our wish to pursue reconsideration of the previously approved permit



Date: July 15, 2021

Colorado Sand Company LLC Brady C. Reece 9590 E Grand Ct Greenwood Village, CO 80111 (970) 978-9858 Colorado Division of Reclamation, Mining and Safety Attn: Eric Scott 1313 Sherman St. – Room 215 Denver, CO 80203 (303) 866-3567

Subject: Response to Colorado Division of Reclamation, Mining and Safety – Past 365d Notice Letter – Keenesburg No. 2 Mine – Permit No. M-2019-058

Dear Mr. Scott,

This letter is to give confirmation that Colorado Sand Company LLC wishes to pursue reconsideration of the previously approved Keenesburg No. 2 Mine Permit (No. M-2019-058). We have started the process of renotification in accordance with the notifications and comment provisions of Rule 1.6 and will provide proof of all required public notices to the Division when complete.

Please contact me at (970) 978-9858 or via email at breece@capitalsand.com with any questions or comments.

Respectfully,

Brady Reece

cc: D. Patterson, Colorado Sand Company LLC

Brady Reece

From: Scott - DNR, Eric <eric.scott@state.co.us> Sent: Friday, July 16, 2021 8:29 AM To: Brady Reece Subject: Re: CSC Confirmation of a Request for Reconsideration</eric.scott@state.co.us>	
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

Caution! This message was sent from outside your organization. Allow sender | Block sender

Perfect - thank you.

On Fri, Jul 16, 2021 at 6:14 AM Brady Reece < breece@capitalsand.com > wrote:

Eric,

Please see attached Colorado Sand's confirmation of a request for reconsideration. Thank you

Best,

Brady

Brady Reece | M: (970) 978-9858



2. A copy of the approved application, all required exhibits and adequacy review responses have been sent to the County Clerk and Recorder

	The second s	f and the second se	
	U.S. Postal Service [™] CERTIFIED MAIL [®] RECEIPT	SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
m	Domestic Mail Only	 Complete items 1, 2, and 3. Print your name and address on the reverse 	A. Signature
92	For delivery information, visit our website at www.usps.com®.	so that we can return the card to you.	X M DAddressee
47 5	Greeter CE 8662 IAL USE	Attach this card to the back of the mailpiece, or on the front if space permits.	B. Received by (Printed Name) Corey McGee
	\$2.9F U181	1. Article Addressed to:	D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No
	Extra Services & Fees (check box, add fee an properties) Batum Receipt (marcboxy) & 97.1 400 Batum Receipt (marcboxy) & 97.1 50 Batum Receipt (marcbox) & 97.1 5 Batum Recei	Weld County Cleak & Recorden	
000	Certified Mail Restricted Delivery \$ \$1.00	1250 H St.	
1	Adult Signature Required \$ \$\; UU Adult Signature Restricted Delivery \$	i status	
20	Postage \$20.35	Greely Co 80631	
ED	S 07/23/2021		3. Service Type
-	\$		□ Adult Signature Restricted Delivery □ Registered Mail™ □ Adult Signature Restricted Delivery □ Registered Mail Restricted Delivery
12.1	Street and Apt. No. of PO Box No.		□ Certified Mall Restricted Delivery □ Signature Confirmation™ □ Collect on Delivery □ Signature Confirmation
F	City, State, ZiP+4*	2 Article Number (Transfer from service label)	Collect on Delivery Restricted Delivery Restricted Delivery
	Greety C0 906/3 PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	7021 0350 0000 0247 5923	
		PS Form 3811, July 2020 PSN 7530-02-000-9053	Domestic Return Receipt



3. A notice of the Application, was sent and received by the local Board of County Commissioners





4. A notice of the Application, was sent and received by the Board of Supervisors of the Soil Conservation District

U.S. Postal Service" Constitution of the service o	COMPLETE THIS SECTION ENDER: COMPLETE THIS SECTION 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 mailplece, or on the front if space permits. 1. Article Addressed to: Southcast Well Consecution Distratt S7 Wat Browley Long B aiskien Co Youl- 2025
5 20133 07/23/2021 Total Postage and Fg7.00 5 5 Sont To Sont To 5	Service Type Adult Signature Restricted Delivery Service on Delivery Signature Restricted Delivery Certified Mail Restricted Delivery Certified Mail Restricted Delivery Collect on Delivery Collect on Delivery Collect on Delivery Collect on Delivery Signature Confirmation Restricted Delivery Signature Confirmation Signature Confirmation Restricted Delivery Signature Confirmation Signature Confirmation Signature Confirmation Restricted Delivery Signature Confirmation Signature Confirmation



5. Notices were posted at the mine site

Rule 1.6.2(1) Notice Requirements

(b) Prior to submitting the application to the Office for a 112 Reclamation Permit, post notices (signs) at the location of the proposed mine site, as required by the Office, of sufficient number and minimum size of eleven (11) inches wide by seventeen (17) inches high, with appropriate font size, to clearly identify the site as the location of a proposed mining operation given name, address, and phone number of applicant, and stating that (name of Applicant) has applied for a mining permit with the Colorado Mined Land Reclamation Board.

REQUEST for RECONSIDERATION NOTICE

The following public notice is for reconsideration of a Regular 112 Construction Materials Permit which was previously approved by the Division of Reclamation Mining and Safety on June 12, 2020.

This site is the location of a proposed construction materials operation. Keenesburg No. 2 Mine (Permit No. M-2019-058) applied for by Colorado Sand Company LLC whose address is 2001 Kirby Drive Suite 360 Houston, Texas 77019 and phone number is (832) 804-8493 has applied for a request for reconsideration for a Regular 112 Construction Materials Reclamation Permit with the Colorado Mined Land Reclamation Board. Anyone wishing to comment on the application may view the application at the Weld County Clerk and Recorder's Office, whose address is 1402 N. 17th Avenue, Greeley, Colorado 80631, and should send comments prior to the end of the public comment period to the Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203.

For questions regarding the nature of this project, please contact Brady Reece at (970) 978-9858.

Certification:

I, Brady C. Reece, hereby certify that I posted, according to the provisions of Construction Materials Rule 1.6.2(1)(b), a sign containing the above notice for the proposed permit area known as the Keenesburg No. 2 Mine, on July 28, 2021.

SIGNATURE

DATE





Sign Locations





Sign No. 1





Sign No. 2





Sign No. 3





Sign No. 4





Sign No. 5



6. A public notice was posted in a newspaper of general circulation in the locality of the proposed mining operation. It was published four times, once a week for four consecutive weeks and required comment period has expired

Delocado Sant Company LLC; 2001 Kirby Drive Suite 369, Hoss nan, Toxaz 77019 and phone number is 835-848-849), has filed for Reconsidentiation of a languator (112) Construction Materials Operentiation Board uncer provident (112) Construction Materials, Data and the second state of Construction Materials. The protom the the construction of Construction Materials. The protom of the second state Heerseburg No. 2 Mire Commit No. (A)219-083, and is incasted at or near Sections 1.8 at 2, Township (20), Range 64W and Sections 5, 6 8 7, Township 628, Range 63W

The proposed date of commencement is October 2021, and the proposed date of completion is October 2034. The proposed to ture use of the land is Rangeland.

additional information and testative decision date may be dbbinod from the Division of Recignation. Mining, and Satery, 1313 Shermen Streek, Report 218, Berwire, Colarado B0200, (203) S62-3557, or at the Weld County Clerk and Recordsr's offics. Hold Not: The Average, Greeky, CO 80557, or the Bouwin-samed

Comments concerning this application and exhibits must be in writing and must be received by the Division of Reclamation, Wining and Safety by 4:00 p.m. on August 26th, 2021.

Please note that under the provisions of 0.28,3 .34-32.5-101 etc. seq. Comments related to noise, truck builts, hours of operation, visual anguads, affects on property values and other social or economic concerns are based ont subject to this Office's June 1, these subjects, and similar ones, are typically all dressed by your local query man, rather than the Drotter and Reclamation.

Published: Greeky Tribune July 15, 23, 30, August 6, 2021-1818294 Prairie Mountain Media, LLC

PUBLISHER'S AFFIDAVIT County of Weld State of Colorado

The undersigned, <u>Shavla Nalera</u>, being first duly sworn under oath, states and affirms as follows:

- Heishe is the logal Advertising Reviewer of Prairie Mountain Media LLC, publisher of the Greeley Tribune.
- The Greeky Tribune is a newspaper of general circulation that has been published continuously and without interruption for at least fifty-two weeks in Weld County and meets the legal requisites for a legal newspaper under Colo, Rev. Stat. 24-70-103.
- The notice that is attached hereto is a true copy, published in the Greeley Tribune in Weld County on the following date(s):

Jul 16, 23, 30 and Aug 6, 2021

aint

MELISSA L NAJERA NOTARY PUBLIC STATE OF COLORADO

STATE OF COLORADO NOTARY ID 20064649936 MY COMMISSION EXPIRES DECEMBER 11, 2022

> Account: 1108253 Ad Number: 1816294 Fee: \$251.50

Published Dates: July 16, 23, 30, August 6, 2021

20-Day Comment Period: Aug6-August 26 @ 4:00 PM (MT)



7. Immediately after the first publication, a copy of the notice was sent to all Owners of Record of the surface and mineral rights of the affected land and the Owners of Record of all land surface within 200 feet of the boundary of the affected lands

Date: July 15, 2021

Colorado Sand Company LLC Brady C. Reece 9590 E Grand Ct Greenwood Village, CO 80111 (970) 978-9858

Subject: Notice of Request of Reconsideration - Keenesburg No. 2 Mine - Permit No. M-2019-058

Colorado Sand Company <u>LLC</u>; 2001 Kirby Drive Suite 360, Houston, Texas 77019 and phone number is (832) 804-8493, has filed for Reconsideration of a Regular (112) Construction Materials Operation Reclamation Permit with the Colorado Mined Land Reclamation Board under provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials. The proposed mine is known as the Keenesburg No. 2 Mine (Permit No. M-2019-058) and is located at or near Sections 1 & 12, Township 02N, Range 64W and Sections 5, 6 & 7, Township 02N, Range 63W of the 6th Principal Meridian.

The proposed date of commencement is October 2021, and the proposed date of completion is October 2034. The proposed future use of the land is Rangeland.

Additional information and tentative decision date may be obtained from the Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567, or at the Weld County Clerk and Recorder's office, 1402 North 17th Avenue, Greeley, CO 80631, or the abovenamed applicant.

Comments concerning this application and exhibits must be in writing and must be received by the Division of Reclamation, Mining and Safety by 4:00 p.m. on August 26th, 2021.

Please note that under the provisions of C.R.S. 34-32.5-101 et seq. Comments related to noise, truck traffic, hours of operation, visual impacts, effects on property values and other social or economic concerns are issues not subject to this Office's jurisdiction. These subjects, and similar ones, are typically addressed by your local governments, rather than the Division of Reclamation, Mining, and Safety or the Mined Land Reclamation Board. Respectfully,

Brady Reece



OWNERS OF RECORD OF AFFECTED LAND & SUBSTANCE TO BE MINED

Colorado Sand Company LLC has identifed the following Owners of Record of the surface and mineral rights of the affected land and the Owners of Record of all land surface within 200 feet of the boundary of the affected lands for the Keenesburg No. 2 Mine Project:

Anadarko E&P Onshore Anadarko Land Corp BP America Production Colorado Department of Transportation Guttersen Exchange LLC Guttersen Ranches LLC Kerr McGee Oil & Gas Onshore Nobel Energy PDC Energy Inc Union Pacific Railroad Company US Department of the Interior Waste Management WJW Properties LLC

Anadarko E&P Onshore



Anadarko Land Corp





BP America Production

3	U.S. Postal Service [™]	
	CERTIFIED MAIL® RECEIPT	SENDER: COMPLETE THIS SECTION COMPLETE THIS SECTION ON DELIVERY
0247 5824	Domestic Mail Only For delivery information, visit our website at www.usps.com* Houston TC 700C IAL USE Control Mail For \$3,60 * Out to the \$12,85 Distances \$3,60 * Control AL USE Distances \$3,60 * Distances \$2,285	Complete items 1, 2, and 3. Prifit your name and address on the reverse so that we can return the card to you. Attach this card to the back of the maliplece, or on the front if space permits. Article Addressed to: BP Awealla Production CO
0000	Patien Receipt (sectoral) Contract Mar Receipt (sectoral) Contract Mar Receipt (sectoral) St.0.00 Patient Receipt (sectoral) Patient Receipt (sectoral) St.0.00 Patient Receipt (sectoral) St.0.00 Patient Receipt (sectoral) P	501 west Lake Pack Blud Houston TX 77079
1995 B	\$ \$0.55 Total Postage and Resa \$ 7.00 \$ 7723/2021	Service Tipe Promy Mail Storage Adult Stynature Restricted Delivery Devicery Mail Restricted Adult Stynature Restricted Delivery Devicery
1202	BP America Production Co Stream and Add No. or PO Back No. 50 5 West Lake Pack Divo	9590 9402 6385 0303 0677 60 Destines the teached ballway Eligitatuse Contrastor 2. Article Number (<i>Transfer from service label</i>) Delice on billing Related Delivery Eligitatuse Contrastor 7021_0350 0000 0247 5 & 24 IRead/ded Delivery PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt Domestic Return Receipt

Colorado Department of Transportation



Guttersen Exchange LLC



Guttersen Ranches LLC





Kerr McGee Oil & Gas Onshore



PDC Energy Inc



Union Pacific Railroad Company

a Deverse for in





US Department of the Interior

U.S. Postal Service"	SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
CERTIFIED MAIL® RECEIPT Domestic Mail Daily For delivery information, visit our website at www.usps.com** For delivery information, visit our website at www.usps.com** For delivery information, visit our website at www.usps.com** Certified Mail For \$3.60 On the information, visit our website at www.usps.com** Ontel website Balance Ontel website Ontentel website Onten	 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 mailplece, or on the front if space permits. Artick Addressed to: US Dryt Intraine office of Surface winn Rec Po Box 2506 S one Donnet Froicte Bidy 41 Linke wend to 50225-0016S Artick Addressed to: 9590 9402 6385 0303 0678 69 Articke Number (Transfer from service label) 7021 0350 0000 0247 5893 Des Form 3811, July 2020 Feb 7330 02-00-9033 	A. Signato's A

Waste Management



WJW Properties LLC

	U.S. Postal Service [™] CERTIFIED MAIL® RECEIPT	SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3.	COMPLETE THIS SECTION ON DELIVERY
4672 7450 0000	Domestic Mail Only For cellvery information, visit our website at www.usps.com E0 00 100 5001 C 1 AL USE Certified Mill Fee \$3.60 Section Mill Fee \$3.60 Section Mill Fee \$3.60 Mail Fee \$3.60 Section Mill Fee \$3.60 Certified Mill Fee \$3.60 Control Mill Fee \$3.00 Certified Mill Fee \$3.000 Certified Mill Fee \$30.000 Certified Mill Fee \$40.000 Certified Mill Fee \$40.000	 Brint your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mallplece, or on the front if space permits. Article Addressed to: WJW Propends LLL 16350 WCR 76 Exten to 80 VIS 	B. floodived by (Prinled Name) C. Date of Delivery D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No
7021, 0350	Postage \$0.55 Total Postage and Fase Serie To WJ.W. Prop 57.00 Serie To WJ.W. Prop 57.05 Control Mark No. or PO Bloc No. 10.550 W.C. 10 Control Mark No. Control Mark No. For Block No. Control Mark No. For Block No. Control Mark No.		Service Type Add: Signature Add: Signature Add: Signature Certified Vall Pacificated Delivery Certified Vall Pacificated Delivery Collect on Delivery Golect on Delivery Gettering Destricted Delivery