



STATE OF
COLORADO

Lennberg - DNR, Patrick <patrick.lennberg@state.co.us>

110(c)

1 message

Neil Whitmer <neil.whitmer@holcim.com>

Fri, Apr 29, 2022 at 3:42 PM

To: "Lennberg - DNR, Patrick" <patrick.lennberg@state.co.us>

Patrick,

Attached are the scans of the 110(c) addressing your comments. We put the originals in the mail today.

Have a good weekend,

Neil

3 attachments



2022 0429 City of Aurora Structure Agreement.pdf
338K



SKM_C300i22042912591 (1).pdf
74K



2022 0429 DRMS Amended 110(c) Permit Application (1).pdf
265K

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 LIMITED IMPACT (110) OPERATION RECLAMATION PERMIT APPLICATION FORM

CHECK ONE: ☐ There is a File Number Already Assigned to this Operation
Permit # M - - - - - (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 Limited Impact (110) Operation Reclamation Permit contains three major parts: (1) the application form; (2) Exhibits A-J, Exhibit L, Addendum 1, any sections of Exhibit 6.5 and Geotechnical Stability Exhibit, as required by the Office, and outlined in Rules 6.1, 6.2, 6.3, 6.5, and 1.6.2(1)(b); 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-J, Exhibit L, Addendum 1, and appropriate sections of 6.5 (Geotechnical Stability Exhibit), as required, and a check for the application fee described under (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 described below.

1. **Applicant/operator or company name (name to be used on permit):** Aggregate Industries - WCR, Inc.
 - 1.1 Type of organization (corporation, partnership, etc.): Corporation
2. **Operation name (pit, mine or site name):** Wattenberg Disturbance Reclamation
3. **Permitted acreage (new or existing site):**

	<u>0</u> permitted acres
3.1 Change in acreage (+)	<u>1.5</u> acres
3.2 Total Acreage in Permit Area	<u>1.5</u> acres
4. **Fees:**

4.1 New Application:	<u>\$1258.00</u> application fee
Amendment Fee (C.R.S. 34-32.5-125(II)):	<u>\$827.00</u> application fee
5. **Primary commodity(ies) to be mined:** N.A.
 - 5.1 Incidental commodity(ies) to be mined: 1. N.A. / ^{N.A.} lbs/Tons/yr 2. N.A. / ^{N.A.} lbs/Tons/yr 3. N.A. / ^{N.A.} lbs/Tons/yr
4. N.A. / ^{N.A.} lbs/Tons/yr 5. N.A. / ^{N.A.} lbs/Tons/yr
 - 5.2 Anticipated end use of primary commodity(ies) to be mined: N.A.
Anticipated end use of incidental commodity(ies) to be mined: N.A.

7. **Name of owner of the subsurface rights of affected land:** City of Aurora

8. **Name of owner of the surface of affected land:** City of Aurora

9. **Type of mining operation:** ☒ Surface ☐ Underground ☐ In-situ

10. **Location information:** The center of the area where the majority of mining will occur:

COUNTY: Weld

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

SECTION (write number): S 30

TOWNSHIP (write number and check direction): T 1.0 ☒ North ☐ South

RANGE (write number and check direction): R 66.0 ☐ 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): _____

1/2 mile West of the City of Brighton. Approximately 4,940 feet in elevation. Being the east 600 feet of the W 1/2 of the SW 1/4 Section, 30 T1N, R66W of the 6th P.M. Weld County, Colorado.

11. **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 40 min 00 sec 40.82.00 (2 decimal places)

Longitude (W): deg 104 min 50 sec 21.43.00 (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) NAD83 Zone 13

Easting _____

Northing _____

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.

-  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;
-  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;
-  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;
-  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;
-  5. It is your responsibility to notify the Office of any changes in your address or phone number;
-  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,
 - c. the permit number.
-  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;
-  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 Mineral Rules and Regulations in effect at the time the permit is issued.
-  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 permittee: the signing representative is authorized to sign when document and a power of attorney (provided by the partner(s)) authorizing the signature of the representative is attached to this application.

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. All necessary approvals from local government have been applied for (Section 34-32.5-110(1)(a)(VIII).
2. 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.). (NOTE: For 110 operations, the affected area includes all lands delineated by the permit boundary.)
3. 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.).
4. As the applicant/operator, I do not have any mining/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.).
5. 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. 1984.

This form has been approved by the Mined Land Reclamation Board pursuant to section 34-32.5-110, 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 29 day of April, 2022.

Aggregate Industries-usa, inc.
Applicant/Operator

If Corporation Attest (Seal)

Signed: [Signature]

Signed: [Signature]

Corporate Secretary or Equivalent

Title: Regional General Manager

Town/City/County Clerk

State of Colorado)

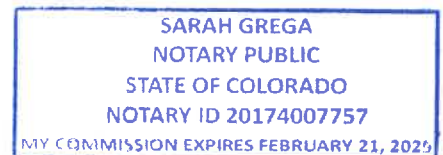
County of Jefferson) ss.

The foregoing instrument was acknowledged before me this 29 day of April, 2022, by W. Chance Allen as Regional General Manager of Aggregate Industries-usa, inc.

[Signature]
Notary Public

My Commission expires: 2/21/25

SIGNATURES MUST BE IN BLUE INK





April 29, 2022

USPS Certified Mail No. 7019 1640 0000 8368 3134

City of Aurora
ATTN: City Manager
15151 E. Alameda Parkway, Fifth Floor
Aurora, CO 80012

RE Structure Owner Agreements

Dear Structure Owner/Representative:

Aggregate Industries – WCR, Inc. plans to apply for a DRMS 110(c) Reclamation Permit. The application will include restoring previously disturbed City of Aurora property to pre-existing conditions that include 1.4634 acres located in Lot 2 of the Southwest quarter of Section 30, Township 1 North, Range 66 West. No subsurface activity was or will be conducted in the affected area, as the site work will be limited to removing topsoil that had been placed on the ground surface and then reclaiming to original grade. Therefore, because of the absence of subsurface activities, we do not anticipate a material risk to any adjacent structures. Consequently, any subsurface structures were not and will not be damaged by the activities covered under this permit in the affected area. Per the Colorado State Division of Reclamation, Mining and Safety (DRMS) Aggregate Industries – WCR, Inc. is required to issue structure agreements to all structure owners within two-hundred feet of the mine boundary. Please read the information attached and sign and return the agreement using the self-addressed stamped envelope. Should you require any additional information, please contact Neil Whitmer at neil.whitmer@holcim.com.

Sincerely,

Aggregate Industries – WCR, Inc.

A handwritten signature in blue ink that reads "Neil Whitmer".

Neil Whitmer
Environmental & Land Director

Attachments: Structure Agreement, Exhibit A

CERTIFICATION

The Applicant, Aggregate Industries - WCR, Inc. (print applicant/company name),
by W. Chance Allen (print representative's name), as Regional General Manager (print
representative's title), does hereby certify that The City of Aurora (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 Wattenberg Disturbance Reclamation (operation name),
File Number M-____-____.

*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:

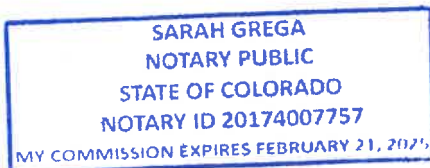
Applicant [Signature] Representative Name W. Chance Allen

Date 4/29/22 Title Regional General Manager

STATE OF Colorado)
) ss.
COUNTY OF Jefferson)

The foregoing was acknowledged before me this 29 day of April, 2022, by
W. Chance Allen as Regional General Manager of Aggregate Industries - WCR, Inc

[Signature] My Commission Expires: 2/21/25
Notary Public



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner _____ Name _____

Date _____ Title _____

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing was acknowledged before me this ____ day of _____, 20____, by
_____ as _____ of _____.

Notary Public My Commission Expires: _____

ILLUSTRATION FOR EXHIBIT A



CITY OF WESTMINSTER
REC. NO. 4629459
WEST 790 FEET OF LOT 2
LOCATED IN THE
SW 1/4 SECTION 30
TOWNSHIP 1 NORTH
RANGE 66W

CITY OF AURORA
REC. NO. 4499000
EAST 600 FEET OF
LOT 2 LOCATED IN THE
SW 1/4 SECTION 30
TOWNSHIP 1 NORTH
RANGE 66W

WEST LINE OF THE
EAST 600 FEET OF
LOT 2, CITY OF AURORA
PARCEL REC. NO. 4499000,
ALSO BEING THE EAST
LINE THE WEST 790 FEET
OF LOT 2 CITY OF
WESTMINSTER
REC. NO. 4629459

N12°29'25"W
134.27Ft.

N08°17'36"W
45.44Ft.

N05°18'13"W
143.24Ft.

N09°28'45"W
218.18Ft.

E146°59'11"
3132.3305

M.50°05'00N
130.72Ft.



BEARINGS ARE BASED ON THE SOUTH LINE OF THE SW 1/4 OF SECTION 30,T1N, R66W, 6TH P.M., BEING S89°15'45"W.
THE ABOVE DESCRIBED PARCEL CONTAINS 63746.77 Sq. Ft. (1.4634 Acres) MORE OR LESS.

This drawing does not represent a monumented survey. It is intended only to depict the attached legal description.

CITY OF AURORA, COLORADO

A parcel of land to be used for reclamation and maintenance, located in Lot 2 of the Southwest quarter of Section 30, Township 1 North, Range 66 West of the 6th Principal Meridian as described at Reception Number 4499000 Weld County Clerk and Recorder, said parcel being located in the County of Weld, State of Colorado

DRAWN BY: KPT	SCALE: 1:100	R.O.W. FILE NUMBER
CHECKED BY:	DATE: 12 APRIL 2022	JOB NUMBER:

ILLUSTRATION FOR EXHIBIT A

WEST LINE OF THE
EAST 600 FEET OF
LOT 2, CITY OF AURORA
PARCEL REC. NO. 4499000,
ALSO BEING THE EAST
LINE THE WEST 790 FEET
OF LOT 2 CITY OF
WESTMINSTER
REC. NO. 4629459



CITY OF WESTMINSTER
REC. NO. 4629459
WEST 790 FEET OF LOT 2
LOCATED IN THE
SW 1/4 SECTION 30
TOWNSHIP 1 NORTH
RANGE 66W

CITY OF AURORA
REC. NO. 4499000
EAST 600 FEET OF
LOT 2 LOCATED IN THE
SW 1/4 SECTION 30
TOWNSHIP 1 NORTH
RANGE 66W

POSSIBLE 60 FOOT,
RIGHT-OF-WAY TO
WELD COUNTY, FOR
WCR 4, BOOK 86,
PAGE 273, 30 FOOT
EITHER SIDE OF
SECTION LINE

50 FOOT EASEMENT TO WESTERN
SLOPE GAS CO. BOOK 941,
REC. NO. 1862518,
50 FOOT EASEMENT TO COORS
ENERGY CO. BOOK 941,
REC. NO. 1862519

N03°51'20"E
58.98ft.

N14°35'25"E
63.59ft.

N34°16'02"E
52.40ft.

N41°43'04"E
24.98ft.

N00°32'23"W
5.07ft

SOUTH LINE OF THE
SOUTHWEST 1/4
OF SECTION 30 AND
SOUTHERN LINE OF
CITY OF AURORA
PARCEL
REC. NO. 4499000

SOUTH LINE OF THE
SOUTHWEST 1/4
OF SECTION 30

20 FOOT INGRESS AND EGRESS
BOOK 908, REC. NO. 1830399

BEARINGS ARE BASED ON THE SOUTH LINE OF THE SW 1/4 OF SECTION 30, T1N, R66W, 6TH P.M., BEING S89°15'45"W.
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DRAWN BY: KPT	SCALE: 1:100	R.O.W. FILE NUMBER
CHECKED BY:	DATE: 12 APRIL 2022	JOB NUMBER:

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

CERTIFIED MAIL®



7019 1640 0000 8368 3134

7019 1640 0000 8368 3134

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

Extra Services & Fees (check box, add fee as appropriate)

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☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$

☐ Adult Signature Restricted Delivery \$

Postmark
Here

Postage

City of Aurora

Attn: City Manager

15151 E. Alameda Parkway, Fifth Floor

Aurora, CO 80012

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

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



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5.1 Incidental commodity(s) to be mined:	1. <u>N.A. / N.A. lbs/Tons/yr</u>	2. <u>N.A. / N.A. lbs/Tons/yr</u>	3. <u>N.A. / N.A. lbs/Tons/yr</u>
	4. <u>N.A. / N.A. lbs/Tons/yr</u>	5. <u>N.A. / N.A. lbs/Tons/yr</u>	
5.2 Anticipated end use of primary commodity(s) to be mined:	<u>N.A.</u>		
Anticipated end use of incidental commodity(s) to be mined:	<u>N.A.</u>		

CARLY KOPPES
WELD COUNTY CLERK & RECORDER
1250 H STREET
P O BOX 459
GREELEY, COLORADO, 80632

Received 4/29/2022 Jrm