



October 4, 2021

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

RE: Adequacy Review Response No. 1, Mattics Pit M2021-044

Mr. Bowles,

In response to your adequacy review please see the answers below:

Items 1-3 have been updated accordingly.

Item 4 – Mining will occur at a 3H:1V.

Item 5 – Fremont commits to the setback calculated at 3 times the mining depth.

Item 6 – The size of this site is very large. To help Fremont keep mining areas limited to portions of the pit at any given time, we have denoted the mining phases. However, Fremont will not have an active mine area of larger than 100 acres at any given time within these phases.

Item 7 – The map has been updated.

Item 8 - The seeding plan is outlined in Exhibit E. Fremont will use the local NRCS office to update as needed throughout the reclamation of the site, while also considering native seed mixes to restore the less-prairie chicken habitat. The rate of seed mix will be 2500 pounds per acre with a crimped in straw mulch. If CPW or NRCS advise of a better mix, application rate or mulch Fremont will ensure that this is updated with DRMS prior to reclamation efforts.

Item 9 - Fremont will control noxious weed through mechanical removal. If the problem persists, Fremont will reach out to the Cheyenne County Weed Management Program for further guidance.

Item 10 – All fences will be removed during mining and replaced during reclamation.

Item 11 and 12 – Please see updated maps.

ARY CORPORATION

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

839 Mackenzie Ave.
Cañon City, CO 81212
719.275.3264



Item 13 – Fremont has read and understands the comments given by CPW. The mining will occur in 100 acre increments, as per their recommendation. Fremont will conduct lesser prairie-chicken lek surveys at least every five years and the disturbed areas will be reclaimed following guidelines for their habitat.

Fencing will also be given consideration when it is used and will be constructed of smooth top wire no higher than 42 inches, second wire at 30 inches, and third wire at 23 inches.

Item 14 and 16 – The updated maps are attached for review.

Item 17 – Please see attached proof of filing from the Cheyenne County Newspaper, The Range Ledger.

Sincerely,

A handwritten signature in black ink, appearing to read "Jodi Schreiber".

Jodi Schreiber,
Chief of Operations

719-275-3264

719-529-0916

jodi@arycorp.com

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AFFIDAVIT OF PUBLICATION

STATE OF COLORADO }
COUNTY OF CHEYENNE } {SS.

I, Nancy Bogenhagen, being duly sworn, deposes and says:

1. That she is the publisher of THE RANGE LEDGER and CHEYENNE WELLS RECORD, a weekly newspaper published in the Town of Cheyenne Wells, County of Cheyenne and State of Colorado.
2. That the said THE RANGE LEDGER and CHEYENNE WELLS RECORD is printed and published at regular intervals, one each week on Thursday, and that it has a general circulation in the County of Cheyenne and elsewhere.
3. That the said The Range Ledger and Cheyenne Wells Record was established and has been published in said County uninterruptedly and continuously during the period of at least fifty-two consecutive weeks prior to the first issue thereof containing said Freemont Paving and Redi Mix, Inc. Has Filed an Application for a Regular (112) Construction Materials Operation Reclamation Permit, a copy which is hereto attached.
4. That the said THE RANGE LEDGER and CHEYENNE WELLS RECORD is a weekly newspaper within the meaning of "An Act Concerning Legal Notice, Advertisements and Publications and Fees of Printers and Publishers Thereof and to Repeal all Acts and Parts of Acts in conflict with the Provisions of this Act", being Chapter 139 of the Session Laws of Colorado of 1923 as amended by Chapter 113 of the Session Laws of Colorado of 1931. The act amended and repealed by Chapter 139 of the Session Laws of Colorado of 1921, the same sections 5392 to 5400, both inclusive, of the Compiled Laws of the State of Colorado of 1921.
5. That the said annexed Freemont Paving and Redi Mix, Inc. Has Filed an Application for a Regular (112) Construction Materials Operation Reclamation Permit published in the regular and entire edition of THE RANGE LEDGER and CHEYENNE WELLS RECORD, a duly qualified weekly newspaper for the purpose, within the terms and meaning of the above named Acts.
6. That the said annexed Freemont Paving and Redi Mix, Inc. Has Filed an Application for a Regular (112) Construction Materials Operation Reclamation Permit correct copy of the original, which 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 successive weeks by four insertions and that first publication thereof was in the issue dated July 29, 2021, and that the last publication was in the issue dated August 19, 2021.

..... Nancy Bogenhagen
Publisher

Subscribed and sworn to before me this 15th
day of September, 2021

..... Deborah L Steele
NOTARY PUBLIC



PUBLIC NOTICE

Old Well
Fremont Paving and Redi Mix, Inc., PO sponsors, b
81215, has filed an application for a Regular Also we
Materials Operation Reclamation Permit with that helped
Reclamation Board under provisions of the C If it was
Act for the Extraction of Construction Materi have been
known as the Mattics Pit, and is located at or
12S, Range 47W, 6th Principal Meridian.

The proposed date of commencement is
proposed date of completion is September 2
use of the land is rangeland. Additional infor
sion date may be obtained from the Division
and Safety, 1313 Sherman Street, Room 215,
(303) 866-3567, or at the Fremont County Cl
102 Canon City, CO 81212, or the above-nam

Comments must be in writing and must be r
Reclamation, Mining, and Safety by 4:00 p.m.

Please note that under the provisions of C
Comments related to noise, truck traffic, hour
pacts, effects on property values and other soc
are issues not subject to this Office's jurisdic
similar ones, are typically addressed by your l
than the Division of Reclamation, Mining, and
Reclamation Board.

Published July 29, 2021; August 5, 2021
August 19, 2021
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At th



July 27, 2021

Cheyenne County
Clerk and Recorder
Attn: Patricia Daughtry
51 South 1st Street
Cheyenne Wells, CO 80810

RE: Mattics Pit Permit Package

Ms. Daughtry,

Thank you for your email confirming the address to send this permit package to. Fremont Paving and Redi Mix has this application in to the Colorado Division of Reclamation, Mining and Safety. One requirement of the application is that it be held at the County Clerk's office for public review.

Thank you very much for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jodi Schreiber'.

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

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Mattics
Existing
Exhibit

Roadway is no longer here

Fences Owned by State of Colorado

Ranch Road Owned by Mattics

Existing Barn/Corrals owned by Mattics

Fences Owned by Mattics

Fences Owned by Mattics

Water Trough Owned By mattics

Power Lines(2) Approx 300' outside permit

- Legend**
- Permit Boundary (1313 Acres)
 - Existing Fence Line
 - 10' Existing Contours
 - Existing Road
 - Power Lines

County Road AA

Map By James Higgs
 Fremont Paving and Redi Mix 2/17/2

Exi We Rei Pei We Apl Cai Adl AQ Usi Yie We Loc

