

# 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

## CONSTRUCTION MATERIALS REGULAR (112) OPERATION RECLAMATION PERMIT APPLICATION FORM



Bill Ritter, Jr.  
Governor

Harris D. Sherman  
Executive Director

Ronald W. Cattany  
Division Director  
Natural Resource Trustee

CHECK ONE: ☒ There is a File Number Already Assigned to this Operation

Permit # M - 2021 - 815 (Please reference the file number currently assigned to this operation)

☒ New Application (Rule 1.4.5)

☐ Amendment Application (Rule 1.10)

☐ Conversion Application (Rule 1.11)

Permit # M - - - - - (provide for Amendments and Conversions of existing permits)

The application for a Construction Materials Regular 112 Operation Reclamation Permit contains three major parts: (1) the application form; (2) Exhibits A-S, Addendum 1, any sections of Exhibit 6.5 (Geotechnical Stability Exhibit; and (3) the application fee. When you submit your application, be sure to include one (1) complete signed and notarized ORIGINAL and one (1) copy of the completed application form, two (2) copies of Exhibits A-S, Addendum 1, appropriate sections of 6.5 (Geotechnical Stability Exhibit, and a check for the application fee described under Section (4) below. Exhibits should **NOT** be bound or in a 3-ring binder; maps should be folded to 8 1/2" X 11" or 8 1/2" X 14" size. To expedite processing, please provide the information in the format and order described in this form.

### GENERAL OPERATION INFORMATION

Type or print clearly, in the space provided, ALL information requested below.

1. Applicant/operator or company name (name to be used on permit): Kiowa County
  - 1.1 Type of organization (corporation, partnership, etc.): \_\_\_\_\_
2. Operation name (pit, mine or site name): Harris Pit
3. Permitted acreage (new or existing site):

	<u>40</u>	permitted acres
3.1 Change in acreage (+)	_____	acres
3.2 Total acreage in Permit area	<u>40</u>	acres
4. Fees:

4.1 New Application	<u>\$2,696.00</u>	application fee
4.2 New Quarry Application	<u>\$3,342.00</u>	quarry application
4.4 Amendment Fee	<u>\$2,229.00</u>	amendment fee
4.5 Conversion to 112 operation (set by statute)	<u>\$2,696.00</u>	conversion fee
5. Primary commodity(ies) to be mined: Sand Gravel
  - 5.1 Incidental commodity(ies) to be mined:
    1. N/A - \_\_\_\_\_ lbs/Tons/yr
    2. \_\_\_\_\_ / \_\_\_\_\_ lbs/Tons/yr
    3. \_\_\_\_\_ / \_\_\_\_\_ lbs/Tons/yr
    4. \_\_\_\_\_ / \_\_\_\_\_ lbs/Tons/yr
    5. \_\_\_\_\_ / \_\_\_\_\_ lbs/Tons/yr
  - 5.2 Anticipated end use of primary commodity(ies) to be mined: Driving surface for county roads
  - 5.3 Anticipated end use of incidental commodity(ies) to be mined: N/A

Office of  
Mined Land Reclamation

Denver • Grand Junction • Durango

Office of  
Active and Inactive Mines

6. Name of owner of subsurface rights of affected land: RTH Farms LLC  
If 2 or more owners, "refer to Exhibit O".

7. Name of owner of surface of affected land: Rick Harris and Tim Harris

8. Type of mining operation: ☒ Surface ☐ Underground

9. Location Information: The center of the area where the majority of mining will occur:

COUNTY: Kiowa

PRINCIPAL MERIDIAN (check one): ☒ 6th (Colorado) ☐ 10th (New Mexico) ☐ Ute

SECTION (write number): S 22

TOWNSHIP (write number and check direction): T 19 ☐ North ☒ South

RANGE (write number and check direction): R 44 ☐ East ☒ West

QUARTER SECTION (check one): ☐ NE ☐ NW ☒ SE ☐ SW

QUARTER/QUARTER SECTION (check one): ☐ NE ☐ NW ☐ SE ☒ SW

GENERAL DESCRIPTION: (the number of miles and direction from the nearest town and the approximate elevation): 7 miles south of Sheridan Lake, CO - 4,072 ft.

10. Primary Mine Entrance Location (report in either Latitude/Longitude OR UTM):

Latitude/Longitude:

Example: (N) 39° 44' 12.98"  
(W) 104° 59' 3.87"

Latitude (N): deg 38 min 23 sec 2.17 (2 decimal places)

Longitude (W): deg 102 min 19 sec 48.41 (2 decimal places)

OR

Example: (N) 39.73691°  
(W) -104.98449°

Latitude (N) \_\_\_\_\_ (5 decimal places)

Longitude (W) \_\_\_\_\_ (5 decimal places)

OR

Universal Transverse Mercator (UTM)

Example: 201336.3 E NAD27 Zone 13  
4398351.2 N

UTM Datum (specify NAD27, NAD83 or WGS 84) Nad 83 Zone 13

Easting \_\_\_\_\_

Northing \_\_\_\_\_

11. Correspondence Information:

APPLICANT/OPERATOR (name, address, and phone of name to be used on permit)

Contact's Name: Tina Adamson Title: County Administrator  
Company Name: Kiowa County  
Street/P.O. Box: 1305 Goff Street P.O. Box: 100  
City: Eads  
State: Colorado Zip Code: 81036  
Telephone Number: ( 719 ) - 438-5810  
Fax Number: ( 719 ) - 438-5615

PERMITTING CONTACT (if different from applicant/operator above)

Contact's Name: Allen Watts Title: Foreman  
Company Name: Kiowa County Road & Bridge  
Street/P.O. Box: 1305 Goff Street P.O. Box: 100  
City: Eads  
State: Colorado Zip Code: 81036  
Telephone Number: ( 719 ) - 688-3972  
Fax Number: ( 719 ) - 438-5615

INSPECTION CONTACT

Contact's Name: Allen Watts Title: Foreman  
Company Name: Kiowa County Road & Bridge  
Street/P.O. Box: 1305 Goff Street P.O. Box: 100  
City: Eads  
State: Colorado Zip Code: 81036  
Telephone Number: ( 719 ) - 438-5810  
Fax Number: ( 719 ) - 438-5615

CC: STATE OR FEDERAL LANDOWNER (if any)

Agency: \_\_\_\_\_  
Street: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Telephone Number: (         ) - \_\_\_\_\_

CC: STATE OR FEDERAL LANDOWNER (if any)

Agency: \_\_\_\_\_  
Street: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Telephone Number: (         ) - \_\_\_\_\_

12. **Primary future (Post-mining) land use (check one):**

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> Cropland(CR)       | <input type="checkbox"/> Pastureland(PL) | <input type="checkbox"/> General Agriculture(GA)   |
| <input type="checkbox"/> Rangeland(RL)                 | <input type="checkbox"/> Forestry(FR)    | <input type="checkbox"/> Wildlife Habitat(WL)      |
| <input type="checkbox"/> Residential(RS)               | <input type="checkbox"/> Recreation(RC)  | <input type="checkbox"/> Industrial/Commercial(IC) |
| <input type="checkbox"/> Developed Water Resources(WR) |  | <input type="checkbox"/> Solid Waste Disposal(WD)  |

13. **Primary present land use (check one):**

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> Cropland(CR)       | <input type="checkbox"/> Pastureland(PL) | <input type="checkbox"/> General Agriculture(GA)   |
| <input type="checkbox"/> Rangeland(RL)                 | <input type="checkbox"/> Forestry(FR)    | <input type="checkbox"/> Wildlife Habitat(WL)      |
| <input type="checkbox"/> Residential(RS)               | <input type="checkbox"/> Recreation(RC)  | <input type="checkbox"/> Industrial/Commercial(IC) |
| <input type="checkbox"/> Developed Water Resources(WR) |  |  |

14. **Method of Mining:** Briefly explain mining method (e.g. truck/shovel): \_\_\_\_\_  
Doze into pile - load trucks with loader

15. **On Site Processing:** ☐ Crushing/Screening

13.1 Briefly explain mining method (e.g. truck/shovel): \_\_\_\_\_  
No crushing / screening - load trucks with loader

List any designated chemicals or acid-producing materials to be used or stored within permit area: \_\_\_\_\_  
N/A

16. **Description of Amendment or Conversion:**

If you are amending or converting an existing operation, provide a brief narrative describing the proposed change(s).

N/A

**Maps and Exhibits:**

Two (2) complete, unbound application packages must be submitted. One complete application package consists of a signed application form and the set of maps and exhibits referenced below as Exhibits A-S, Addendum 1, and the Geotechnical Stability Exhibit. Each exhibit within the application must be presented as a separate section. Begin each exhibit on a new page. Pages should be numbered consecutively for ease of reference. If separate documents are used as appendices, please reference these by name in the exhibit.

With each of the two (2) signed application forms, you must submit a corresponding set of the maps and exhibits as described in the following references to Rule 6.4, 6.5, and 1.6.2(1)(b):

EXHIBIT A	Legal Description
EXHIBIT B	Index Map
EXHIBIT C	Pre-Mining and Mining Plan Map(s) of Affected Lands
EXHIBIT D	Mining Plan
EXHIBIT E	Reclamation Plan
EXHIBIT F	Reclamation Plan Map
EXHIBIT G	Water Information
EXHIBIT H	Wildlife Information
EXHIBIT I	Soils Information
EXHIBIT J	Vegetation Information
EXHIBIT K	Climate Information
EXHIBIT L	Reclamation Costs
EXHIBIT M	Other Permits and Licenses
EXHIBIT N	Source of Legal Right-To-Enter
EXHIBIT O	Owners of Record of Affected Land (Surface Area) and Owners of Substance to be Mined
EXHIBIT P	Municipalities Within Two Miles
EXHIBIT Q	Proof of Mailing of Notices to County Commissioners and Conservation District
EXHIBIT R	Proof of Filing with County Clerk or Recorder
EXHIBIT S	Permanent Man-Made Structures
Rule 1.6.2(1)(b)	ADDENDUM 1 - Notice Requirements (sample enclosed)
Rule 6.5	Geotechnical Stability Exhibit (any required sections)

The instructions for preparing Exhibits A-S, Addendum 1, and Geotechnical Stability Exhibit are specified under Rule 6.4 and 6.5 and Rule 1.6.2(1)(b) of the Rules and Regulations. If you have any questions on preparing the Exhibits or content of the information required, or would like to schedule a pre-application meeting you may contact the Office at 303-866-3567.

**Responsibilities as a Permittee:**

Upon application approval and permit issuance, this application becomes a legally binding document. Therefore, there are a number of important requirements which you, as a permittee, should fully understand. These requirements are listed below. Please read and initial each requirement, in the space provided, to acknowledge that you understand your obligations. If you do not understand these obligations then please contact this Office for a full explanation.

AW

1. Your obligation to reclaim the site is not limited to the amount of the financial warranty. You assume legal liability for all reasonable expenses which the Board or the Office may incur to reclaim the affected lands associated with your mining operation in the event your permit is revoked and financial warranty is forfeited;

AW 2. The Board may suspend or revoke this permit, or assess a civil penalty, upon a finding that the permittee violated the terms or conditions of this permit, the Act, the Mineral Rules and Regulations, or that information contained in the application or your permit misrepresent important material facts;

AW 3. If your mining and reclamation operations affect areas beyond the boundaries of an approved permit boundary, substantial civil penalties, to you as permittee can result;

AW 4. Any modification to the approved mining and reclamation plan from those described in your approved application requires you to submit a permit modification and obtain approval from the Board or Office;

AW 5. It is your responsibility to notify the Office of any changes in your address or phone number;

AW 6. Upon permit issuance and prior to beginning on-site mining activity, you must post a sign at the entrance of the mine site, which shall be clearly visible from the access road, with the following information (Rule 3.1.12):

a. the name of the operator;

b. a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and,

AW c. the permit number.

AW 7. The boundaries of the permit boundary area must be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries prior to site disturbance.

AW 8. It is a provision of this permit that the operations will be conducted in accordance with the terms and conditions listed in your application, as well as with the provisions of the Act and the Construction Material Rules and Regulations in effect at the time the permit is issued.

AW 9. Annually, on the anniversary date of permit issuance, you must submit an annual fee as specified by Statute, and an annual report which includes a map describing the acreage affected and the acreage reclaimed to date (if there are changes from the previous year), any monitoring required by the Reclamation Plan to be submitted annually on the anniversary date of the permit approval. Annual fees are for the previous year a permit is held. For example, a permit with the anniversary date of July 1, 1995, the annual fee is for the period of July 1, 1994 through June 30, 1995. Failure to submit your annual fee and report by the permit anniversary date may result in a civil penalty, revocation of your permit, and forfeiture of your financial warranty. It is your responsibility, as the permittee, to continue to pay your annual fee to the Office until the Board releases you from your total reclamation responsibility.

\_\_\_\_ 10. For joint venture/partnership operators: the signing representative is authorized to sign this document and a power of attorney (provided by the partner(s)) authorizing the signature of the representative is attached to this application.

**NOTE TO COMMENTORS/OBJECTORS:**

It is likely there will be additions, changes, and deletions to this document prior to final decision by the Office. Therefore, if you have any comments or concerns you must contact the applicant or the Office prior to the decision date so that you will know what changes may have been made to the application document.

The Office is not allowed to consider comments, unless they are written, and received prior to the end of the public comment period. You should contact the applicant for the final date of the public comment period.

If you have questions about the Mined Land Reclamation Board and Office's review and decision or appeals process, you may contact the Office at (303) 866-3567.

**Certification:**

As an authorized representative of the applicant, I hereby certify that the operation described has met the minimum requirements of the following terms and conditions:

1. To the best of my knowledge, all significant, valuable and permanent man-made structure(s) in existence at the time this application is filed, and located within 200 feet of the proposed affected area have been identified in this application (Section 34-32.5-115(4)(e), C.R.S.).
2. No mining operation will be located on lands where such operations are prohibited by law (Section 34-32.5-115(4)(f), C.R.S.);
3. As the applicant/operator, I do not have any extraction/exploration operations in the State of Colorado currently in violation of the provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials (Section 34-32.5-120, C.R.S.) as determined through a Board finding.
4. I understand that statements in the application are being made under penalty of perjury and that false statements made herein are punishable as a Class 1 misdemeanor pursuant to Section 18-8-503, C.R.S.

*This form has been approved by the Mined Land Reclamation Board pursuant to section 34-32.5-112, C.R.S., of the Colorado Land Reclamation Act for the Extraction of Construction Materials. Any alteration or modification of this form shall result in voiding any permit issued on the altered or modified form and subject the operator to cease and desist orders and civil penalties for operating without a permit pursuant to section 34-32.5-123, C.R.S.*

Signed and dated this 11<sup>th</sup> day of May, 2021

Kiowa County  
Applicant/Operator or Company Name

If Corporation Attest (Seal)

Signed: Donald Oswald

Signed: Deborah A. Derby

Corporate Secretary or Equivalent

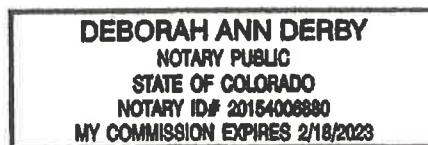
Title: Chairman, Kiowa County

Town/City/County Clerk

State of Colorado

County of Kiowa ) ss.

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of May, 2021, by Donald Oswald as Chairman of Kiowa County



Deborah Ann Derby  
Notary Public

My Commission expires: 2/18/2023

**SIGNATURES MUST BE IN BLUE INK**

You must post sufficient Notices at the location of the proposed mine site to clearly identify the site as the location of a



## EXHIBIT - A LEGAL DESCRIPTION

This pit contains 40 acres. It is in Section 22.

### DESCRIPTION OF TRACT

A tract of land lying in the SE 1/4 of Section 22, T.19S, R. 44 West of the 6th P.M. being more particularly described as follows:

Beginning at the South West corner of said SE 1/4 as monumented by a 3/4" rebar and 2 1/2" aluminum cap marked BRUNDAGE PLS 30087 and considering the South line of said SE 1/4, (as monumented by a similar rebar and cap at its East end), bearing S. 83° 54' 20" W. with all others bearing contained herein being relative thereto; thence N.O.° 16' 16" W, along the west line of said SE 1/4, a distance of 1320.00 ft, thence N 83° 54' 20" E, 1326.80 feet; thence S.O. 16' 45" E, 1320 feet to a point on the South line of said SE 1/4; thence S. 83° 54' 20" w, 1326.80 feet to the point of beginning. Together with a strip of land for access easement purposes being described as the south 30.00 feet of the East 1361 feet, more or less, of said SE 1/4. The north line of said easement is intended to be extended or shortened to meet the East line of SE 1/4 and East line of the herein described Tract. In the county of Kiowa, State of Colorado.

# LAND SURVEY PLAT

1"=200'

## EXHIBIT-B INDEX MAP

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THE SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

PART OF THE SE1/4.  
SEC. 22, T.19S., R.44W.  
6th P.M., KIOWA COUNTY,  
STATE OF COLORADO.

WEST LINE OF  
THE SE1/4  
OF SEC. 22

SET 5/8" X 24" REBAR  
AND 1-1/2" ALUM. CAP,  
BRUNDAGE, PLS 30087  
(TYPICAL)

67'±

N83°54'20"E 1326.80'

OVER BURDEN

40.00 Acres

TOP SOIL

SEC 16 1/4 1320.00'

30.00  
EAS

N00°16'45"W 1320.00'

S83°54'20"W 1326.80'

FENCE

61'±

11'±

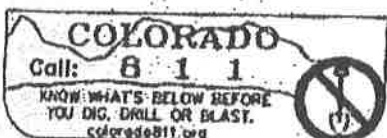
FENCE

FENCE 1.0' NORTH  
OF CORNER

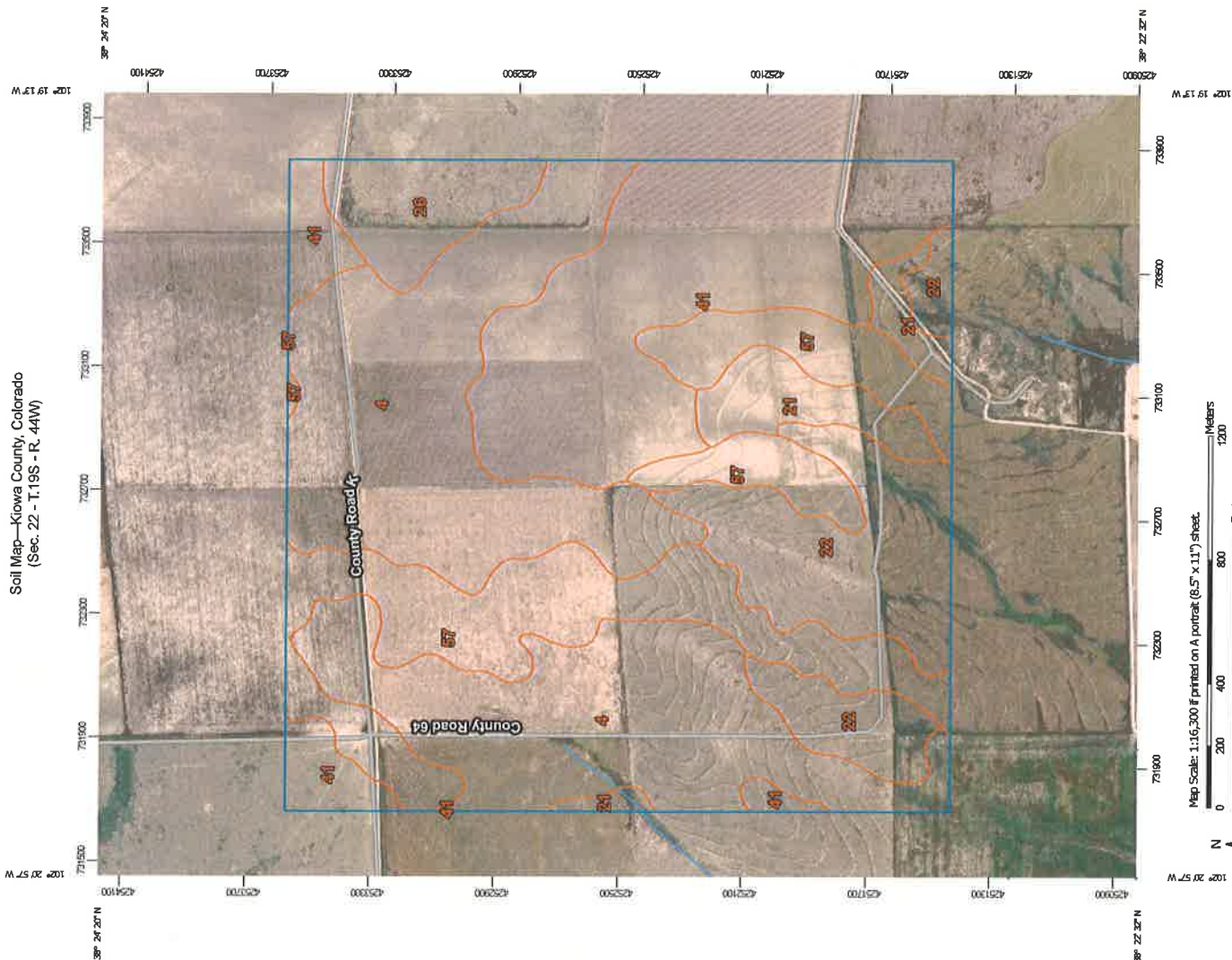
P.O.B.  
SW COR. OF THE  
SE1/4 OF SEC. 22

SCALE IN FEET

NOTICE: THIS SURVEY MADE WITHOUT  
BENEFIT OF AN UPDATED ABSTRACT OR  
TITLE POLICY AND MAY BE SUBJECT TO  
OTHER EASEMENTS, CONDITIONS, RIGHTS  
ETC. WHICH MAY HAVE DEVELOPED  
SINCE THE DATA REFERENCED












































Soil Map—Kiowa County, Colorado  
(Sec. 22 - T.19S - R. 44W)



Map Scale: 1:16,300 if printed on A portrait (8.5" x 11") sheet.

Map projection: Web Mercator Corner coordinates: WGS84 Edge ties: UTM Zone 13N WGS84

## MAP LEGEND

 Area of Interest (AOI)	 Spoil Area
 Soils	 Stony Spot
 Soil Map Unit Polygons	 Very Stony Spot
 Soil Map Unit Lines	 Wet Spot
 Soil Map Unit Points	 Other
 Special Point Features	 Special Line Features
 Blowout	 Water Features
 Borrow Pit	 Streams and Canals
 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	
 Slide or Slip	
 Sodic Spot	

## MAP INFORMATION

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

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: Kiowa County, Colorado  
Survey Area Data: Version 18, Jun 4, 2020

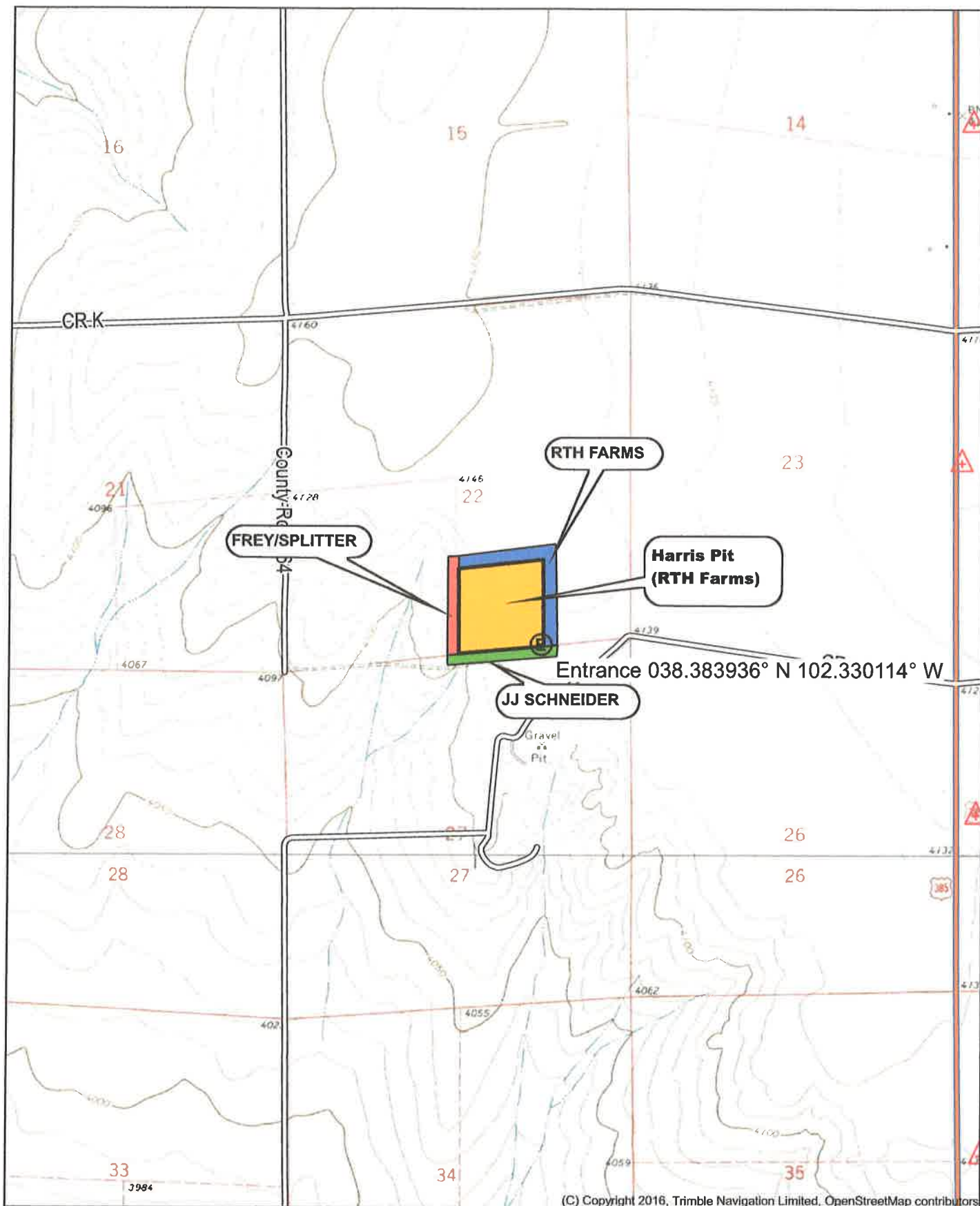
Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 22, 2014—Sep 30, 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.

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
4	Baca-Wiley complex, 0 to 2 percent slopes	406.5	36.3%
21	Kim-Harvey-Stoneham loams, 1 to 3 percent slopes	52.8	4.7%
22	Kim-Stoneham-Larimer loams, 3 to 12 percent slopes	143.3	12.8%
26	Norka silt loam, 0 to 2 percent slopes	47.1	4.2%
41	Wiley loam	255.7	22.8%
57	Colby silt loam, 0 to 3 percent slopes	215.1	19.2%
<b>Totals for Area of Interest</b>		<b>1,120.3</b>	<b>100.0%</b>



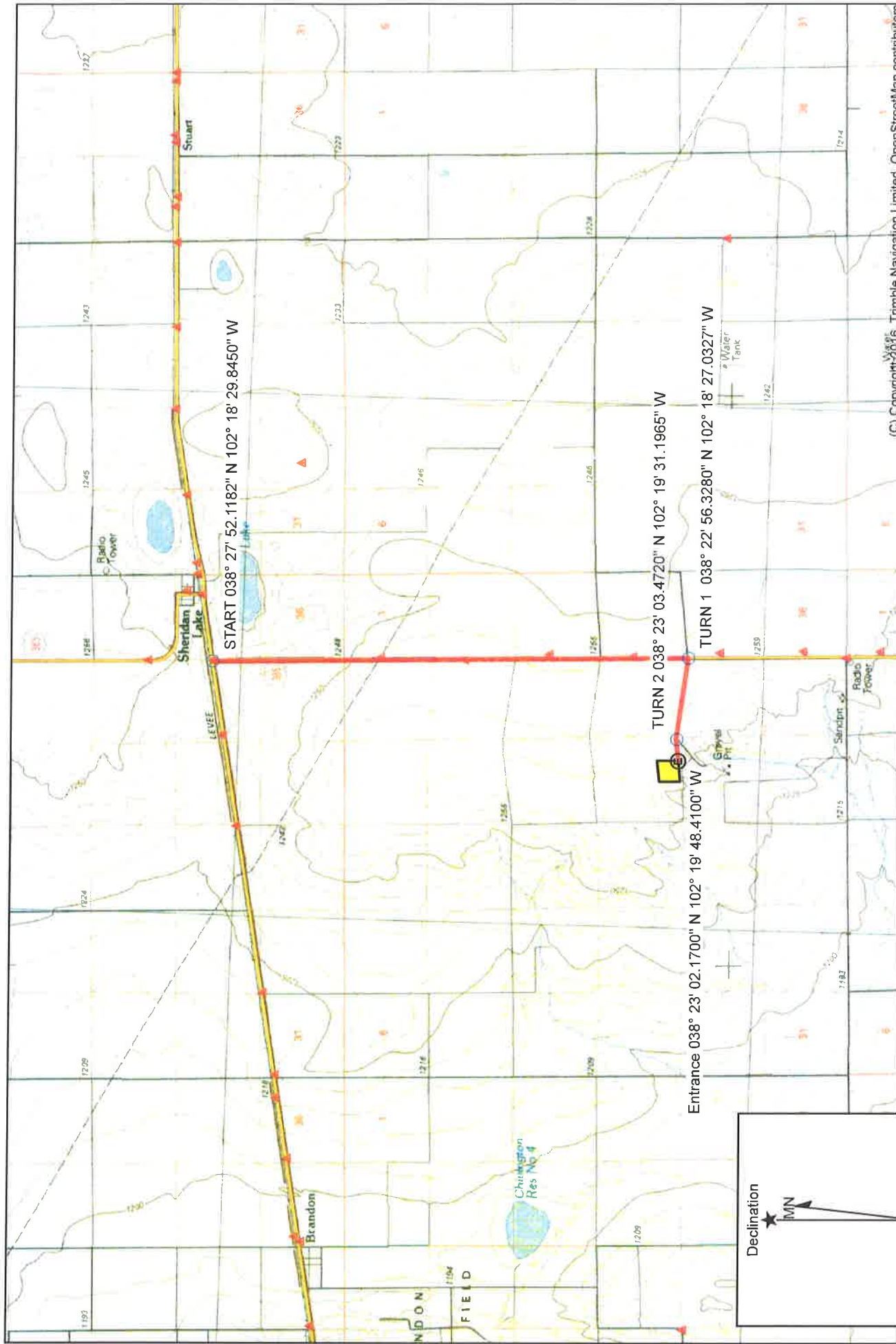
(C) Copyright 2016, Trimble Navigation Limited, OpenStreetMap contributors

Name: SHERIDAN LAKE  
Date: 06/09/21  
Scale: 1 inch = 2,000 ft.

PROJECT LOCATION; SW/4SE/4,  
SECTION 22, T-19-S, R-44-W, P.M.,  
KIOWA COUNTY, COLORADO

KIOWA COUNTY  
HARRIS PIT  
MAP EXHIBIT B-1 - VICINITY MAP

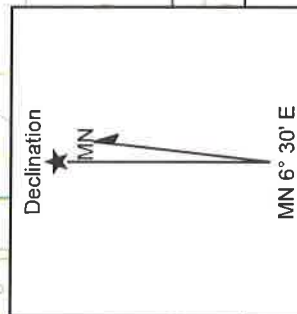




(C) Copyright 2016, Trimble Navigation Limited, OpenStreetMap contributors

PROJECT LOCATION; SW/4SE/4,  
SECTION 22, T-19-S, R-44-W, P.M., KIOWA  
COUNTY, COLORADO

KIOWA COUNTY  
HARRIS PIT  
MAP EXHIBIT B-2 - LOCATION MAP



Name: LAMAR  
Date: 04/28/21  
Scale: 1 inch = 8,333 ft.

## EXHIBIT C – PREMINING AND MINING PLANS OF AFFECTED LANDS

- A. There are maps of the pit area.
- B. Rick and Tim Harris own the land to the North and to the East of the pit area.
- C. To the West there is a fence that runs North and South. West of the fence is owned by E.K. and J.M. Splitter. To the South of the fence that runs East and West, on the South is owned by J.M. Schneider Farms LLLP.
- D. There are no creeks, roads, buildings, oil or gas wells, or lines of power or communication on the land within two hundred feet of all boundaries.
- E. Total area to be involved in the operation of this area is 40 acres.
- F. The type of vegetation covering the affected land is farmed wheat stubble.



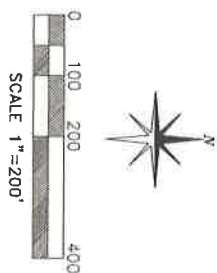


Wilfred & Dorothy Frey,  
Eugene & Judith Splitter  
9569 Hwy 385  
Sheridan Lake, CO 81071

RTH Farms, LLC  
 14229 CR67  
 Sheridan Lake, CO 81071

### STRUCTURES WITHIN 200 FEET

Wilfred & Dorothy Frey,  
Eugene & Judith Splitter  
3 strand wire fench  
RTM Farms, LLC  
3 strand wire fench  
dirt road



PENSION HISTORY		EMP
DATE	DESCRIPTION	
03/01/2021	APPLICATION FILED	MC
06/09/2021	ACQUAINT CORRECTIONS	SV/MS

LEGENDE

PERMIT AREA\AFFECTED LANDS  
200 FOOT LINE  
ROADS (gravel)  
FENCE

**MAP EXHIBIT C - CURRENT CONDITIONS**



KIOWA COUNTY

HARRIS PIT  
M-2021-015

## CURRENT CONDITIONS MAP

LOCATED IN THE SW/4SE/4 OF SECTION 22, TOWNSHIP 19 SOUTH, RANGE 44 WEST, 6TH P.M., KIOWA COUNTY, COLORADO

PREPARED BY: ENVIRONMENT, INC.  
7985 VANCE DR. # 205A  
ARVADA, CO 80003  
303.742.7571  
Environment - making a difference

DATE: 26-April-2021  
SCALE: 1" = 200'

## EXHIBIT D - MINING PLAN

Mining operations shall be a simple removal process in a dry setting of moderate to gently sloping surface where the gravel and sand to be removed is found and continues downward for the full depth of the mining operation.

The mining operations will be pushed by bull dozers and/or loaders outward and downwards so loader can remove gravel from high walls. Sufficient slope will be maintained at all times to permit movement of equipment from ground level to the floor of the pit. These procedures will result in a gradual expanding of the boundaries of the pit until the boundaries of the area have been reached. The height will be 20 feet by length of 200 feet, access ramps will be at a 10' to 1' grade, surface disturbed will be 600 feet. The anticipated depth of the material to be mined is 30'. The material below the mined material is sandstone.

The road used for accessing the pit is 24' wide and will only be use for the purpose of hauling gravel.

Once gravel has been moved to stock piles, the frontend loaders will load onto trucks to be removed from mining area.

All top soil 6" to 12" will be moved to border and then be seeded and not touched until ready to reclaim. We will use a seed mix of 30% Blue Grama, 50% Side Oats Grama and 20% Little Blue Stem.

All of overburden will be moved away from top soil on and next to border where it will be stock piled and left alone until ready to be reclaimed.

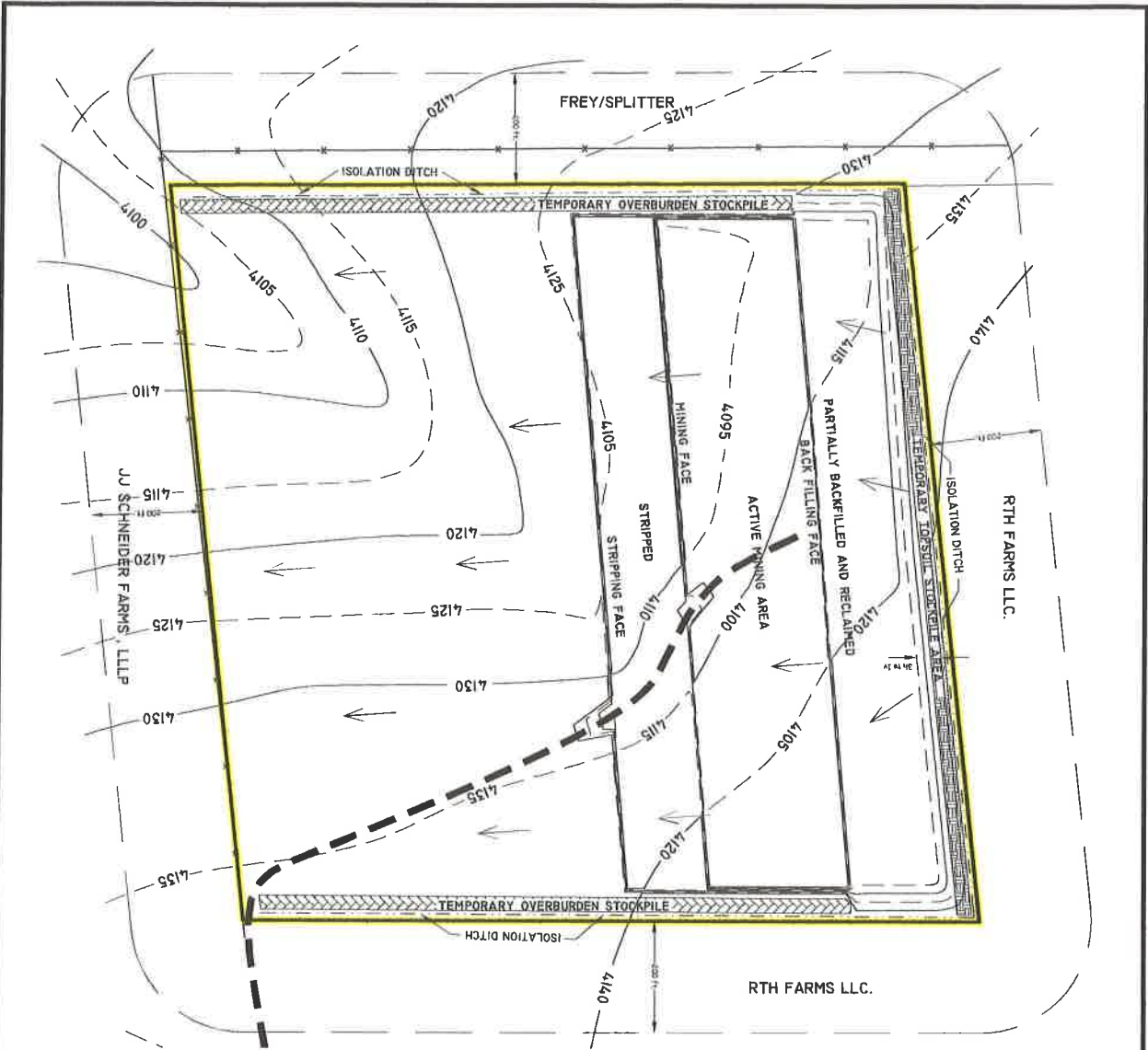
There is no water impoundment in affected area, but a water diversion will be added to the north to north east border where the rainfall can go around the working are of the pit. The area will be watered as needed.

To start new pit area, 4 to 5 acres will be affected in the first year. Once the pit gets active and moving along it will spread outwards. Around 50,000 tons of material per year will be extracted. That figure is not exact tons of material but is a guideline.

The first 2 to 3 years will be slow until pit is established. After that, one half to one acre of new pit area will be opened.

The thickness of the overburden looks to be 10-12 feet. Sand and gravel begin 12 - 15 feet below overburden. The material, which is sand and gravel, will be used for Kiowa County's gravel roads.

There will be no need to use explosives in mining for sand and gravel, or when time comes for reclaiming.



**SURFACE AND MINERAL OWNERS**

RTH Farms, LLC  
14229 CR67  
Sheridan Lake, CO 81071

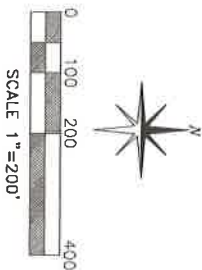
**ADJOINING LANDOWNERS**

J.J. Schneider Farms  
PO Box 69  
Tribune, KS 67879

Wilfred & Dorothy Frey,  
Eugene & Judith Splitter  
9569 Hwy 385  
Sheridan Lake, CO 81071

**STRUCTURES WITHIN 200 FEET**

Wilfred & Dorothy Frey,  
Eugene & Judith Splitter  
3 strand wire fence  
RTH Farms, LLC  
3 strand wire fence  
dirt road



REVISION HISTORY	
DATE	DESCRIPTION
03/01/2021	APPLICATION FILED
06/09/2021	ARCHITECT CORRECTIONS
	ENV/AN
	HC
	MC

**LEGEND**

- PERMIT AREA AFFECTED LANDS
- 200 FOOT LINE
- ROADS (gravel)
- FENCE
- ISOLATION DITCH
- MINING DIRECTION
- APPROXIMATE SOIL PILE
- APPROXIMATE OVERBURDEN PILE

**NOTES:**

- The sizes of the disturbance shown on this map will be less than shown. Map is an example of how the mine will develop.
- Topsoil will be stockpiled along north line or replaced as back filling progresses.
- Overburden will be stockpiled along east and west side and will be used to construct exterior slopes. Overburden may be replaced on mined areas as new area is stripped to keep from having to handle the material twice.
- Overburden not used for slope construction will be placed on mine floor in a uniform layer that by vary from 7 to 15 feet deep.
- If a stockpile remains undisturbed for more than one (1) year it will be seeded using the approved seed mixture. Mix will be doubles for broadcast seeding.
- Isolation ditches will be constructed along perimeter to carry stormwater around the disturbed area.
- Landowners will continue to use areas of the permit area for agricultural production until it is needed for mining. The same applies for reclaimed area.
- Road shown on map may be in different location(s) through out the life of the mine.

**MAP EXHIBIT C1 - MINING PLAN**



KIOWA COUNTY

HARRIS PIT  
M-2021-015

**MINING PLAN MAP**

LOCATED IN THE SW1/4SE1/4, OF SECTION 22, TOWNSHIP 19  
SOUTH, RANGE 44 WEST, 6TH P.M., KIOWA COUNTY, COLORADO

PREPARED BY ENVIRONMENT, INC.

ARVADA, CO 80003  
303.433-1937  
Environmental & Survey

DATE: 28-APR-2021  
SCALE: 1" = 200'

## EXHIBIT E - RECLAMATION PLAN

Landscape design - After mining is complete the area will be shaped and graded. Where possible, final grading should be done on the contour to conserve moisture and reduce erosion. Slopes should be cut or filled so that no slope is greater than 3:1. The land will be roughened to the depth of six inches following the grading to give better cohesion between top soil and the graded area.

The highwalls will be backfilled, once backfilled and bladed we will seed the site. Landowner would like to put it back into planted crops. We will backfill soon after mining is ceased. Mining parcels will depend on the activity of the pit, likely one acre parcels. Once mined, it will take 6 to 8 month for each task depending on timing with the fall.

Top Soil - Top soil will be stockpiled prior to mining. After grading is completed, the topsoil will be spread over area as evenly as possible. Nine to twelve inches of material will be removed and stored for reclamation purposed. If there is more topsoil than that it will be stockpiled and stored. All topsoil will be stored along the edges of the pit.

In order to minimize the total surface area affected, the topsoil will only be removed as needed to continue with the mining operations. Once a new area of topsoil has been removed and stock piled it will then be seeded with grass and wheat to keep from moving. 30% Blue Grama, 50% side oats Grama, 20% little Blue Stem, which is the same mixture for the permanent reclamation.

Fertilizer - A soil test should be done to determine the proper amounts of fertilizer to apply. Fertilizer should be applied prior to seeding.

Seeding - Seeding will be done shortly after the topsoil is applied to prevent excess weed growth and loss of soil and erosion. Seeding will be at a rate of 8 pounds per acre, to be planted in the fall (November through mid December).

Mulching - Mulch will consist of hay or straw, free of noxious weeds, and at least 50% of the material should be ten inches or more. The mulch can be anchored with a disc, set straight to be crimped four inches into the soil. Mulch will be applied at a rate of two tons per acre.

Protection - The area will be fenced to protect it from grazing and disturbance until it is stabilized.

## EXHIBIT F - RECLAMATION PLAN MAP

All sides will be sloping inwards with no greater than 3:1 slope. The bottom will be flat.



**ADJOINING LANDOWNERS**

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Sheridan Lake, CO 81071

**SURFACE AND MINERAL OWNERS**

RTH Farms LLC  
14229 CR67  
Sheridan Lake, CO 81071

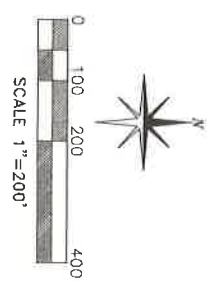
**STRUCTURES WITHIN 200 FEET**

Wilfred & Dorothy Frey,  
Eugene & Judith Splitter  
3 strand wire fence

RTH Farms LLC  
3 strand wire fence  
dirt road

**LEGEND**

- PERMIT AREA/AFFECTED LANDS
- 200 FOOT LINE
- ROADS (gravel)
- FENCE
- SEEDING AREA



**MAP EXHIBIT F - RECLAMATION PLAN**



KIOWA COUNTY

HARRIS PIT  
M-2021-015

**RECLAMATION PLAN MAP**

LOCATED IN THE SW1/4SE1/4, OF SECTION 22, TOWNSHIP 19  
SOUTH, RANGE 44 WEST, 6TH P.M., KIOWA COUNTY, COLORADO

PREPARED BY: ENVIRONMENT, INC.

DATE: 26-APR-2021  
SCALE: 1" = 200'

REVISION/REVISION	DATE	DESCRIPTION	BY
03/07/2021	03/07/2021	APPLICATION FILED	EC
06/09/2021	06/09/2021	ADJUDICATE CORRECTIONS	ENV/ML

#### EXHIBIT H - WILDLIFE INFORMATION

Inspection of the area shows wildlife will not be a problem other than a rabbit or small rodent from time to time. With this there is no concern.

## EXHIBIT I - SOIL INFORMATION



#### EXHIBIT G - WATER INFORMATION

In the affected area there is no concern on water well, stock ponds, ditches or any ground water systems. The water soaks in fairly fast and is very unlikely to hinder downstream water users. There will be a berm on the North and West end of the pit to keep rain water from entering the high side of the pit. The berms will be a height of 3 to 4 feet. Water mainly comes from the north side so the berm on the north will be 4 to 5 feet high. This should be sufficient considering the history of the area.

Per the local landowners, the area's groundwater depth should be from 90 to 100 feet. This is substantially deeper than our proposed mining depth.

# Range Production (Normal Year)—Kiowa County, Colorado

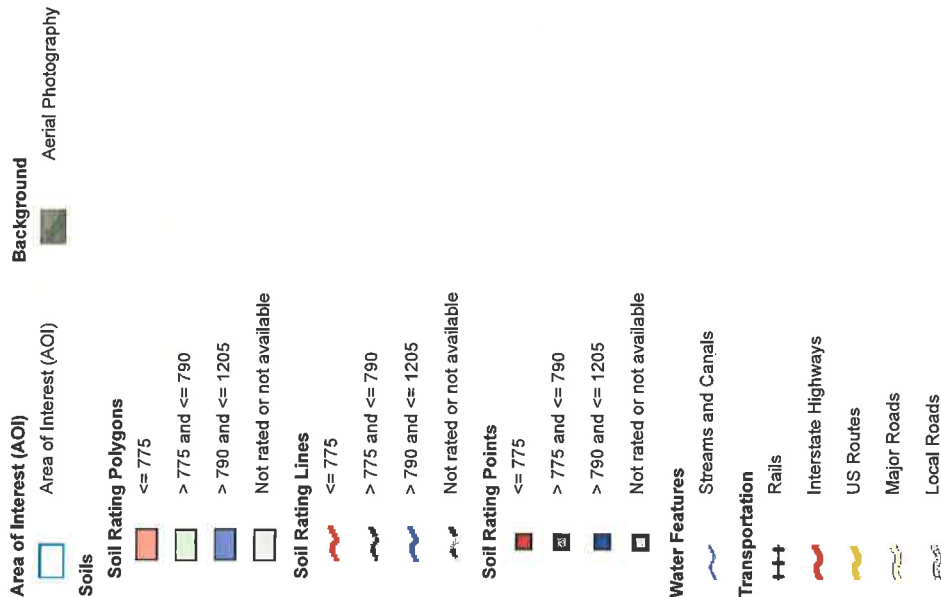


Map Scale: 1:3,600 if printed on A landscape (11" x 8.5") sheet.

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 13N WGS84



## MAP LEGEND



## 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: Kiowa County, Colorado  
 Survey Area Data: Version 17, Sep 12, 2019

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

Date(s) aerial images were photographed: Sep 22, 2014—Sep 30, 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.

## Range Production (Normal Year)

Map unit symbol	Map unit name	Rating (pounds per acre per year)	Acres in AOI	Percent of AOI
21	Kim-Harvey-Stoneham loams, 1 to 3 percent slopes	775	17.9	44.2%
22	Kim-Stoneham-Larimer loams, 3 to 12 percent slopes	790	7.5	18.6%
57	Colby silt loam, 0 to 3 percent slopes	1205	15.1	37.2%
Totals for Area of Interest			40.6	100.0%

## Description

Total range production is the amount of vegetation that can be expected to grow annually in a well managed area that is supporting the potential natural plant community. It includes all vegetation, whether or not it is palatable to grazing animals. It includes the current year's growth of leaves, twigs, and fruits of woody plants. It does not include the increase in stem diameter of trees and shrubs. It is expressed in pounds per acre of air-dry vegetation. In a normal year, growing conditions are about average. Yields are adjusted to a common percent of air-dry moisture content.

In areas that have similar climate and topography, differences in the kind and amount of vegetation produced on rangeland are closely related to the kind of soil. Effective management is based on the relationship between the soils and vegetation and water.

## Rating Options

*Units of Measure:* pounds per acre per year

*Aggregation Method:* Weighted Average

*Component Percent Cutoff:* None Specified

*Tie-break Rule:* Higher

*Interpret Nulls as Zero:* Yes

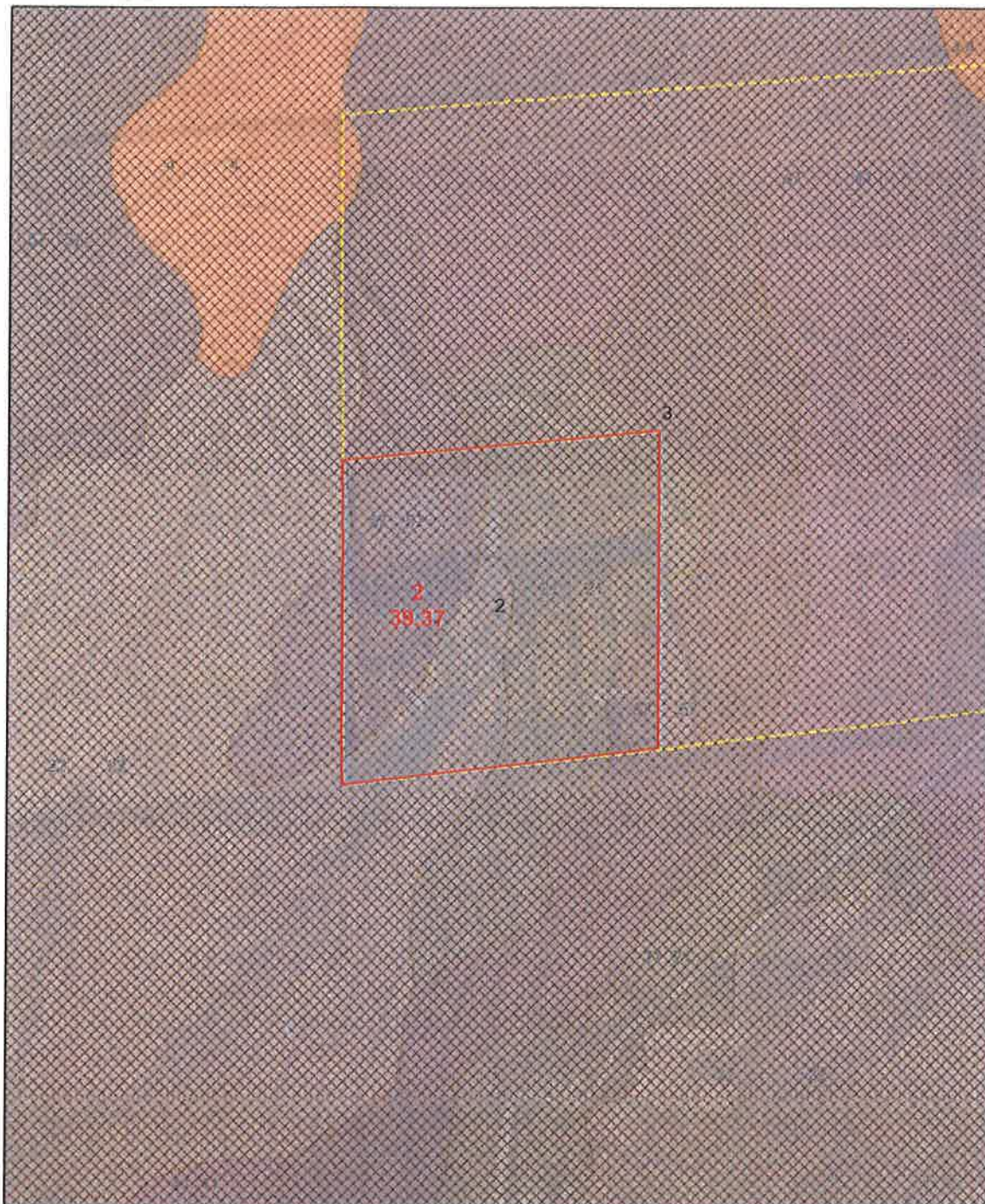




Scenario Map

Scenario Name: gravelpit (1)

Tract: . . .



0 1,920 Feet

#: Scenario ID  
#: Scenario Acres  
#: CLU Number  
ABC: Soil MUSYM

Scenario\_Polygon  
Cropland  
Not Cropland

## Scenario Information

Farm Number:

Tract Number:

Scenario Name: gravelpit

Signup Name:

Scenario ID: 1

Admin FSA St/Cnty: 08061

Physical Location FSA St/Cnty: 08061

Total Contract Acres: 39.37

Latitude Centroid: 38.38558382

Longitude Centroid: -102.33265397

HUC Number: 110200110903

Created By: Charla Ferris

Date Created: 12/26/2019 1:17:57 PM

## Scenario Validations

### Missing Layers

No Missing Layers

### Attribute Errors

No attribution errors

## Scenario Polygon Information

ID	Subportion	Practice	Acreage	Expiring Contract Number	Expiring Practice	SAFE Project Area
2	Cropland	CP2 -	39.37			

## CLU Information

CLU Number	Scenario Acres within CLU
2	39.37

## Practice Information

### Erodibility Index Calculations

#### High Three Soils Used in Cropland Subportion Erosion Index Calculations

FIPS ST/CNTY	SSAID	MUSYM	ACRES	T	K	LS	I
08061	CO061	21	17.67	5	0.28	0.35	86
08061	CO061	57	14.26	5	0.43	0.16	86
08061	CO061	22	7.44	5	0.28	1.26	86

#### Erodibility Calculation Inputs

R Value: 50  
C Value: 90  
EI Acres: 39.37

#### Erodibility Calculation Results

Wind EI: 15  
Water EI: 1

Note: TERRA payment calculations may differ slightly from final payment calculations.

Note: Any Weighted Average Soil Rental Rate (WASRR) cap imposed is not reflected on this summary.

## Kiowa County, Colorado

### 21—Kim-Harvey-Stoneham loams, 1 to 3 percent slopes

#### Map Unit Setting

*National map unit symbol:* 3584

*Elevation:* 3,800 to 6,500 feet

*Mean annual precipitation:* 12 to 16 inches

*Mean annual air temperature:* 46 to 54 degrees F

*Frost-free period:* 130 to 170 days

*Farmland classification:* Prime farmland if irrigated

#### Map Unit Composition

*Kim and similar soils:* 40 percent

*Harvey and similar soils:* 25 percent

*Stoneham and similar soils:* 25 percent

*Minor components:* 10 percent

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

#### Description of Kim

##### Setting

*Landform:* Plains

*Landform position (two-dimensional):* Backslope

*Landform position (three-dimensional):* Talf

*Down-slope shape:* Linear

*Across-slope shape:* Linear

*Parent material:* Alluvium

##### Typical profile

*A - 0 to 4 inches:* loam

*AC - 4 to 11 inches:* loam

*C - 11 to 60 inches:* sandy clay 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:* 20 percent

*Salinity, maximum in profile:* Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)

*Available water storage in profile:* High (about 9.6 inches)

##### Interpretive groups

*Land capability classification (irrigated):* 2e



*Land capability classification (nonirrigated):* 6e  
*Hydrologic Soil Group:* B  
*Ecological site:* Loamy Plains (R067BY002CO)  
*Other vegetative classification:* LOAMY PLAINS (067XY002CO\_1)  
*Hydric soil rating:* No

## **Description of Harvey**

### **Setting**

*Landform:* Plains  
*Landform position (two-dimensional):* Backslope  
*Landform position (three-dimensional):* Talf  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Alluvium and/or eolian deposits

### **Typical profile**

*Ap - 0 to 5 inches:* loam  
*Bk - 5 to 50 inches:* sandy clay loam  
*2Ck - 50 to 60 inches:* gravelly sandy 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:* Nonsaline to very slightly saline (0.0  
to 2.0 mmhos/cm)  
*Sodium adsorption ratio, maximum in profile:* 5.0  
*Available water storage in profile:* Moderate (about 8.8 inches)

### **Interpretive groups**

*Land capability classification (irrigated):* 3e  
*Land capability classification (nonirrigated):* 6c  
*Hydrologic Soil Group:* B  
*Ecological site:* Loamy Plains (R067BY002CO)  
*Other vegetative classification:* LOAMY PLAINS (067XY002CO\_1)  
*Hydric soil rating:* No

## **Description of Stoneham**

### **Setting**

*Landform:* Plains  
*Landform position (two-dimensional):* Backslope  
*Landform position (three-dimensional):* Talf  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Alluvium and/or eolian deposits

### Typical profile

*Ap* - 0 to 4 inches: loam  
*Bt* - 4 to 8 inches: clay loam  
*Bk* - 8 to 60 inches: clay loam  
*C* - 60 to 64 inches: gravelly sandy loam

### Properties and qualities

*Slope*: 1 to 2 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*: 15 percent  
*Salinity, maximum in profile*: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)  
*Available water storage in profile*: High (about 9.6 inches)

### Interpretive groups

*Land capability classification (irrigated)*: 2e  
*Land capability classification (nonirrigated)*: 4e  
*Hydrologic Soil Group*: B  
*Ecological site*: Loamy Plains (R067BY002CO)  
*Other vegetative classification*: LOAMY PLAINS (067XY002CO\_1)  
*Hydric soil rating*: No

### Minor Components

#### Other soils

*Percent of map unit*: 10 percent  
*Hydric soil rating*: No

## Data Source Information

Soil Survey Area: Kiowa County, Colorado  
Survey Area Data: Version 17, Sep 12, 2019

## Kiowa County, Colorado

### 22—Kim-Stoneham-Larimer loams, 3 to 12 percent slopes

#### Map Unit Setting

*National map unit symbol:* 3585

*Elevation:* 3,800 to 6,500 feet

*Mean annual precipitation:* 12 to 16 inches

*Mean annual air temperature:* 46 to 55 degrees F

*Frost-free period:* 130 to 170 days

*Farmland classification:* Not prime farmland

#### Map Unit Composition

*Kim and similar soils:* 35 percent

*Stoneham and similar soils:* 30 percent

*Larimer and similar soils:* 25 percent

*Minor components:* 10 percent

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

#### Description of Kim

##### Setting

*Landform:* Ridges, hills

*Landform position (three-dimensional):* Side slope

*Down-slope shape:* Linear

*Across-slope shape:* Linear

*Parent material:* Alluvium

##### Typical profile

*A - 0 to 4 inches:* loam

*AC - 4 to 11 inches:* loam

*C - 11 to 60 inches:* sandy clay loam

##### Properties and qualities

*Slope:* 3 to 12 percent

*Depth to restrictive feature:* More than 80 inches

*Natural drainage class:* Well drained

*Runoff class:* Medium

*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:* 20 percent

*Salinity, maximum in profile:* Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)

*Available water storage in profile:* High (about 9.6 inches)

##### Interpretive groups

*Land capability classification (irrigated):* 4e

*Land capability classification (nonirrigated):* 6e

*Hydrologic Soil Group:* B  
*Ecological site:* Loamy Plains (R067BY002CO)  
*Other vegetative classification:* LOAMY PLAINS (067XY002CO\_1)  
*Hydric soil rating:* No

## **Description of Stoneham**

### **Setting**

*Landform:* Hills, ridges  
*Landform position (three-dimensional):* Side slope  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Alluvium and/or eolian deposits

### **Typical profile**

*Ap - 0 to 4 inches:* loam  
*Bt - 4 to 8 inches:* clay loam  
*Bk - 8 to 26 inches:* clay loam  
*C - 26 to 64 inches:* gravelly sandy loam

### **Properties and qualities**

*Slope:* 3 to 5 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:* 15 percent  
*Salinity, maximum in profile:* Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)  
*Available water storage in profile:* Moderate (about 7.6 inches)

### **Interpretive groups**

*Land capability classification (irrigated):* 3e  
*Land capability classification (nonirrigated):* 4e  
*Hydrologic Soil Group:* B  
*Ecological site:* Loamy Plains (R067BY002CO)  
*Other vegetative classification:* LOAMY PLAINS (067XY002CO\_1)  
*Hydric soil rating:* No

## **Description of Larimer**

### **Setting**

*Landform:* Hills, ridges  
*Landform position (three-dimensional):* Side slope  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Gravelly alluvium

### **Typical profile**

*A - 0 to 3 inches:* loam

*Bt - 3 to 9 inches:* loam  
*Bk - 9 to 28 inches:* sandy clay loam  
*2C - 28 to 60 inches:* very gravelly loamy sand

**Properties and qualities**

*Slope:* 3 to 10 percent  
*Depth to restrictive feature:* More than 80 inches  
*Natural drainage class:* Well drained  
*Runoff class:* Medium  
*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:* 10 percent  
*Salinity, maximum in profile:* Nonsaline to very slightly saline (0.0  
to 2.0 mmhos/cm)  
*Available water storage in profile:* Low (about 4.9 inches)

**Interpretive groups**

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 4e  
*Hydrologic Soil Group:* B  
*Ecological site:* Loamy Plains (R067BY002CO)  
*Other vegetative classification:* LOAMY PLAINS (067XY002CO\_1)  
*Hydric soil rating:* No

**Minor Components**

**Other soils**

*Percent of map unit:* 10 percent  
*Hydric soil rating:* No

**Data Source Information**

Soil Survey Area: Kiowa County, Colorado  
Survey Area Data: Version 17, Sep 12, 2019

## Kiowa County, Colorado

### 57—Colby silt loam, 0 to 3 percent slopes

#### Map Unit Setting

*National map unit symbol:* 2v1qy

*Elevation:* 3,300 to 6,000 feet

*Mean annual precipitation:* 14 to 16 inches

*Mean annual air temperature:* 50 to 54 degrees F

*Frost-free period:* 130 to 170 days

#### Map Unit Composition

*Colby and similar soils:* 90 percent

*Minor components:* 10 percent

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

#### Description of Colby

##### Setting

*Landform:* Interfluves

*Landform position (two-dimensional):* Summit

*Landform position (three-dimensional):* Interfluve

*Down-slope shape:* Linear

*Across-slope shape:* Linear

*Parent material:* Loess

##### Typical profile

*Ap - 0 to 5 inches:* silt loam

*Bk1 - 5 to 16 inches:* silt loam

*Bk2 - 16 to 32 inches:* silt loam

*Bk3 - 32 to 79 inches:* silt loam

##### Properties and qualities

*Slope:* 0 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:* 14 percent

*Salinity, maximum in profile:* Very slightly saline (2.0 to 3.9 mmhos/cm)

*Available water storage in profile:* Very high (about 12.6 inches)

##### Interpretive groups

*Land capability classification (irrigated):* 3e

*Land capability classification (nonirrigated):* 4c

*Hydrologic Soil Group:* B

*Ecological site:* Loamy Plains (R067BY002CO)  
*Forage suitability group:* Loamy (G067BW017CO)  
*Hydric soil rating:* No

#### **Minor Components**

##### **Keith**

*Percent of map unit:* 5 percent  
*Landform:* Interfluves  
*Landform position (two-dimensional):* Summit  
*Landform position (three-dimensional):* Interfluve  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* Loamy Plains (R067BY002CO)  
*Hydric soil rating:* No

##### **Wiley**

*Percent of map unit:* 5 percent  
*Landform:* Interfluves  
*Landform position (two-dimensional):* Summit  
*Landform position (three-dimensional):* Interfluve  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* Loamy Plains (R067BY002CO)  
*Other vegetative classification:* Loamy Plains #2 (067XY002CO\_2)  
*Hydric soil rating:* No

#### **Data Source Information**

Soil Survey Area: Kiowa County, Colorado  
Survey Area Data: Version 17, Sep 12, 2019

## Land Capability Classification

The land capability classification of map units in the survey area is shown in this table. This classification shows, in a general way, the suitability of soils for most kinds of field crops (United States Department of Agriculture, Soil Conservation Service, 1961). Crops that require special management are excluded. The soils are grouped according to their limitations for field crops, the risk of damage if they are used for crops, and the way they respond to management. The criteria used in grouping the soils do not include major and generally expensive landforming that would change slope, depth, or other characteristics of the soils, nor do they include possible but unlikely major reclamation projects. Capability classification is not a substitute for interpretations designed to show suitability and limitations of groups of soils for rangeland, for forestland, or for engineering purposes.

In the capability system, soils are generally grouped at three levels: capability class, subclass, and unit.

*Capability classes*, the broadest groups, are designated by the numbers 1 through 8. The numbers indicate progressively greater limitations and narrower choices for practical use. The classes are defined as follows:

- Class 1 soils have slight limitations that restrict their use.
- Class 2 soils have moderate limitations that restrict the choice of plants or that require moderate conservation practices.
- Class 3 soils have severe limitations that restrict the choice of plants or that require special conservation practices, or both.
- Class 4 soils have very severe limitations that restrict the choice of plants or that require very careful management, or both.
- Class 5 soils are subject to little or no erosion but have other limitations, impractical to remove, that restrict their use mainly to pasture, rangeland, forestland, or wildlife habitat.
- Class 6 soils have severe limitations that make them generally unsuitable for cultivation and that restrict their use mainly to pasture, rangeland, forestland, or wildlife habitat.
- Class 7 soils have very severe limitations that make them unsuitable for cultivation and that restrict their use mainly to grazing, forestland, or wildlife habitat.
- Class 8 soils and miscellaneous areas have limitations that preclude commercial plant production and that restrict their use to recreational purposes, wildlife habitat, watershed, or esthetic purposes.

*Capability subclasses* are soil groups within one class. They are designated by adding a small letter, e, w, s, or c, to the class numeral, for example, 2e. The letter e shows that the main hazard is the risk of erosion unless close-growing plant cover is maintained; w shows that water in or on the soil interferes with plant growth or cultivation (in some soils the wetness can be partly corrected by artificial drainage); s shows that the soil is limited mainly because it is shallow, droughty, or stony; and c, used in only some parts of the United States, shows that the chief limitation is climate that is very cold or very dry.



In class 1 there are no subclasses because the soils of this class have few limitations. Class 5 contains only the subclasses indicated by w, s, or c because the soils in class 5 are subject to little or no erosion.

## Report—Land Capability Classification

Land Capability Classification—Kiowa County, Colorado				
Map unit symbol and name	Pct. of map unit	Component name	Land Capability Subclass	
			Nonirrigated	Irrigated
21—Kim-Harvey-Stoneham loams, 1 to 3 percent slopes				
	40	Kim	6e	2e
	25	Harvey	6c	3e
	25	Stoneham	4e	2e
22—Kim-Stoneham-Larimer loams, 3 to 12 percent slopes				
	35	Kim	6e	4e
	30	Stoneham	4e	3e
	25	Larimer	4e	—
57—Colby silt loam, 0 to 3 percent slopes				
	90	Colby	4c	3e

## Data Source Information

Soil Survey Area: Kiowa County, Colorado  
 Survey Area Data: Version 17, Sep 12, 2019

#### EXHIBIT J - VEGETATION INFORMATION

The 40 acres of this site has not been planted in wheat in the last few years. As of now it has wheat stubble on it which in the past has averaged twenty-five bushels an acre.

## EXHIBIT K - CLIMATE

The climate is mainly dry.

January to March the average temperature is lows 15° and highs 40°.

April to June the average temperature is lows 40° and highs 85°.

July to September the average temperature is lows 60° and Highs 95°.

October to December the average temperature is lows 30° and highs 60°.

#### EXHIBIT L - RECLAMATION COSTS

All costs of grading, sloping and seeding, along with fertilizer and mulching will be the cost of Kiowa County only and not the State of Colorado.

## EXHIBIT M

The only other permit we are required to have is an air permit. We have completed the application for an APEN through APCD, CDPHE.

#### EXHIBIT N - SOURCE OF LEGAL RIGHT TO ENTER

The source of the operators/applicants legal right to enter and initiate a mining operation on the affected land. (Same requirements as Rule 6.3.7)

EXHIBIT O



ACCOUNT NUMBER	F	L E G A L	D E S C R I P T I O N	STATE S	DST CITY	SUBDV ANL USE	ZN
NAME/ADDRESS	L SUB PROPERTY ADDRESS			EQUIV C ABST	ACRES/AC		
*****	*****	*****	*****	*****	*****	*****	*****
RTH FARMS LLC	112911411 R 001						
14229 CR 67							
SHERIDAN LAKE							
CO 81071							

N2-SE (EXC RR-HWY)	20 18 43	3534.90	4127	291 00000	00000 000	41270 00	7030
SW (MR) 35 17 44		465.32 ACRES	4127	4136	245.32 AC		7030
W2-NE 2 18 44		160.00 ACRES	4127	4136	160.00 AC		4580
E2 (MR) 11 18 44		471.35 ACRES	4127	4136	218.29 AC		6250
S2 (MR) 14 18 44		312.12 ACRES	4127	4136	160.00 AC		4580
ALL (MR) 23 18 44		316.97 ACRES	4127	4136	210.00 AC		6010
W2-W2E2 (EXC HWY) (MR)	24 18 44	633.94 ACRES	4127	4136	293.00 AC		8390
NW (N RR) (MR) 25 18 44		474.33 ACRES	4127	4136	91.95 AC		2630
N2 (N RR) (MR) 26 18 44		91.95 ACRES	4127	4136	50.00 AC		1430
NE-PT SE (N RR) (MR)	27 18 44	276.80 ACRES	4127	4136	112.12 AC		3210
SE 22 19 44		172.12 ACRES	4127	4136	60.00 AC		1380
		160.00 ACRES	4127	4136	253.06 AC		5890
			4127	4139	152.12 AC		3680
			4127	4139	106.97 AC		2530
			4127	4139	310.00 AC		7130
			4127	4139	133.33 AC		3070
			4127	4139	167.43 AC		3850
			4127	4139	60.00 AC		1380
			4127	4142	80.00 AC		1840
			4127	4142	160.00 AC		2530
			4127	4142	113.94 AC		1900
			4127	4142	48.00 AC		760
			4127	4142	59.37 AC		940
			4127	4142	80.00 AC		1270
			4147	4148			0
			4148				0

MASTER CHG:20191206 COKOMMAR

LEGAL CHG:20191007 COKOWAMY

LEGAL ACRES 3534.90

\*\*TOTAL

3534.90

ABST CHG:20200103 COKOMM-H

88270 \*  
88270 \*  
\*\*

**EXHIBIT P**

**There are no Municipalities within two miles of this mine site.**

NOTICE F FILING APPLICATION  
FOR COLORADO MINED LAND RECLAMATION PERMIT  
FOR **REGULAR (112) CONSTRUCTION MATERIALS EXTRACTION OPERATION**

NOTICE TO THE BOARD OF SUPERVISORS  
OF THE KIOWA COUNTY SOIL CONSERVATION DISTRICT

Kiowa County has applied for a Regular (112) reclamation permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct the extraction of construction materials operations in Kiowa County. The attached information is being provided to notify you of the location and nature of the proposed operation. The entire application is on file with the Division of Minerals and Geology (the "Division") and the local county clerk and recorder.

Kiowa County proposes to reclaim the affected land to pasture/grass land use. Pursuant to Section 34-32.5-116(4)(m), C. R. S., the Board may confer with the local Conservation Districts before approving of the post-mining land use. Accordingly, The Board would appreciate your comments on the proposed operation. Please note that, in order to preserve your right to a hearing before the Board on this application, you must submit written comments on the application within twenty (20) days of the date of last publication of notice pursuant to Section 34-32.5-112(10), C.R.S.

If you would like to discuss the proposed post-mining land use, or any other issue regarding this application, please contact the Division of Minerals and Geology, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567.

## EXHIBIT R

See Addendum 1 – Proof of Notice Filing with County Clerk and Recorder

# EXHIBIT S

There are no permanent manmade structures on or near this site.

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. The East Fence that borders the Harris P.T
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

(Please list additional structures on a separate page)

**CERTIFICATION**

The Applicant, Kiowa County (print applicant/company name),  
by Allen WATTS (print representative's name), as R.B. Foreman (print  
representative's title), does hereby certify that Eugene Splitter, Dorothy Lynn Frey (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 HARRIS PIT (operation name),  
File Number M-2021-015

*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:

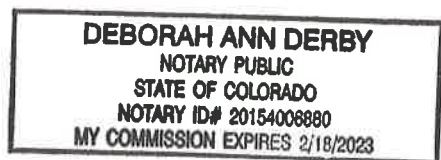
Applicant Kiowa County Representative Name Allen WATTS

Date 6-24-21 Title R.B. Foreman

STATE OF Colo )  
 ) ss.  
COUNTY OF Kiowa )

The foregoing was acknowledged before me this 24<sup>th</sup> day of June, 2021, by  
Allen Watts as R.B. Foreman of Kiowa County.

Deborah Ann Derby My Commission Expires: 2/18/2023  
Notary Public





NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner Dorothy L. Frey Name Dorothy L. Frey  
Eugene K Splitter Name EUGENE K SPLITTER

Date 7-7-21 Title OWNERS

STATE OF Colorado )  
 ) ss.

COUNTY OF Proctor )

The foregoing was acknowledged before me this 7 day of July, 2021, by  
Dorothy L. Frey as Eugene K Splitter of \_\_\_\_\_.

[Signature] My Commission Expires: 8-14-2023  
Notary Public

CHRISTIE LYNN WEEDER  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID# 19984027496  
MY COMMISSION EXPIRES 08/14/2023

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. The access Road leading into the Harris P: T
2. The south Fence that borders the Harris P: T
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

*(Please list additional structures on a separate page)*

**CERTIFICATION**

The Applicant, Kiowa County (print applicant/company name),  
by Allen Watts (print representative's name), as R+B Foreman (print  
representative's title), does hereby certify that RTH Farms LLC (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 Harris Pit (operation name),  
File Number M 2021-015

*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:

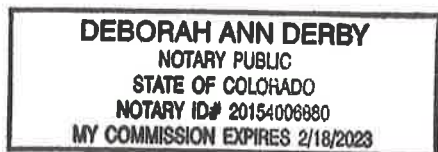
Applicant Kiowa County Representative Name Allen Watts

Date 6-24-21 Title R+B Foreman

STATE OF Colo )  
 ) ss.  
COUNTY OF Kiowa )

The foregoing was acknowledged before me this 24<sup>th</sup> day of June, 2021, by  
Allen Watts as R+B Foreman of Kiowa County.

Deborah Ann Derby My Commission Expires: 2/18/2023  
Notary Public



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner B, Rick L. Harris Tim Harris Name Timothy J Harris

Date 6-25-2021 Title Partner

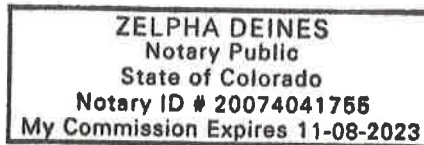
STATE OF Colorado )  
 ) ss.

COUNTY OF Kiowa )

The foregoing was acknowledged before me this 25<sup>th</sup> day of June, 2021, by  
Tim Harris as Gen. Owner of RTH Farms.

Zelpha Deines  
Notary Public

My Commission Expires: 11/08/2023



## ADDENDUM 1

Notice of Filing to Kiowa County Board of County Commissioners

Notice of Filing to Kiowa County Soil Conservation District

Public Notice Publication

Location Sign Posting

Receipt of Recording with Kiowa County Clerk

Notice of Filing to Surface Owners and Adjacent Landowners

NOTICE OF FILING APPLICATION  
FOR COLORADO MINED LAND RECLAMATION PERMIT  
FOR REGULAR (112) CONSTRUCTION MATERIALS EXTRACTION OPERATION

NOTICE TO THE BOARD OF COUNTY COMMISSIONERS  
KIOWA COUNTY

Kiowa County has applied for a Regular (112) reclamation permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct the extraction of construction materials operations in Kiowa County. The attached information is being provided to notify you of the location and nature of the proposed operation. The entire application is on file with the Division of Minerals and Geology (the "Division") and the local county clerk and recorder.

Kiowa County proposes to reclaim the affected land to pasture/grass land use. Pursuant to Section 34-32.5-116(4)(m), C. R. S., the Board may confer with the local Conservation Districts before approving of the post-mining land use. Accordingly, The Board would appreciate your comments on the proposed operation. Please note that, in order to preserve your right to a hearing before the Board on this application, you must submit written comments on the application within twenty (20) days of the date of last publication of notice pursuant to Section 34-32.5-112(10), C.R.S.

If you would like to discuss the proposed post-mining land use, or any other issue regarding this application, please contact the Division of Minerals and Geology, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567.

Certification:

I, Donald Oswald, hereby certify that I received the above notice for the proposed permit area known as the Harris Pit, on November 12, 2020.

Kiowa County Board of Commissioners

Donald Oswald  
SIGNATURE

11-12-2020  
DATE

ATTEST:

Delisa A. Weeks  
Delisa Weeks, Clerk & Recorder

NOTICE F FILING APPLICATION  
FOR COLORADO MINED LAND RECLAMATION PERMIT  
FOR REGULAR (112) CONSTRUCTION MATERIALS EXTRACTION OPERATION

NOTICE TO THE BOARD OF SUPERVISORS  
OF THE KIOWA COUNTY SOIL CONSERVATION DISTRICT

Kiowa County has applied for a Regular (112) reclamation permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct the extraction of construction materials operations in Kiowa County. The attached information is being provided to notify you of the location and nature of the proposed operation. The entire application is on file with the Division of Minerals and Geology (the "Division") and the local county clerk and recorder.

Kiowa County proposes to reclaim the affected land to pasture/grass land use. Pursuant to Section 34-32.5-116(4)(m), C. R. S., the Board may confer with the local Conservation Districts before approving of the post-mining land use. Accordingly, The Board would appreciate your comments on the proposed operation. Please note that, in order to preserve your right to a hearing before the Board on this application, you must submit written comments on the application within twenty (20) days of the date of last publication of notice pursuant to Section 34-32.5-112(10), C.R.S.

If you would like to discuss the proposed post-mining land use, or any other issue regarding this application, please contact the Division of Minerals and Geology, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567.

Certification:

I, Dawn Weirich, hereby certify that I received the above notice for the proposed permit area known as the Harris Pit, on November 17, 2020.

Kiowa County Soil Conservation District

Dawn Weirich  
AUTHORIZED SIGNATURE

11-17-2020  
DATE

Lina Adamson  
WITNESS

## PUBLIC NOTICE

Kiowa County, whose address and phone number is 1305 Goff Street, Eads, CO 81036, (719) 438-5810, has filed for a Regular (112) Construction Materials Operation Reclamation Permit with the Colorado Mined Land Reclamation Board under the provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials. The proposed mine is known as the Harris Pit, and is located at or near Section 22, Township 19 South, Range 44 West, 6<sup>th</sup> Prime Meridian.

The proposed date of commencement is July 1, 2021, and the proposed date of completion is December 31, 2120. The proposed future use of the land is (Future Landuse) agriculture. 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 Kiowa County Clerk and Records office, 1305 Goff Street, Eads, CO 81036, or the above named applicant.

Comments on the application must be in writing and must be received by the Division of Reclamation, Mining, and Safety by 4:00 p.m. on June 30, 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.*

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Publication dates:	First Published	06/02/2021
		06/09/2021
		06/16/2021
	Last Published	06/23/2021

Published in the Kiowa County Independent, Eads, CO



## AFFIDAVIT OF PUBLICATION

STATE OF COLORADO }  
 } SS.  
 COUNTY OF KIOWA }

I, Betsy A. Barnett, being first duly sworn, depose and say upon personal knowledge:

1. That I am the publisher of the *KIOWA COUNTY INDEPENDENT*, a weekly newspaper published in the Town of Eads, County of Kiowa and State of Colorado.
2. That the said Kiowa County Independent is printed and published at regular intervals, once each week on Wednesday, that it has been admitted to the United States mails with periodicals mailing privileges, and that it has a general circulation in the County of Kiowa, State of Colorado, and elsewhere.
3. That the said *Kiowa County Independent* is a weekly legal newspaper as defined by 24-70-102, Colorado Revised Statutes, and is duly qualified for the purpose of publishing legal notices or advertisements.
4. That the said *Kiowa County Independent* was established and has been published in said Kiowa County continuously and uninterruptedly during the period of at least fifty-two consecutive weeks immediately proceeding to the first issue thereof containing the annexed Public Notice for Reclamation Permit.
5. That the said annexed Public Notice for Reclamation Permit is a full, true and correct copy of the original, cut from said newspaper, and was regularly published in each of the regular and entire issues of said newspaper, a legally qualified paper for that purpose, once each week, on the same day of each week, for four weeks, the dates of said publication having been June 2, 2021; June 9, 2021; June 16, 2021; June 23, 2021.

Betsy A. Barnett

Publisher

Subscribed and sworn to before me this 8th  
 day of July, 2021.

Kim J. Richards

Notary Public

My Commission Expires 09-22-2021

KIM J. RICHARDS  
 Notary Public  
 State of Colorado  
 Notary ID # 19974017107  
 My Commission Expires 09-22-2021

Legal

## PUBLIC NOTICE

Kiowa County, whose address and phone number is 1305 Goff Street, Eads, CO 81036, (719) 438-5810, has filed for a Regular (112) Construction Materials Operation Reclamation Permit with the Colorado Mined Land Reclamation Board under the provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials. The proposed mine is known as the Harris Pit, and is located at or near Section 22, Township 19 South, Range 44 West, 6th Prime Meridian.

The proposed date of commencement is July 1, 2021, and the proposed date of completion is December 31, 2120. The proposed future use of the land is (Future Landuse) agriculture. 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 Kiowa County Clerk and Records office, 1305 Goff Street, Eads, CO 81036, or the above named applicant.

Comments on the application must be in writing and must be received by the Division of Reclamation, Mining, and Safety by 4:00 p.m. on June 30, 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.

## NOTICE

This site is the location of a proposed construction materials operation. Kiowa County Commissioners, whose address and phone number is, PO Box 100, Eads, CO 81036 / 719-438-5810, has applied for a Reclamation Permit with the Colorado Mined Land Reclamation Board. Anyone wishing to comment on the application may view the application at the Kiowa County Commissioner's Office, 1305 Goff St, Eads, CO, and should send comments prior to the end of the public comment period to the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203.

### Certification:

I, Allen Watts, hereby certify that I posted a sign containing the above notice for the proposed permit area know as the Harris Pit, on October 21, 2020.

Allen Watts  
SIGNATURE

11/10/20  
DATE

Township No. 19 of Range No. 44 West of the 6th Principal Meridian.

Thomas F. Feerey		Palmer Brothers LLC	J.J. Schneider Farms LLP	Eugene K. & Judith M. Splitter	V+V Farms Inc	Denis James Weber Rev. Trust (2/3) & Theresa Marie Weber Rev. Trust (1/3)	Everett W. Tallman
Brandon Farms, Lnc			E.H. Tallman Farms, Inc	Charles E. Tallman Farms, Inc	C&J Farms, Corp.	WET Farms Corp.	
John Wayne Synar Trust (2 int)			F.A. Schlereth Trust	Harley J. Koeller Trust & Edith E. Koeller Trust (5% int) & Larry Allen Koeller (95% int)	Eugene K. & Judith M. Splitter		
Barbara Jean Synar Trust (2 int)			State of Colorado	Estella Irene Christensen	Barbara Carol Stokes	Willfred R. & Dorothy Lynn Frey	Gilbert D. Splitter
KCVN LLC				Everett W. Tallman	E.H. Tallman Farms Inc	Harley J. Koeller Trust & Edith E. Koeller Trust	Steve A. Splitter, et al
Everett J. Schultz Rev. Trust	Myreta Lugwitz Living Trust						
Alfred Jean Brenner (2/3)	J.J. Schneider Farms LLP	Jonah Steen Trust	J.J. Schneider Farms LLP	Rick L. & Kimberly S. Harris	Harley J. Koeller Trust & Edith E. Koeller Trust	Larry Allen Koeller	V+V Farms LLC
	Benbrook Farms LLC	KCVN LLC	Wilfred R. & Dorothy Lynn Frey (2/3) & Eugene K. & Judith M. Splitter	RTH Farms	Larry Allen Koeller	Richard Splitter Rev. Trust	Courtney Joan Tallman
C&J Farms, Inc	WET Farms Corp	Richard C. Salzmann, et al	J.J. Schneider Farms, LLLP	Mark F. Marrow Trust	Eugene K. & Judith M. Splitter	Everett W. Tallman	E.H. Tallman Farms Inc
Randall C. & Ty Lin Williams							
Elmer R. Stalford	Purvis LP	Marvin J. & Gail M. Koeller			J.J. Schneider Farms LLP		Larry Allen Koeller
Randal C. & Ty Lin Williams	P & M Farms, Lnc.	Mangus Family Trust		B.J. Murdock Rev. Trust			

REFERENCES:

- Final Entries
- Homestead Application
- Pre-emption Filing
- Timber Culture Claim
- Coal Filing
- Coal Entry
- Desert Entry

LANDS NOT OTHERWISE MARKED ARE VACANT U. S. LANDS

19-44

Date of Plat, July 15<sup>th</sup> 2020

Kiowa County Colorado

SCALE:

One inch to one-half mile.  
Magnetic Variation,

20



# KIOWA COUNTY COLORADO

Mike Lening \* Howard "Butch" Robertson \* Donald Oswald  
District 1 District 2 District 3

1305 Goff St. \* PO Box 100 \* Eads \* CO \* 81036  
Phone: 719.438.5810 \* Fax: 719.438.5615  
kiowaco100@gmail.com



January 15, 2021

J.J. Schneider Farms  
PO Box 69  
Tribune, KS 67879

## ADJACENT SURFACE OWNER NOTICE

Kiowa County, whose address and phone number is 1305 Goff Street, Eads, CO 81036, (719) 438-5810, has filed for a Regular (112) Construction Materials Operation Reclamation Permit with the Colorado Mined Land Reclamation Board under the provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials. The proposed mine is known as the Harris Pit, and is located at or near Section 22, Township 19 South, Range 44 West, 6<sup>th</sup> Prime Meridian.

The proposed date of commencement is January 1, 2021, and the proposed date of completion is December 31, 2120. The proposed future use of the land is (Future Landuse) agriculture. 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 Kiowa County Clerk and Records office, 1305 Goff Street, Eads, CO 81036, or the above named applicant.

Comments on the application must be in writing and must be received by the Division of Reclamation, Mining, and Safety by 4:00 p.m. on FEBRUARY 15, 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*

*expressed by your local governments, Reclamation Board.*

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY																
<ul style="list-style-type: none"><li>Complete items 1, 2, and 3.</li><li>Print your name and address on the reverse so that we can return the card to you.</li><li>Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>	<p>A. Signature <input checked="" type="checkbox"/> Agent. <input type="checkbox"/> Addressee <i>[Signature]</i></p> <p>B. Received by (Printed Name) <i>J. Schneider</i></p> <p>C. Date of Delivery <i>1/15/21</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>																
<p>1. Article Addressed to:</p> <p><i>J.J. Schneider Farms PO Box 69 Tribune, KS 67879</i></p>	<p>3. Service Type</p> <table border="0"><tr><td><input type="checkbox"/> Adult Signature</td><td><input type="checkbox"/> Priority Mail Express®</td></tr><tr><td><input type="checkbox"/> Adult Signature Restricted Delivery</td><td><input type="checkbox"/> Registered Mail™</td></tr><tr><td><input checked="" type="checkbox"/> Certified Mail®</td><td><input type="checkbox"/> Registered Mail Restricted Delivery</td></tr><tr><td><input type="checkbox"/> Certified Mail Restricted Delivery</td><td><input type="checkbox"/> Return Receipt for Merchandise</td></tr><tr><td><input type="checkbox"/> Collect on Delivery</td><td><input type="checkbox"/> Signature Confirmation™</td></tr><tr><td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td><td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td></tr><tr><td><input type="checkbox"/> Insured Mail</td><td></td></tr><tr><td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td><td></td></tr></table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	
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<p>2. Article Number (Transfer from service label)</p> <p><i>7004 2890 0003 8658 9919</i></p>																	



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# KIOWA COUNTY COLORADO



Mike Lening \* Howard "Butch" Robertson \* Donald Oswald  
District 1 District 2 District 3

1305 Goff St. \* PO Box 100 \* Eads \* CO \* 81036  
Phone: 719.438.5810 \* Fax: 719.438.5615  
kiowaco100@gmail.com

January 15, 2021

Eugene Splitter  
9569 Hwy 385  
Sheridan Lake, CO 81071-9723

## ADJACENT SURFACE OWNER NOTICE

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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY																
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<p>1. Article Addressed to:</p> <p><i>Eugene Splitter</i> <i>9569 Hwy 385</i> <i>Sheridan Lake, CO 81071</i></p> <p>9590 9402 5696 9346 4849 05</p>	<p>3. Service Type</p> <table border="0"><tr><td><input type="checkbox"/> Adult Signature</td><td><input type="checkbox"/> Priority Mail Express®</td></tr><tr><td><input type="checkbox"/> Adult Signature Restricted Delivery</td><td><input type="checkbox"/> Registered Mail™</td></tr><tr><td><input checked="" type="checkbox"/> Certified Mail®</td><td><input type="checkbox"/> Registered Mail Restricted Delivery</td></tr><tr><td><input type="checkbox"/> Certified Mail Restricted Delivery</td><td><input type="checkbox"/> Return Receipt for Merchandise</td></tr><tr><td><input type="checkbox"/> Collect on Delivery</td><td><input type="checkbox"/> Signature Confirmation™</td></tr><tr><td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td><td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td></tr><tr><td><input type="checkbox"/> Insured Mail</td><td></td></tr><tr><td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td><td></td></tr></table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	
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