



September 30, 2021

Division of Reclamation, Mining and Safety
Dept. of Natural Resources
1313 Sherman St., Room 215
Denver, CO 80203

RE: Succession of Operators Velarde Pit, M-2002-118.

Patrick Lennberg,

Regarding your letter dated August 13, 2021 and September 29, 2021. We are enclosing with this letter the executed Structured Agreements required to complete the transfer of Mineral Permit and Succession of Operators from APC Southern Construction Co. to Oldcastle SW Group, Inc. for Velarde Pit M-2002-118. With this submittal and the submittal sent to DRMS dated September 17, 2021 we believe all items requested by DRMS have been supplied.

Please feel free to contact me if you have any have any other questions, clint.allen@na.crh.com or (515) 537-3696. If scheduling a site visit, please contact the Jim MacDonald, jmacdonald@apc.us.com or (719)250-1998.

Sincerely,

Clint Allen
Sr. Environmental Manager
Oldcastle SW Group, Inc.

APC Southern Construction Co.
14802 W. 44th Avenue
Golden, CO 80403

September 3, 2021

RE: Velarde Pit, M-2002-118

Frank Velarde
124 County Road 613
P.O. Box 407
Walsenburg, CO 81099

Dear Mr. Velarde,

We are pleased to notify you that *APC Southern Construction Co.* and *Oldcastle SW Group, Inc.* have entered a merger. This change will not impact you or the way you do business with us in any significant way. The purpose is simply to help better align the internal divisions of our group with our corporate organization. You will continue to work with the same people you always have, and we will continue to provide the same dependability and excellent customer service that you are accustomed to. Following the merger, our new legal entity will be *Oldcastle SW Group, Inc. DBA APC Southern Construction Co.*

As a result of the change to our legal entity The State of Colorado, Division of Reclamation, Mining and Safety ("Division") requires that we attempt to attain **new** agreements between parties regarding the protection of your structures that are within 200 feet of the proposed disturbed area.

This agreement is a guarantee of protection of the structure for you as the owner. Please sign and notarize the enclosed letter and send it back to APC Southern Construction Co. If you are not authorized to sign this, please present it to the proper person who is authorized. If there are any questions you can contact Clint Allen at 515-266-9928 or clint.allen@na.crh.com.

Sincerely



Clint Allen
Sr. Environmental Manager
Oldcastle SW Group, Inc. DBA APC Southern Construction Co.

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 disturbed area:

1. Fence
2. _____
3. _____
4. _____
5. _____

(Please list additional structures on a separate page)

CERTIFICATION

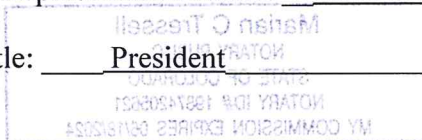
The applicant, Oldcastle SW Group, Inc., represented by Rich Umbel
as, President, does hereby certify that does hereby certify that Frank Velarde (structure
owner) shall be compensated for any damage from the proposed mining operation to the above
listed structure(s) located on or within 200 feet of the proposed affected area described within the
Reclamation Permit for Pino Pit, File Number M-2002-118.

*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.*

ACKNOWLEDGED BY:  (Signature of Officer)

Applicant Oldcastle SW Group, Inc. Representative Name: Rich Umbel

Date: 9-17-2021 Title: President

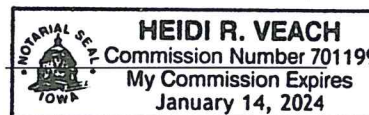


STATE OF IA)
COUNTY OF Polk) ss.

The foregoing was acknowledged before me this 17 day of Sept, 2021, by
Rich Umbel as President of Oldcastle SW Group


Notary Public

My Commission Expires:



NOTARY FOR STRUCTURE OWNER WITHIN 200 FT of 5 MILE PIT AFFECTED AREA

ACKNOWLEDGED BY: Dana Velarde - Ague (POA) (Signature of Officer)

Structure Owner: Frank Velarde Name: Della Velarde

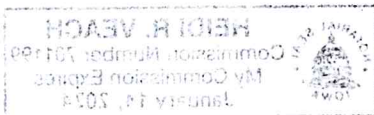
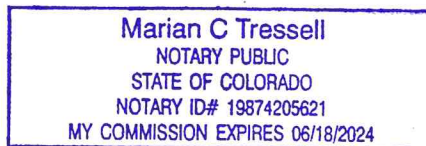
Date: Sept 28, 2021 Title: owner

STATE OF Colorado)
COUNTY OF Denver) ss.

The foregoing was acknowledged before me this 28TH day of Sept, 2021, by

DANA AGEE as POA for Owner of Property

Marian C. Tressell My Commission Expires: 6-18-2024
Notary Public



APC Southern Construction Co.
14802 W. 44th Avenue
Golden, CO 80403

September 3, 2021

RE: Velarde Pit, M-2002-118

San Isabel Electric Association, Inc.
781 E. Industrial Blvd.
Pueblo West, CO 81007

Dear Sir or Madam,

We are pleased to notify you that *APC Southern Construction Co.* and *Oldcastle SW Group, Inc.* have entered a merger. This change will not impact you or the way you do business with us in any significant way. The purpose is simply to help better align the internal divisions of our group with our corporate organization. You will continue to work with the same people you always have, and we will continue to provide the same dependability and excellent customer service that you are accustomed to. Following the merger, our new legal entity will be *Oldcastle SW Group, Inc. DBA APC Southern Construction Co.*

As a result of the change to our legal entity The State of Colorado, Division of Reclamation, Mining and Safety ("Division") requires that we attempt to attain new agreements between parties regarding the protection of your structures that are within 200 feet of the proposed disturbed area.

This agreement is a guarantee of protection of the structure for you as the owner. Please sign and notarize the enclosed letter and send it back to APC Southern Construction Co. If you are not authorized to sign this, please present it to the proper person who is authorized. If there are any questions you can contact Clint Allen at 515-266-9928 or clint.allen@na.crh.com.

Sincerely



Clint Allen
Sr. Environmental Manager
Oldcastle SW Group, Inc. DBA APC Southern Construction Co.

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 disturbed area:

1. Power Lines and poles in accordance with the letter dated April 8, 2003, a copy of which is attached to this Structure Agreement, replacing D.G. Huskin Construction Co., prior owner to APC Southern Construction Co, LLC, with *Oldcastle SW Group, Inc. DBA APC Southern Construction Co.*
2. _____
3. _____
4. _____
5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The applicant, Oldcastle SW Group, Inc., represented by Rich Umbel
as, President, does hereby certify that does hereby certify that San Isabel Electric
Association, Inc. (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 the Reclamation Permit for Velarde Pit, File Number M-2002-
118.

*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.*

ACKNOWLEDGED BY: [Signature] (Signature of Officer)

Applicant Oldcastle SW Group, Inc. Representative Name: Rich Umbel

Date: 9-17-2021 Title: President

STATE OF IA)
COUNTY OF Polk)ss.

The foregoing was acknowledged before me this 17 day of Sept, 2021, by

Rich Umbel as President of Oldcastle SW Group

[Signature]
Notary Public

My Commission Expires:



NOTARY FOR STRUCTURE OWNER WITHIN 200 FT of 5 MILE PIT AFFECTED AREA

ACKNOWLEDGED BY: [Signature] (Signature of Officer)

Structure Owner: San Isabel Electric Association Name: ROYCE ANDERSON

Date: SEPT. 28, 2021 Title: ROW & SAFETY MANAGER

STATE OF Colorado)
)ss.
COUNTY OF Pueblo)

The foregoing was acknowledged before me this 28 day of Sept, 2021, by

Royce Anderson as ROW & Safety Mgr of SIEA

Vanessa Clementi My Commission Expires: 8/3/25
Notary Public

VANESSA CLEMENTI
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20214030902
MY COMMISSION EXPIRES AUGUST 03, 2025

HEIDI R. VEACH
Commission Number 201199
My Commission Expires
January 14, 2024



SAN ISABEL ELECTRIC ASSOCIATION, Inc.

POST OFFICE BOX 882
PUEBLO, COLORADO 81002
April 8, 2003



A True Electric Energy Corporation

TEL: (719) 547-2160
FAX: (719) 547-2220

LJ Development, Inc.
c/o Joe Gagliano
159 Tiffani Ct.
Pueblo, CO 81005

RE: VELARDE GRAVEL PIT

Pit located in SE 1/4 Section 33, SW 1/4 Section 34, NW 1/4 Section 3, NE 1/4 Section 4,
Townships 26S and 27S, Range 67W

San Isabel Electric Association, Inc. (S.I.E.A.) has no objection to the operation of said gravel pit under the following conditions:

1. That the operations of said pit does not interfere with the operations and maintenance of existing electrical facilities.
2. No equipment will be operated within ten feet (10') of any electrical facility. (Horizontal or Vertical)
3. The applicant will reimburse S.I.E.A. for any and all costs arising from any damages to said facilities or disruption of electrical services.
4. Enclosed is a drawing showing the area to be left undisturbed and made part of the operation.
5. S.I.E.A. requests extreme caution be exercised when working around or near said facilities for the protection of property owners, contractors and the general public.

Please Note

If you have any questions please contact this office at 719-547-2160.

SAN ISABEL ELECTRIC ASSOCIATION, INC.

By

[Signature]
Chief Engineer

State of Colorado
County of Huerfano

The foregoing instrument was acknowledged before this 8TH day of APRIL, 2003,
by T. SHELLEY FARRER

Notary Public

[Signature]
April 2, 2003

My Commission Expires

My Commission Expires
07062006

My Address is

484 WESTERN AVE.
PUEBLO, CO 81002

Notary Public

60 Years of Power and Opportunity for Southern Colorado

I, James Mac Donald an officer of D.G. HUSKIN CONSTRUCTION, CO. hereby acknowledge this letter and agree with all five (5) items listed above.

D.G. HUSKIN CONSTRUCTION, CO.

DATE 3/24

The foregoing instrument was acknowledged before me this 24 day of March, 2004
by James Mac Donald as Vice Pres. of D.G. HUSKIN CONSTRUCTION, CO.

NOTARY PUBLIC

My commission Expires 12-15-2006



