

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

RECEIVED

JUN 28 2022

DIVISION OF RECLAMATION,
MINING & SAFETY-MINERALS



CONSTRUCTION MATERIALS REGULAR (112) OPERATION RECLAMATION PERMIT APPLICATION FORM

CN-1
RAR/JLE

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

Permit # M - 1985 105 (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 - 1985 - 105 (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):** Lincoln County
 - 1.1 Type of organization (corporation, partnership, etc.): County Government
2. **Operation name (pit, mine or site name):** Eichman Pit
3. **Permitted acreage (new or existing site):** 9.9 permitted acres
 - 3.1 Change in acreage (+) 9.31 acres
 - 3.2 Total acreage in Permit area 19.21 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:**

	<u>Sand</u>	<u>Gravel</u>
5.1 Incidental commodity(ies) to be mined:	1. <u>N/A</u> lbs/Tons/yr	2. <u>/</u> lbs/Tons/yr
	3. <u>/</u> lbs/Tons/yr	4. <u>/</u> lbs/Tons/yr
		5. <u>/</u> lbs/Tons/yr
5.2 Anticipated end use of primary commodity(ies) to be mined:	<u>County road Maintenance</u>	
5.3 Anticipated end use of incidental commodity(ies) to be mined:	<u>N/A, no incidental commodities anticipated</u>	

6. **Name of owner of subsurface rights of affected land:** Harold & Shirley Eichman
If 2 or more owners, "refer to Exhibit O".

7. **Name of owner of surface of affected land:** Harold & Shirley Eichman

8. **Type of mining operation:** ☒ Surface ☐ Underground

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

COUNTY: Lincoln

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

SECTION (write number): S 1

TOWNSHIP (write number and check direction): T 16 ☐ North ☒ South

RANGE (write number and check direction): R 59 ☐ 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): _____
Approximately 13 miles southeast of Rush, .75 miles north of County Road M and County Road 6. Elevation of 5400 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 _____ min _____ sec _____ (2 decimal places)

Longitude (W): deg _____ min _____ sec _____ (2 decimal places)

OR

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

Latitude (N) 38 .68240 (5 decimal places)

Longitude (W) -103 .96122 (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: **Ty Stogsdill** Title: **Land Use Administrator**
Company Name: **Lincoln County**
Street/P.O. Box: **103 Third Ave** P.O. Box: **39**
City: **Hugo**
State: **CO** Zip Code: **80821**
Telephone Number: **(719) - 743-2337**
Fax Number: **(719) - 743-2815**

PERMITTING CONTACT (if different from applicant/operator above)

Contact's Name: _____ Title: _____
Company Name: _____
Street/P.O. Box: _____ P.O. Box: _____
City: _____
State: _____ Zip Code: _____
Telephone Number: (_____) - _____
Fax Number: (_____) - _____

INSPECTION CONTACT

Contact's Name: **Same** Title: _____
Company Name: _____
Street/P.O. Box: _____ P.O. Box: _____
City: _____
State: _____ Zip Code: _____
Telephone Number: (_____) - _____
Fax Number: (_____) - _____

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 type="checkbox"/> Cropland(CR) | <input type="checkbox"/> Pastureland(PL) | <input checked="" 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 type="checkbox"/> Cropland(CR) | <input type="checkbox"/> Pastureland(PL) | <input checked="" 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): _____

Mining will be done with loaders and other equipment pushing sand and gravel into stockpile, then loaded on trucks and hauled to road repair sites within the county.

15. **On Site Processing:**

☐ Crushing/Screening

13.1 Briefly explain mining method (e.g. truck/shovel): _____

There will be no processing of materials, other than some occasional mixing with other road base materials brought from off-site.

List any designated chemicals or acid-producing materials to be used or stored within permit area: _____

No chemicals will be used.

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

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

Increasing size by 9.31 acres. This will be done by moving north boundary line approximately 314 ft and north west boundary line approximately 400 ft.

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.

- 15 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;

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

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. Barbed wire fence located 115' north of pit. Owned by Harold and Shirley Eichman, JT
2. Ranch road, used as haul road, owned by Harold and Shirley Eichman, JT
3. _____
4. _____
5. _____

(Please list additional structures on a separate page)

NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner Harold Eichman Name Harold Eichman

Date 6-3-22 Title _____

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing was acknowledged before me this 3 day of June, 2022 by
Harold Eichman as Applicant of Eichman P.t.

[Signature] My Commission Expires: 05-04-2026
Notary Public

FORTUNATO GALAVIZ
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20184019275
MY COMMISSION EXPIRES MAY 4, 2026

CERTIFICATION

The Applicant, Lincoln County (print applicant/company name),
by Ty Stogsdill (print representative's name), as Land Use Administrator (print
representative's title), does hereby certify that _____ (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 Eichman Pit (operation name),
File Number M- 1985- 105

*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:

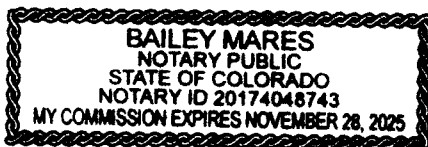
Applicant Lincoln County Representative Name Ty Stogsdill

Date 6-8-22 Title Land Use Administrator

STATE OF Colorado)
) ss.
COUNTY OF Lincoln)

The foregoing was acknowledged before me this 8th day of June, 2022, by
Ty Stogsdill as Land Use Administrator of Lincoln County.

Bailey Mares My Commission Expires: 11-28-25
Notary Public



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

NOTICE TO THE BOARD OF COUNTY COMMISSIONERS

Lincoln COUNTY

Lincoln County (the "Applicant/Operator") 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 Lincoln 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 Reclamation, Mining, and Safety (the "Division") and the local county clerk and recorder.

The applicant/operator proposes to reclaim the affected land to Agriculture use. Pursuant to Section 34-32.5-116(4)(m), C.R.S., the Board may confer with the local Board of County Commissioners 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 Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567.

NOTE TO APPLICANT/OPERATOR: You must attach a copy of the application form to this notice. If this is a notice of a change to a previously filed application you must either attach a copy of the changes, or attach a complete and accurate description of the change.

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

NOTICE TO THE BOARD OF SUPERVISORS
OF THE LOCAL CONSERVATION DISTRICT

High Plains Conservation DISTRICT

Lincoln County (the "Applicant/Operator") 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 Lincoln 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 Reclamation, Mining, and Safety (the "Division") and the local county clerk and recorder.

The applicant/operator proposes to reclaim the affected land to Agriculture 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 Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567.

NOTE TO APPLICANT/OPERATOR: You must attach a copy of the application form to this notice. If this is a notice of a change to a previously filed application you must either attach a copy of the changes, or attach a complete and accurate description of the change.

AN EXAMPLE PUBLIC NOTICE WHICH MEETS THE REQUIREMENTS OF THE STATUTES IS SHOWN BELOW. THE BLANKS WHICH REQUIRE DATES WILL NEED TO BE FILLED IN ACCORDING TO THE FOLLOWING INSTRUCTIONS. PLEASE READ CAREFULLY.

PUBLICATION INSTRUCTIONS:

Date of commencement and date of completion should represent the dates which you feel most accurately describe the life of the operation.

For all Regular (112) types of operations, this notice must be published once a week for four (4) consecutive weeks, starting within ten (10) days of the date the application is considered to be submitted to the Division. The final date for receiving comments is the 20th day after the fourth publication or the next regular business day.

All notices must be published in a newspaper of general circulation in the locality of the proposed mining operation and mailed to the landowners as set forth in the Colorado Mined Land Reclamation Rules and Regulations. Since the date for consideration of your application may change, DO NOT include it in this notice.

For a complete discussion of the notice procedures and objections, please refer to C.R.S. 34-32.5-112(10), 114 and 115.

PUBLIC NOTICE

(Operator Name) Lincoln County; (Address and Phone Number) 103-3rd Ave Hugo, CO 80821,
has filed an application for a Regular (112) Construction Materials Operation Reclamation Permit with the Colorado Mined Land Reclamation Board under provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials. The proposed mine is known as the (Name of the Mine) Eichman Pit, and is located at or near Section 1, Township 16, Range 59, 6th Prime Meridian.

The proposed date of commencement is _____, _____, and the proposed date of completion is _____. The proposed future use of the land is (Future Landuse) General 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 (County Name) Lincoln County Clerk and Recorder's office; (Clerk and Recorder's Address) 103-3rd Ave Hugo, CO 80821, or the above-named applicant.

Comments must be in writing and must be received by the Division of Reclamation, Mining, and Safety by 4:00 p.m. on (Final Date for Comments) _____.

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.

proposed mining operation. The following is a sample of the Notice required for Rule 1.6.2(1)(b) that you may wish to use.

NOTICE

This site is the location of a proposed construction materials operation. (Name of the Applicant/Operator) Lincoln County, whose address and phone number is (Address and Phone Number of the Applicant/Operator) 103-3rd Ave Hugo, CO 80821, 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 (County Name) Lincoln County Clerk and Recorder's Office, (Clerk and Recorder's Office Address) 103-3rd Ave Hugo, CO 80821, 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, Colorado 80203.

Certification:

I, Ty Stogsdill, hereby certify that I posted a sign containing the above notice for the proposed permit area known as the (Name of Operation) Eichman Pit, on (Date Posted) _____.


SIGNATURE

6-13-22
DATE

Exhibit A-Legal Description

NW1/4 of the NW1/4, Sec. 1, T16S, R59W.

Main entrance is at the intersection of County Road M and County Road 6, or 38.682303°, -103.961265°.

Exhibit A Map

State Land Board Property

Legend

- 38.685034°, -103.957416°
- © Eichman Pit

Harold and Shirley Eichman, owners

Eichman Pit

38.685034°, -103.957416°

M

Map drawn by Fred Lundy 031322

Google Earth

N

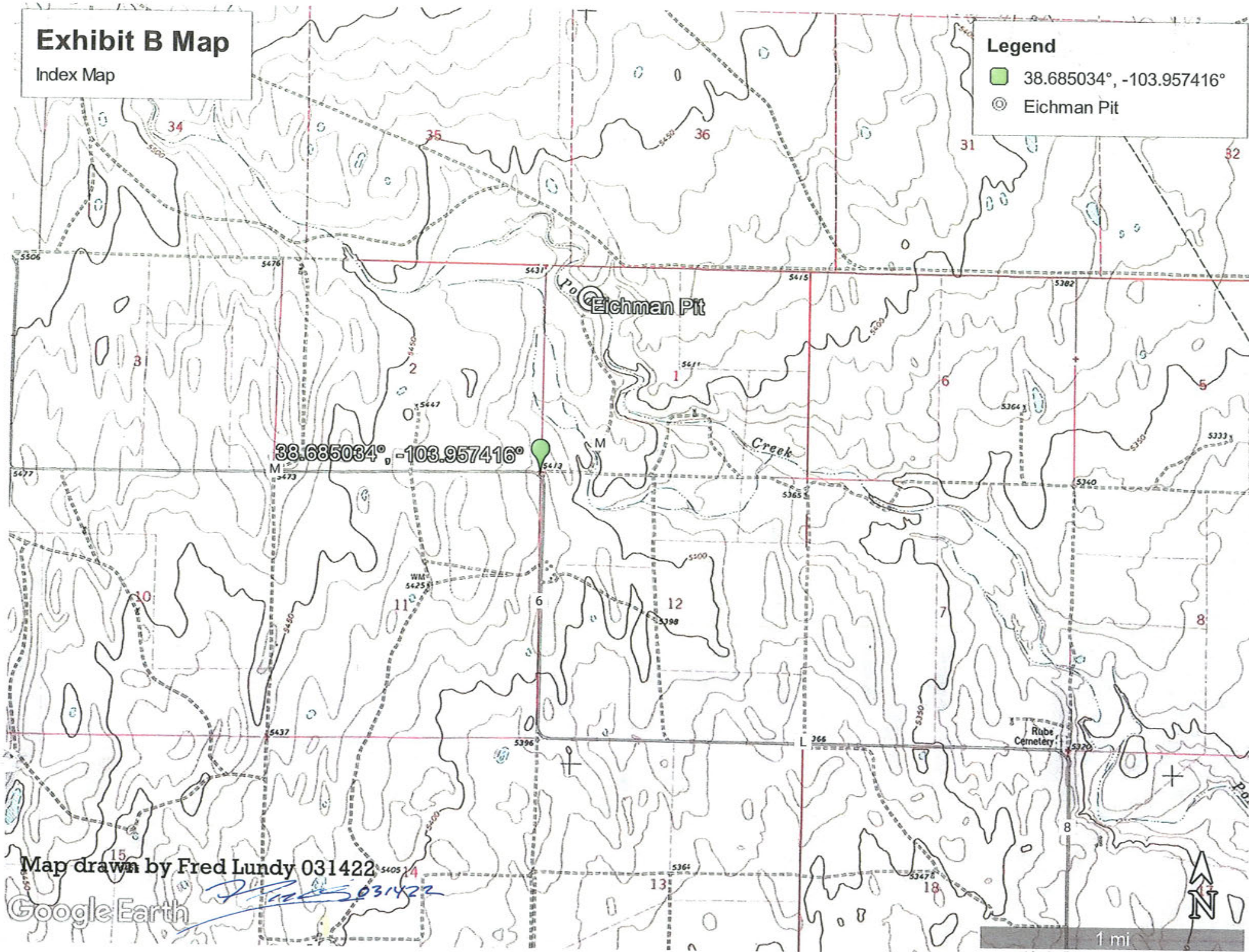
3000 ft

Exhibit B Map

Index Map

Legend

- 38.685034°, -103.957416°
- Eichman Pit



HAROLD EICHMAN PIT (M-1985-105) MINING PLAN MAP
19.21 ACRES **SCALE: 1" = 166.6'**

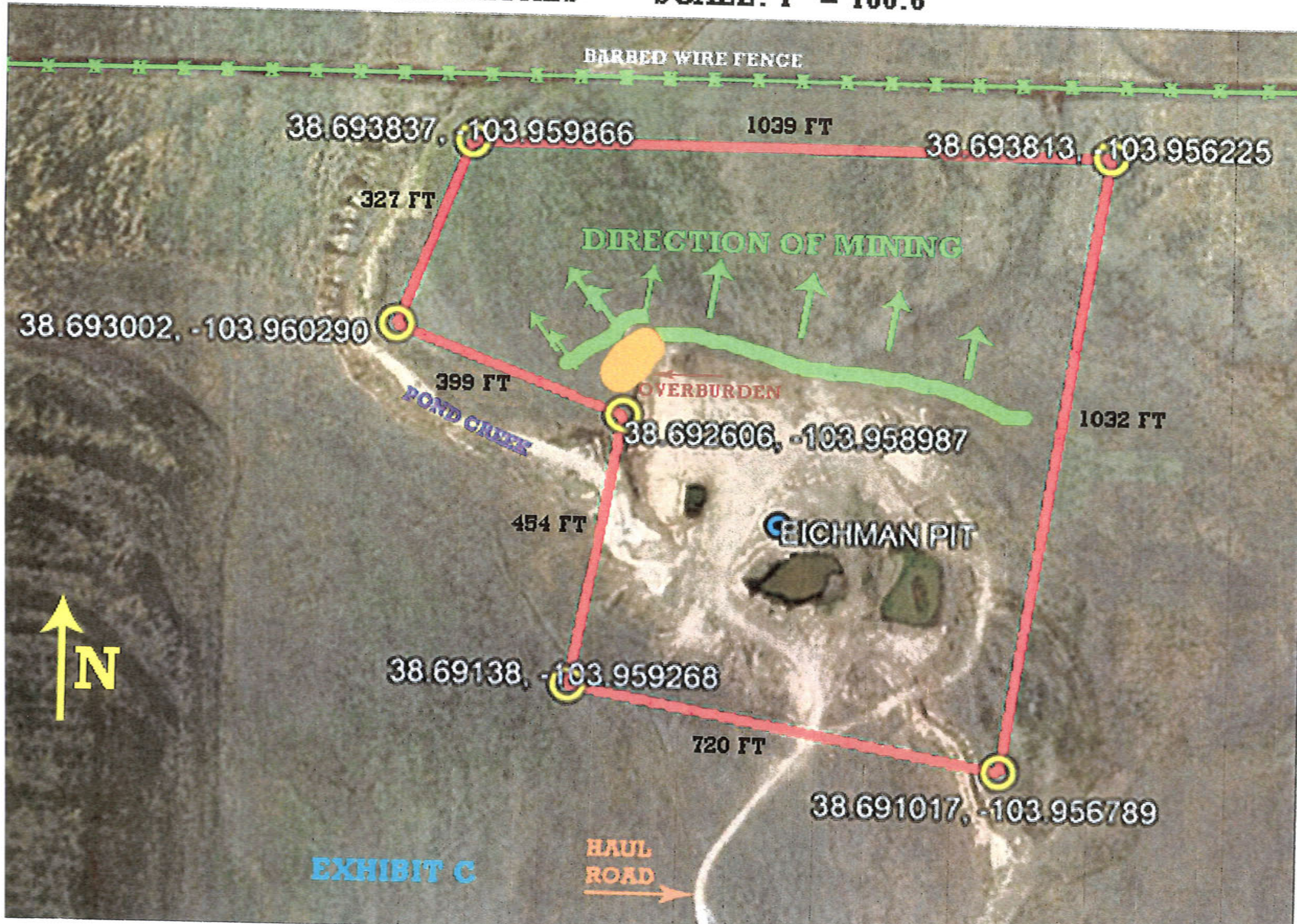


EXHIBIT D
Harold Eichman Pit
M-1985_105
MINING PLAN

A tracked dozer or front-end loader working from west to east or south to north will push the sand and gravel being mined in this operation into a stockpile. A front-end loader will then load the material from the stockpile into haul trucks. Some of the sand and gravel could remain in the stockpile for several weeks. The sand and gravel will be utilized in the maintenance and construction of county roads in District 3 of Lincoln County.

Prior to removal of the sand and gravel 3 to 5 inches of topsoil will be stockpiled for later use in the reclamation of the affected lands. These topsoil stockpiles will be hand seeded to stabilize the piles and prevent erosion (see attached memo from Brian Johnson N.R.C.S. for seed to be used, amounts and seeding seasons.) Any overburden that underlies the topsoil will either be used as binder or stockpiled for later use in the reclamation. These stockpiles will also be hand seeded for stabilization and to prevent erosion. The maximum size area that will be mined at one time would be from 7 to 9 acres.

This operation will be active but will be used less than 180 days per year.

The over burden to be removed is a mix of soil and sand and gravel that gets sandier with increasing depth. The sand and gravel to be mined varies in thickness from 7 to 15 feet. The material that under lays the sand and gravel is a mix of clay and sand that turns to clay a great depth.

The primary commodity being extracted is sand and gravel. No incidental products will be mined. No processing of the material will occur in the pit area. The only water used in the pit area would be for dust abatement.

No explosives are used in either the mining or reclamation.

Exhibit E
Harold Eichman Pit M-1905-105

Reclamation Plan

When construction material has been depleted, all areas will be re-graded to form a 3:1 slope that blends in with the undisturbed adjacent ground. The grade will also be sloped on the North and South side of Pond Creek to restore the streambed. Mining of material in the bed has been executed deeper than the original streambed outside of the affected area. Subsequent rain events will cause sediment to be deposited in the streambed of the affected area, eventually leveling the bed to the same grade as the bed in the unaffected area.

Additional imported topsoil material will likely be required to provide quantities sufficient to allow for adequate revegetation of the site. Three to four inches of topsoil will be used to cover the entire reclaimed area (except for the streambed).

Supplementing the plant growth medium with 10-20 tons per acre of organic matter (composed manure) will be part of the reclamation process. As needed, compacted areas will be ripped and disked prior to revegetation.

Measures taken to re-vegetate the site will be in accordance with the seed mix recommended by the NRCS.

HAROLD EICHMAN PIT (M-1985-105) RECLAMATION PLAN MAP

EXHIBIT E

19.21 ACRES

SCALE: 1" = 166.6'



EXHIBIT G

Pine Creek is dry most of the time , there is no running water in it at all unless it rains a good amount. We will not use any of the water from the creek if there is any in it. There will be no dust control for the haul roads or inside the pit.

There will be berms to keep waste water from getting into Pine Creek and stockpiles will be kept at distance to also help with not contaminating the water that will be in the creek.

Pine Creek starts just above of where the new expansion will be located and then runs through part of the existing part of the original pit.

EXHIBIT H

WILDLIFE INFORMATION

**MAMMALS: PRONHORN ANTELOPE, MULE DEER, RABBIT, SKUNK,
COYOTE, BADGER, SMALL RODENTS.**

**BIRDS: MEADOW LARK, RED-TAILED & SWAINSON'S HAWK,
MOURNING DOVE, HORNED LARK, MOUNTAIN PLOVER,
AND VARIOUS SONGBIRDS.**

**THERE ARE NO ENDANGERED SPECIES INDIGENOUS TO THE
HAROLD EICHMAN GRAVEL PIT AREA.**

EICHMAN PIT EXHIBIT: I
PAGE 1-5
SOIL SURVEY INFORMATION

Lincoln County, Colorado

203—Vonid loamy sand, 1 to 5 percent slopes

Map Unit Setting

- *National map unit symbol:* 2rgq9
- *Elevation:* 4,000 to 5,700 feet
- *Mean annual precipitation:* 10 to 15 inches
- *Mean annual air temperature:* 48 to 54 degrees F
- *Frost-free period:* 130 to 175 days
- *Farmland classification:* Not prime farmland

Map Unit Composition

- *Vonid and similar soils:* 85 percent
- *Minor components:* 15 percent
- *Estimates are based on observations, descriptions, and transects of the mapunit.*

Description of Vonid

Setting

- *Landform:* Sand sheets
- *Landform position (two-dimensional):* Backslope
- *Landform position (three-dimensional):* Side slope
- *Down-slope shape:* Linear
- *Across-slope shape:* Linear
- *Parent material:* Eolian sands

Typical profile

- *A - 0 to 6 inches:* loamy sand
- *Bt - 6 to 34 inches:* sandy loam
- *Bk1 - 34 to 52 inches:* sandy loam
- *Bk2 - 52 to 79 inches:* sandy loam

Properties and qualities

- *Slope:* 1 to 5 percent
- *Depth to restrictive feature:* More than 80 inches
- *Drainage class:* Somewhat excessively drained
- *Capacity of the most limiting layer to transmit water (Ksat):* High (2.00 to 6.00 in/hr)
- *Depth to water table:* More than 80 inches
- *Frequency of flooding:* None
- *Frequency of ponding:* None
- *Calcium carbonate, maximum content:* 15 percent

- *Maximum salinity:* Nonsaline to very slightly saline (0.5 to 3.0 mmhos/cm)
- *Available water supply, 0 to 60 inches:* Moderate (about 6.3 inches)

Interpretive groups

- *Land capability classification (irrigated):* 4e
- *Land capability classification (nonirrigated):* 6e
- *Hydrologic Soil Group:* A
- *Ecological site:* R069XY026CO - Sandy Plains LRU's A and B
- *Forage suitability group:* Loamy, Dry (G019XW019CO)
- *Other vegetative classification:* Loamy, Dry (G019XW019CO)
- *Hydric soil rating:* No

Minor Components

Olney

- *Percent of map unit:* 10 percent
- *Landform:* Interfluves
- *Landform position (two-dimensional):* Summit
- *Down-slope shape:* Linear
- *Across-slope shape:* Linear
- *Ecological site:* R069XY026CO - Sandy Plains LRU's A and B
- *Other vegetative classification:* Loamy (G069XW017CO), Sandy Plains (069XY026CO_1)
- *Hydric soil rating:* No

Valent, dry

- *Percent of map unit:* 4 percent
- *Landform:* Sand sheets
- *Landform position (two-dimensional):* Backslope
- *Landform position (three-dimensional):* Side slope
- *Down-slope shape:* Linear, convex
- *Across-slope shape:* Linear, convex
- *Ecological site:* R069XY019CO - Deep Sand LRU's A and B
- *Other vegetative classification:* Not Suited (G069XW000CO)
- *Hydric soil rating:* No

Ustertic haplargids, ponded

- *Percent of map unit:* 1 percent
- *Landform:* Closed depressions
- *Down-slope shape:* Concave
- *Across-slope shape:* Concave
- *Ecological site:* R067BY010CO - Closed Upland Depression
- *Other vegetative classification:* Clayey (G069XW001CO)
- *Hydric soil rating:* No

Lincoln County, Colorado

223—Bankard-Glenberg complex, 0 to 2 percent slopes, occasionally flooded

Map Unit Setting

- *National map unit symbol:* 2rgs0
- *Elevation:* 3,690 to 5,940 feet
- *Mean annual precipitation:* 10 to 14 inches
- *Mean annual air temperature:* 48 to 54 degrees F
- *Frost-free period:* 130 to 170 days
- *Farmland classification:* Not prime farmland

Map Unit Composition

- *Bankard, occasionally flooded, and similar soils:* 45 percent
- *Glenberg, occasionally flooded, and similar soils:* 40 percent
- *Minor components:* 15 percent
- *Estimates are based on observations, descriptions, and transects of the mapunit.*

Description of Bankard, Occasionally Flooded

Setting

- *Landform:* Flood plains, flood-plain steps
- *Down-slope shape:* Linear
- *Across-slope shape:* Linear
- *Parent material:* Alluvium

Typical profile

- *A - 0 to 2 inches:* sand
- *Bw1 - 2 to 12 inches:* sand
- *Bw2 - 12 to 28 inches:* loamy sand
- *C - 28 to 79 inches:* stratified sand to clay loam

Properties and qualities

- *Slope:* 0 to 2 percent
- *Depth to restrictive feature:* More than 80 inches
- *Drainage class:* Excessively drained
- *Runoff class:* Very low
- *Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to very high (0.20 to 20.00 in/hr)
- *Depth to water table:* More than 80 inches
- *Frequency of flooding:* Occasional
- *Frequency of ponding:* None
- *Calcium carbonate, maximum content:* 7 percent
- *Gypsum, maximum content:* 1 percent
- *Maximum salinity:* Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
- *Sodium adsorption ratio, maximum:* 2.0
- *Available water supply, 0 to 60 inches:* Low (about 3.4 inches)

Interpretive groups

- *Land capability classification (irrigated):* 4e
- *Land capability classification (nonirrigated):* 6c
- *Hydrologic Soil Group:* A
- *Ecological site:* R069XY031CO - Sandy Bottomland LRU's A and B
- *Hydric soil rating:* No

Description of Glenberg, Occasionally Flooded

Setting

- *Landform:* Flood plains, flood-plain steps
- *Down-slope shape:* Linear
- *Across-slope shape:* Linear
- *Parent material:* Alluvium

Typical profile

- *Ap - 0 to 12 inches:* fine sandy loam
- *C1 - 12 to 17 inches:* very fine sandy loam
- *C2 - 17 to 33 inches:* fine sandy loam
- *C3 - 33 to 42 inches:* sandy loam
- *C4 - 42 to 49 inches:* loamy sand
- *C5 - 49 to 79 inches:* coarse sand

Properties and qualities

- *Slope:* 0 to 2 percent
- *Depth to restrictive feature:* More than 80 inches
- *Drainage class:* Somewhat excessively drained
- *Runoff class:* Very low
- *Capacity of the most limiting layer to transmit water (Ksat):* High (2.00 to 6.00 in/hr)
- *Depth to water table:* More than 80 inches
- *Frequency of flooding:* Occasional
- *Frequency of ponding:* None
- *Calcium carbonate, maximum content:* 9 percent
- *Gypsum, maximum content:* 1 percent
- *Maximum salinity:* Nonsaline (0.0 to 1.9 mmhos/cm)
- *Sodium adsorption ratio, maximum:* 2.0
- *Available water supply, 0 to 60 inches:* Moderate (about 6.1 inches)

Interpretive groups

- *Land capability classification (irrigated):* 3e
- *Land capability classification (nonirrigated):* 6c
- *Hydrologic Soil Group:* A
- *Ecological site:* R069XY031CO - Sandy Bottomland LRU's A and B
- *Hydric soil rating:* No

Minor Components

Bentfort, occasionally flooded

- *Percent of map unit:* 10 percent

- *Landform:* Flood plains, flood-plain steps
- *Landform position (two-dimensional):* Toeslope
- *Down-slope shape:* Linear
- *Across-slope shape:* Linear
- *Ecological site:* R069XY030CO - Salt Meadow LRU's A and B
- *Hydric soil rating:* No

Cheraw, occasionally flooded

- *Percent of map unit:* 5 percent
- *Landform:* Flood-plain steps, flood-plain steps
- *Down-slope shape:* Linear
- *Across-slope shape:* Concave, linear
- *Ecological site:* R069XY030CO - Salt Meadow LRU's A and B
- *Hydric soil rating:* No

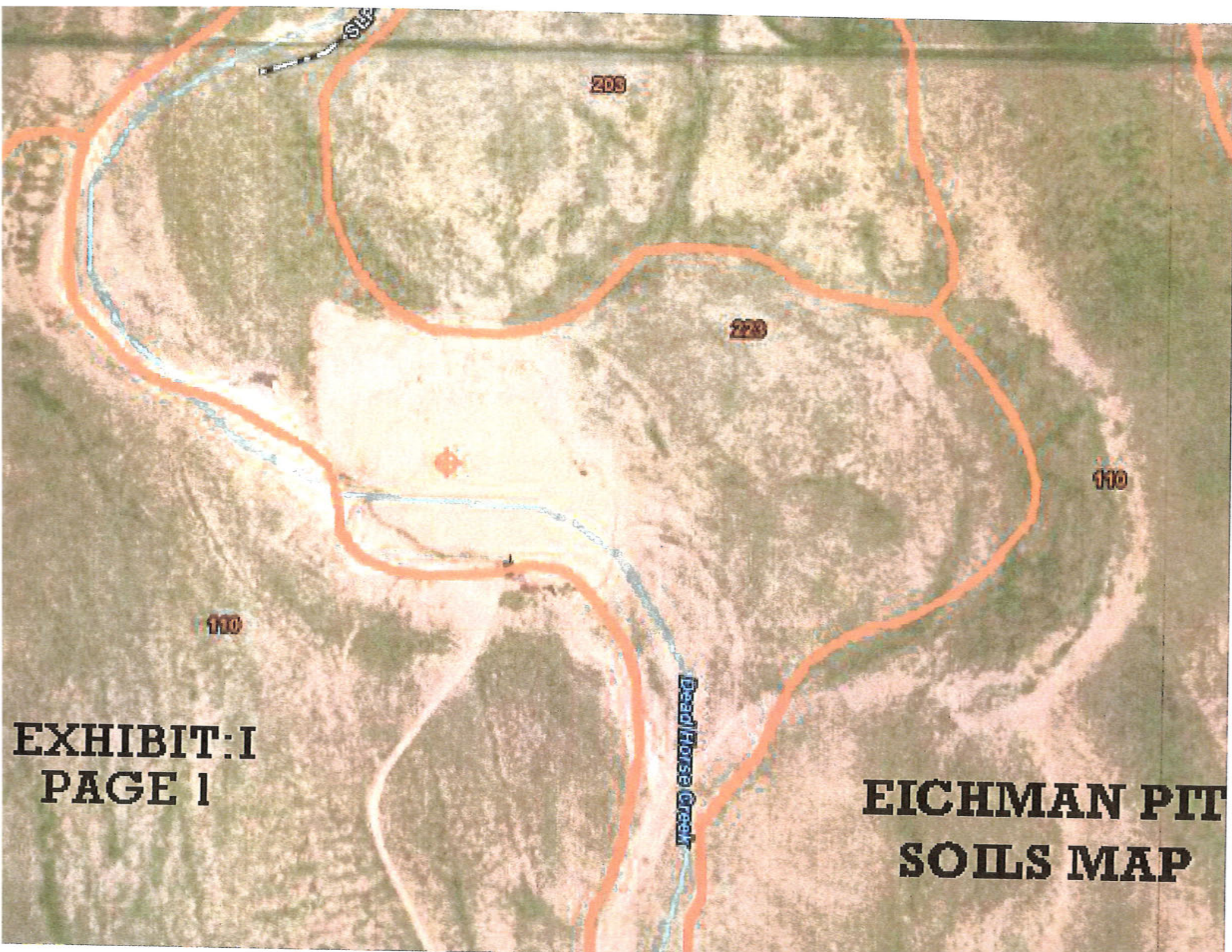


EXHIBIT:I
PAGE 1

EICHMAN PTT
SOILS MAP

Exhibit J
(Vegetation Information)

With the sandy gravel and lack of topsoil, Graminoids are the most common and obvious vegetation, and are included in the approved seed mix in the reclamation plan. Some Sagebrush and Yucca are present. The vegetation is sparse given the non-habitable growth medium. This sparse vegetation is evident on the imagery map labeled exhibit C.

Exhibit K

(Climate)

The climate of the area has characteristic features of low relative humidity, abundant sunshine, infrequent rain and snow, moderate to high wind movement, and a large daily and seasonal range in temperature. Summer daily maximum temperatures are often 95°F or above. Winter extremes are generally between 0 and -15°F.

Average annual precipitation is between ten and twenty inches. Most of this precipitation falls in the form soaking rains in April through early June or as intense bursts from thunderstorms in June through August. Year-to-year precipitation is highly variable and highly dependent on the number of large rain events in late spring and summer. Summer thunderstorms may be severe, with hail being the most common threat.

EXHABIT L

RECLAMATION COSTS

Some topsoil will be imported along with composted materials to help with the reclamation process. The only cost for that will be the trucking as the other is provided by local ranchers and farmers.

We will not do any dust suppression since water is scarce in the area.

We will drill the seed in the slopes of the pit and do hand seeding where it is needed. Seed rates will be around 20 lbs to the acre.

Total cost should be close to 3000 dollars since the equipment is owned by the county and the employees are there also.

Exhibit M- Other Permits and Licenses

No other permits or licenses are expected to be required.

SAND & GRAVEL LEASE & RIGHT TO ENTER

THIS LEASE AGREEMENT, made this 14 day of March 2022
By and between Harold and Shirley Eichman, Hereinafter called the Lessor, and
LINCOLN COUNTY, Hereinafter called the Lessee.

The said Lessor is the owner of the following described real property located in the County of Lincoln, State of Colorado.

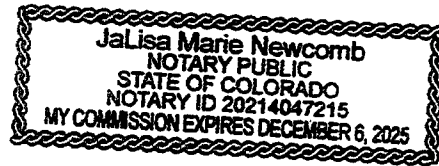
N/W ¼ of the NW ¼, Section 1 of T16S, R59W, Eichman Pit

1. In consideration of the mutual covenants herein contained, the said Lessor does, by these presents lease and let for the purpose hereafter mentioned, under all lawful warranties unto said Lessee the mineral interest described in paragraph 2 hereof.
2. The Lessee shall have the right to mine, extract, remove and take from the above described real property all the SAND AND GRAVEL, (hereinafter called minerals), in and under said real property, with the right to remove the topsoil or overburden above said minerals and also Lessee shall have the right to use necessary space for the construction and maintenance of anything required for the extraction and/or processing of minerals and space for stockpiling such minerals on the premises all without any payment in addition to the royalties and other payments herein specifically provided for.
3. The Lessee shall have, during the term of this Lease, the unlimited right of ingress and egress for the removal of said minerals mined, extracted, removed and taken from the premises.
4. This lease shall continue in effect from March 14, 2022 to March 31, 2032. At least 30 days prior to the end of the lease term, the Lessee shall provide the Lessor with the Sand and Gravel Pay Schedule which would apply to any renewal of the lease. If agreeable to the parties, a new Sand and Gravel Lease and Right to Enter shall be signed and entered into by the parties prior to the expiration of the current lease.
5. The Lessee shall pay the Lessor for all minerals mined and taken from the said premises herein leased according to the adopted schedule.
6. The Lessee shall exempt all taxes assessed or that may be assessed against the premises herein leased during the continuances of this Lease.
7. Lessee shall have over the aforesaid property only these rights intimately concerned with the mining and removal of said minerals including, without limitation, the right to stockpile said minerals on the above-described real property or other lands adjacent thereto and owned by the Lessor but within the boundary of the leased area.
8. Lessee will revegetate all damage to the leased area due to the mining operations and upon completion of the operation all affected areas will be reseeded with a native grass seed mixture recommended by the Natural Resources Conservation Service and will have the right to fence the affected area in after revegetation to allow undisturbed growth if needed.
9. The Lessor agrees, upon termination of the Lease Agreement by the Lessee of the property herein above described, to assume full responsibility for the condition of such property, and further agrees to hold harmless from any and all claims by, or liability to, third parties arising after the termination of the Lease Agreement.
10. The Lessee is to provide compensation to the Lessor for any damages to permanent man-made structures, which were the result of mining the affected land.
11. Upon termination of the lease by either the Lessee or the Lessor, the Lessor shall permit access to the property for the purpose of reclamation of said property in accordance with State guidelines. This access shall be granted until such time as the State approves reclamation of said property and the property is released.

LESSEE

Douglas D. Stone

By Douglas D. Stone



JaLisa Marie Newcomb

The foregoing instrument was acknowledged before me this 23 day of March, 2022. By *Harold & Shirley Eichman*

My Commission expires 12-6-25

LESSOR

Harold Eichman Shirley Eichman

By Harold & Shirley Eichman

The foregoing instrument was acknowledged before me this 21 day of March, 2022. By *Harold Eichman Shirley Eichman*

My Commission expires 5-09-2022

Kathleen Wangerow

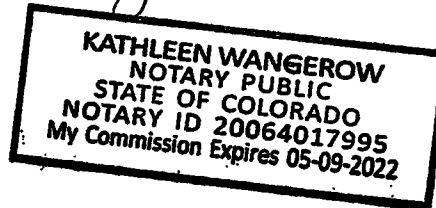


Exhibit O
(Owners of Record of Affected Land and Owners of Substance to be Mined)

Lincoln County Property record card is attached.

Property Record Card

Lincoln County Assessor

**EICHMAN HAROLD A
AND, EICHMAN SHIRLEY
J TRUSTEES
C/O: HAROLD AND
SHIRLEY EICHMAN
TRUST**

Account: R004922
Tax Area: 503 - Dist #503
Acres: 1414.000

Parcel: 3571-011-00-001
Situs Address:
11490 COUNTY ROAD 6
RUSH, 80833

11490 COUNTY ROAD 6
RUSH, CO 80833-0000

Value Summary

Value By:	Market	Override
Land (1)	\$22,213	N/A
Land (2)	\$2,376	N/A
Land (3)	\$15,781	N/A
Residential (1)	\$113,239	N/A
XFOB (1)	\$354	N/A
XFOB (2)	\$616	N/A
Commercial/Ag (1)	\$2,340	N/A
Commercial/Ag (2)	\$3,159	N/A
Total	\$160,078	\$160,078

Legal Description

ALL SEC. 1; E2 SEC. 2; ALL SEC. 12 T16S R59W OF THE 6TH P.M.,
LINCOLN COUNTY, COLORADO 9.9 AC EICHMAN GRAVEL PIT M
-85-105



Land Occurrence 1

Property Code	4147 - GRAZING LAND- AGRICULTURAL			Measure By	Acres			
Acres	1236.1							
SubArea	Actual	Effective	FinBsmnt	Footprint	Garage	Heated	LiveArea	UnfBsmnt
Acres	1236.1							
Total	1,236.10							
Value	Rate	Rate	Rate	Rate	Rate	Rate	Rate	Rate
\$22,213	17.97							

Land Occurrence 2

Property Code	4127 - DRY FARM LAND-	Measure By	Acres						
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Exhibit P- Municipalities Within Two Miles

No Municipalities within two miles of operation.

Exhibit Q
(Proof of Mailings)

Attached is the proof of mailing for the Soil Conservation District. This is a county pit operation, therefore, the Board of Commissioners knowledge should be prima facie.

Exhibit R
(Proof of Filing with the County Clerk and Recorder)

On June 13th, 2022 a copy of this filing was placed with the county clerk for public viewing.

A handwritten signature in blue ink, appearing to read "Ty Stogsdill", written over a horizontal line.

Ty Stogsdill
Land Use Administrator



Carrie San Langel
Lincoln County Clerk - Recorder

Exhibit S- Permanent Man-made Structures

Manmade structures include 1 fence line, owned by Harold Eichman. This fence will be on the north side of the new boundary of the pit.

There is also a two track ranch road leading to the pit from the county Road.

The pit entrance is located at the corner of country road M and county road 6

Public Notice

Lincoln County, 103 Third Ave, Hugo, CO 80821, 719-743-2337, has filed an application for a Regular (112) Construction Materials Operation Reclamation Permit with the Colorado Mined Land Reclamation Board under provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials. The proposed mine is known as the Eichman Pit, Permit number M-1985-105 , and is located at or near NE $\frac{1}{4}$, SE $\frac{1}{4}$ of Section 1 , Township 16, Range 59, 6th Prime Meridian. The proposed date of commencement is, September 1, 2022, and the proposed date of completion is , September 1, 2041. The proposed future use of the land is 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 Lincoln County Clerk and Recorder's office; 103 Third Ave, Hugo, CO 80821, or the above-named applicant. Comments must be in writing and must be received by the Division of Reclamation, Mining, and Safety by 4:00 p.m. on September 1, 2022. 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.

Publisher's Affidavit

State of Colorado)
)ss.
County of Lincoln)

I, Mykayla Householder, do solemnly affirm that I am the Publisher of the LIMON LEADER; that the same is a weekly newspaper published at Limon, County of Lincoln, State of Colorado, and has a general circulation therein; that said newspaper has been continuously and uninterruptedly published in said County of Lincoln for a period of at least 52 consecutive weeks next prior to the first publication of the annexed notice, that said newspaper is entered in the post office at Limon, Colorado as second class mail matter and that said newspaper is a newspaper within the meaning of the Act of the General Assembly of the State of Colorado, approved March 30, 1923, and entitled "Legal Notices and Advertisements," with other Acts relating to the printing and publishing of legal notices and advertisements. That the annexed notice was published in the regular and entire issue of said newspaper, once each week for 4 successive weeks; that the first publication of said notice was in the Issue of said newspaper dated;

29 September 2022

and the last publication of said notice was in the issue of said newspaper dated;

20 October 2022

and that copies of each number of said paper in which said notice and/or list was published were delivered by carriers or transmitted by mail to each of the subscribers of said newspaper, Limon Leader, according to the accustomed mode of business in this office.


Publisher

The above certificate of publication was subscribed and affirmed to before me, a Notary Public, to be the identical person described in the above certificate, on the

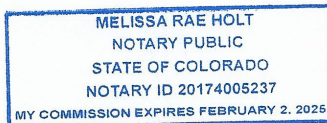
20 day of October, 2022

Melissa Rae Holt

Notary Public

2 225

(My Notary Public Commission Expiration Date)



PUBLIC NOTICES

Mining, and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567, or at the Lincoln County Clerk and

Published October 20, 2022
in The Limon Leader
Legal No. 107

PUBLIC NOTICE

Lincoln County, 103 Third Ave, Hugo, CO 80821, 719-743-2337, has filed an application for a Regular (112) Construction Materials Operation Reclamation Permit with the Colorado Mined Land Reclamation Board under provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials. The proposed mine is known as the Eichman Pit, Permit number M-1985-105, and is located at or near NE ¼, SE ¼ of Section 1, Township 16, Range 59, 6th Prime Meridian. The proposed date of commencement is, September 1, 2022, and the proposed date of completion is, September 1, 2041. The proposed future use of the land is 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 Lincoln County Clerk and Recorder's office; 103 Third Ave, Hugo, CO 80821, or the above-named applicant. Comments must be in writing and must be received by the Division of Reclamation, Mining, and Safety by 4:00 p.m. on September 1, 2022. 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.

First Publication September 29, 2022

Final Publication October 20, 2022
in The Limon Leader
Legal No. 96

**HAROLD
EICHMAN
M-1985-105
ISSUED BY
CO. MLRB**

Public Notice

Lincoln County, 300 Third Ave, Hays, CO 80825, 719-743-2337, has filed an application for a Regular (2020) Construction Materials Operation Reclamation Permit with the Colorado Mined Land Reclamation Board under provisions of the Colorado Land Reclamation Act for the Construction of Construction Materials. The proposed mine is known as the Eichman No. 105, permit number M-1985-105, and is located at or near NE 1/4 of Section 1, Township 16, Range 58, 6th Prime Meridian. The proposed date of commencement is September 1, 2023, and the proposed date of completion is September 1, 2041. The proposed future use of the land is 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 80202, (303) 866-2567, or at the Lincoln County Clerk and Recorder's office, 300 Third Ave, Hays, CO 80825, or the above named applicant. Comments must be in writing and must be received by the Division of Reclamation, Mining, and Safety by 4:00 p.m. on September 1, 2023. Please note that under the provisions of C.R.S. 34-32-5-201 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.



Response to Reclamation Permit Conversion Application Consideration

DATE: September 26, 2022

TO: Robin A. Reilley, GISP

CC: Division 2 Office; District 17 Water Commissioner

FROM: Ivan Franco, P.E.

RE: Harold Eichman Gravel Pit, File No. M-1985-105
Operator: Ty Stogsdill
Contact: Ty Stogsdill, (719) 743-2337
Sec. 1, Twp. 16S, Rng. 59W, 6th P.M., Lincoln County

CONDITIONS FOR APPROVAL

- ☒ The proposed operation does not anticipate exposing groundwater. Therefore, exposure of ground water must not occur during or after mining operations.
- ☒ If storm water is contained on-site, the applicant should be aware that, unless the storm water detention structures can meet the requirements of a "storm water detention and infiltration facility" as defined in section 37-92-602(8), Colorado Revised Statutes, the structure may be subject to administration by this office. The applicant should review DWR's *Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado* (available at: <http://water.state.co.us/DWRIPub/Documents/DWR%20Storm%20Water%20Statement.pdf>) to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use *Colorado Stormwater Detention and Infiltration Facility Notification Portal*, located online at: <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.
- ☒ Other: All water used on-site shall be a legal supply of water provided by an appropriate supplier. The applicant shall confirm the legality of any proposed source of water supply with the Division of Water Resources prior to use in the operation.

COMMENTS: The local Deputy Water Commissioner, Jeanette Myers, may be contacted at (719) 252-7028 or Jeanette.Myers@state.co.us regarding legal water supplies in the area.



Eschman



HUGO
422 4TH AVE
HUGO, CO 80821-9012
(800)275-8777

06/15/2022 12:40 PM

Product	Qty	Unit Price	Price
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First-Class Mail® Large Envelope	1		\$2.56
Rush, CO 80833			
Weight: 0 lb 7.50 oz			
Estimated Delivery Date Fri 06/17/2022			

First-Class Mail® Large Envelope	1		\$2.56
Hugo, CO 80821			
Weight: 0 lb 7.30 oz			
Estimated Delivery Date Fri 06/17/2022			

First-Class Mail® Large Envelope	1		\$2.36
Denver, CO 80203			
Weight: 0 lb 6.90 oz			
Estimated Delivery Date Fri 06/17/2022			

Grand Total:	\$7.48
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Credit Card Remitted	\$7.48
----------------------	--------

Card Name: VISA
Account #: XXXXXXXXXXXXX0088
Approval #: 353012
Transaction #: 107

7019 0160 0000 2621 3673

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HUGO CO 80821

06/14/2022

0803

Postmark
Here

06/14/2022

Postage \$2.56

Total Postage and Fees \$9.36

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

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Sent to
1 C. Commisariat
Street and Apt. No. or PO Box No.
City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Eichman Pit

7019 0160 0000 2621 2850

U.S. Postal Service™
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Domestic Mail Only

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

Huson, CO 80821

OFFICIAL USE

Certified Mail Fee	\$4.00	0803 01
Extra Services & Fees (check box, add fee \$3.25 per rate)	\$3.25	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$1.44	
Total Postage and Fees	\$8.69	

Postmark Here

10/28/2022

Sent To Lincoln County Board of Commissioners
Street and Apt. No., or PO Box No. PO Box 39
City, State, ZIP+4® Huson, Co 80821

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 0160 0000 2621 2867

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

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

Huson, CO 80821

OFFICIAL USE

Certified Mail Fee	\$4.00	0803 01
Extra Services & Fees (check box, add fee \$3.25 per rate)	\$3.25	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$1.44	
Total Postage and Fees	\$8.69	

Postmark Here

10/28/2022

Sent To Prairie Soil Conservation
Street and Apt. No., or PO Box No. PO Box 127
City, State, ZIP+4® Huson, Co 80821

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 0160 0000 2621 2874

U.S. Postal Service™
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Rush, CO 80833

OFFICIAL USE

Certified Mail Fee	\$4.00	0803 01
Extra Services & Fees (check box, add fee \$3.25 per rate)	\$3.25	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$1.44	
Total Postage and Fees	\$8.69	

Postmark Here

10/28/2022

Sent To Harold Eichman
Street and Apt. No., or PO Box No. 11496 County Rd. 6
City, State, ZIP+4® Rush, Co 80833

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Land Use

21

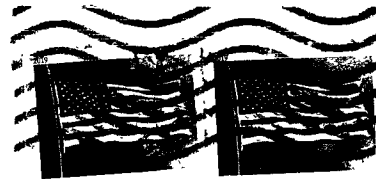
CERTIFIED MAIL

DENVER CO 802



24 MAR 2022 PM 2 L

7018 2290 0001 7141 1608



FOREIGN/USA COVER/USA

**RETURN RECEIPT
REQUESTED**



1023



80203

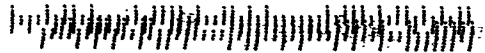
Division of Reclamation, Mining and Safety
c/o Michael Cunningham
1313 Sherman Street, Room 215
Denver, Colorado
80203

RECEIVED

MAR 28 2022

DIVISION OF RECLAMATION,
MINING & SAFETY-MINERALS

80203-224365
8020332243 CO31



U.S. POSTAGE PA
FCM LETTER
HUGO, CO
80821
MAR 24, 22
AMOUNT
\$6.22
R2306Y152389-3

LINCOLN COUNTY

P.O. BOX 67
HUGO, CO 80821
PH. 719-743-2444



Hugo, CO 80821-0158 • Ph. 719-743-2415
Limon, CO 80628-1270 • Ph. 719-775-6882

82-257/1021

DATE 03/08/2022

AMOUNT 2,696.00

PAY ---Two Thousand Six Hundred Ninety Six Dollars and 00/100 Cents---

TO
THE
ORDER
OF

Division of Reclamation, Mining and Safety
1313 Sherman Street, Rm 215
Denver, CO 80203



James R. Livingston
AUTHORIZED SIGNATURE

LM-1985-105

CN-1

Rec#39284

Division of Reclamation, Mining, and Safety

Fee Receipt for M1985105

Lincoln County
Fred Lundy
P.O. Box 39

Hugo CO 808210000

Receipt #: 39284
Date: 06/29/2022
Permit: M1985105

Payment Method	Revenue Code	Fee Description/Notes	Amount
	4300-MCNV	Minerals Conversions User: AHD CN-1	\$2,696.00
Receipt Total:			\$2,696.00

**STATE OF
COLORADO**

Reilley - DNR, Robin <robin.reilley@state.co.us>

Proof of Publication for Harold Eichman Pit

1 message

Reilley - DNR, Robin <robin.reilley@state.co.us>

Tue, Sep 20, 2022 at 6:03 PM

To: Ty Stogsdill <lclanduse@esrta.com>, Robin Reilley - DNR <robin.reilley@state.co.us>

Good Afternoon Ty,

You are converting from a 110c to a 112. Publication rule 1.6.5 applies here. The proof of publication (attached), sent for the Harold Eichman Pit does not show what was actually published, and regardless it was only published twice according to the document received by DRMS.

Please, extend the decision date enough time to allow for the publication to run and for the 20 day public comment period to close. Also the public notice must comply with Rule 1.6.2(1)(d).

DRMS requires proof of publication showing what information was published and the affidavit must indicate the publication ran once per week for four consecutive weeks. You will need to resubmit notice of the publication information and an affidavit from the newspaper indicating four weeks of publication.

Also, TPlease provide notice to all surface owners of record within the affected area and within 200 feet of the affected area. And provide proof to DRMS that you have done so.

I've highlighted the portion of the application that indicates the required publication information.

Thank you

Robin Reilley, M.S. GISP
Environmental Protection Specialist II



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

P 303.866.3567 ext 8105 |

F 303.832.8106

Physical Address: 1313 Sherman Street St., Suite 215, Denver, CO 80203

Mailing Address: DRMS Room 215, 1001 E 62nd Ave, Denver, CO 80216

robin.reilley@state.co.us | <http://mining.state.co.us>

2 attachments

**Publication_inadq.pdf**

1275K

**Application_Portion.pdf**

573K



STATE OF
COLORADO

Reilley - DNR, Robin <robin.reilley@state.co.us>

RE: Proof of Notice

1 message

Ty Stogsdill <lclanduse@esrta.com>

Tue, Jul 12, 2022 at 3:00 PM

To: "Reilley - DNR, Robin" <robin.reilley@state.co.us>

Ok thank you. Her is the photo of the Eichman Pit Public notice and Pit sign. Hope it is clear enough for you

Ty Stogsdill

Lincoln County Land Use

P.O. Box 39

Hugo, CO 80821

Office: (719) 743-2337

Fax: (719) 743-2815

lclanduse@lincolncountyco.us

From: Reilley - DNR, Robin [mailto:robin.reilley@state.co.us]

Sent: Tuesday, July 12, 2022 9:30 AM

To: Ty Stogsdill <lclanduse@esrta.com>; Robin Reilley - DNR <robin.reilley@state.co.us>

Subject: Proof of Notice

Ty,

Please refer to the rule 1.6.2 and 1.6.5 for notice protocol. The notice must be published 4 times.

Robin Reilley, M.S. GISP

Environmental Protection Specialist II



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

P [303.866.3567](tel:303.866.3567) ext 8105 |

F [303.832.8106](tel:303.832.8106)

Physical Address: [1313 Sherman Street St., Suite 215, Denver, CO 80203](#)

Mailing Address: DRMS Room 215, [1001 E 62nd Ave, Denver, CO 80216](#)

robin.reilley@state.co.us | <http://mining.state.co.us>



This email has been checked for viruses by Avast antivirus software.

www.avast.com



20220712_133854 Eichman pit photo.jpg
3933K



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

23 September 2022

Ty Stogsdill
Lincoln Co
103 Third Ave.
PO Box 39
Hugo, CO 80821

Re: Lincoln County; Harold Eichman Gravel Pit File N: . M1985105
Extension Request CN1 Application

Dear Mr. Stogsdill:


As per your 22 September request, DRMS has extended the decision date to 23 November 2022 for the CN1 permitting action regarding the Harold Eichman Gravel Pit.

Sincerely

Robin Reilley, M.S. GISP
Environmental Protection Specialist II
Robin.reilley@state.co.us

Ec: Jared Ebert; Division of Reclamation, Mining & Safety

≡

Gmail

🔍

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Minerals

6thAve Borrow_SEMA

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TR49

2001060_Deakins

BrentPit

BrokenSpear2

CalichePit

CastleRockConstru...

ElmerStone

Enforcement

GadePit_Lincoln

HEichman_M19...1

LincolnCOPictures

LinconCO_Trans...2

LyonsPit

M1978079_Dou...3

M1984168_Willi...2

Newsom_M2010083

Harold Eichman Pit M-1985-105External

Ty Stogsdill

to me

Here is the letter for request for the Harold Eichman Pit. Thank you

OFFICE OF THE LAND USE ADMINISTRATOR
LINCOLN COUNTY, COLORADO
Ty Stogsdill
PO BOX 10 • BECO, CO 80821
781-745-2207 • FAX 781-745-2810
tstogsdill@lincolnco.us

Good afternoon,

This is a formal request to extend the application review for the Harold Eichman Pit M-1985-105. The public notice will be published in the local paper on September 29, 2022 for 4 consecutive weeks at which time I will send the Affidavit to your office. Thank you

Letter Head for Ty...

Reply

Forward

https://mail.google.com/mail/u/0/#inbox/WhctKKXgnMjzVtGZLRtstFMZNnVvLqtRtJWMwhgDpxxRZZQZbCdBzcKfwdRpzbzpGSMtFhl

1/1

***OFFICE OF THE LAND USE ADMINISTRATOR
LINCOLN COUNTY, COLORADO***

Ty Stogsdill

**PO BOX 39 • HUGO, CO 80821
719-743-2337 • FAX 719-743-2815
lclanduse@lincolncountyco.us**

Good afternoon,

This is a formal request to extend the application review for the Harold Eichman Pit M-1985-105. The public notice will be published in the local paper on September 29, 2022 for 4 consecutive weeks at which time I will send the Affidavit to your office. Thank you

Lincoln County Land Use Administrator

Ty Stogsdill



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

22 September 2022

Ty Stogsdill
Lincoln Co
103 Third Ave.
PO Box 39
Hugo, CO 80821

Re: Lincoln County; Harold Eichman Gravel Pit File N: . M1985105
Adequacy #3 112 Reclamation Permit CN1 Application

Dear Mr. Stogsdill:

On 28 June 2022, the Division of Reclamation, Mining and Safety (Division/DRMS) received a 112 Construction Materials Reclamation Permit Conversion (CN1), Application package from Lincoln County for the Harold Eichman Gravel Pit File No. M1985105. The operation is anticipated to be active for 10 years, from 2022 through 2023. The post mining land use specified is general agriculture. The Division received the conversion fee for a 112 operation as required.

The Division reviewed your application to determine whether it is adequate to meet the requirements of the Act, upon submittal of all required items. On 11 July 2022 the application was deemed incomplete for lack of a public notice at the entrance. The operator provided proof that the notice was posted at the site entrance, and the application was deemed complete at the end of the day on 11 July 2022.

Preliminary adequacy was provided on 13 July 2022. A partial response to preliminary adequacy was conducted over the phone on 22 July 2022. DRMS requested that outstanding adequacy pages be mailed to the Division. DRMS received an email with revised pages on 4 August 2022. A second adequacy was provided 19 August 2022 and Lincoln County responded with revised exhibit pages via email.

Adequacy items successfully addressed in previous adequacy letters are not listed below.

Rule 1.6.4 Specific Provision 112 Reclamation Permit Application
DRMS 21 August

DRMS finds that proper notice and publication were not adequately completed. As this is a conversion from a 110c to a 112 permit the public notice requirement as per Rule 1.6.2(1)(d) must be published four times, once each week over the course of four weeks and as stated in DRMS's 12 July 2022 email. DRMS received a photograph of a public notice on 9 September 2022 after requesting the affidavit of publication, however the information in the notice was inadequate and the notice was published for two not four weeks.

1. Please submit affidavit of publication that displays the content of the public notice as well as publication dates as per Rule 1.6.5(2) to DRMS via email and mail to the DRMS mailing address.

Rule 1.4 (13) Application Review

As notice was initially published for two weeks rather than four weeks, an extension of the decision date is required and must be requested.

1. Please submit an extension request in writing on Lincoln County Letterhead via email. The extension should be requested to 18 November 2022 (or so), to assure that proper notification has been achieved and a 20 day comment period has elapsed. Please provide this document at your earliest convenience to DRMS.

The Division has no further questions regarding the above referenced permitting action.

Sincerely



Robin Reilley, M.S. GISP
Environmental Protection Specialist II
Robin.reilley@state.co.us

Ec: Jared Ebert; Division of Reclamation, Mining & Safety

