

April 3, 2023

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

RE: Mooney 5804 Altura Pit M2010-012 Adequacy Review #1

Mr. Bowles:

Thank you for reviewing the Application Package for the above-referenced permit. All maps have been updated with the correct name and are enclosed for your review.

After reviewing the mineable area within the permit boundary, it was found that only 320 acres will be mined or disturbed, as shown on the included maps. The cost estimate has been updated accordingly. The remaining acres will be within the permit area, but will remain unaffected.

All Rite Paving & Redi Mix commits to 60-foot setback at the locations where the mine area is along the permit boundary. The highwall will also be at a 3:1 or shallower in these locations.

The topsoil and overburden berms will be installed around the current affected areas only during active mining and will be used during reclamation activities as mining progresses. The berms will not impound water that will be held for long periods of time, as the water will percolate through the pit floor rapidly. Berms will be no taller than 10 feet. The typical section on the map was incorrectly drawn and has been updated.

Wheat straw mulch will be used during reclamation and will be applied at a rate of 1000 pounds per acre.

The County has been updated from Bent to Las Animas County.

All Rite Paving & Redi Mix has reviewed the comments from DWR, History Colorado and the Army Corps of Engineers. If any human remains are discovered, mining operations will immediately cease and History Colorado will be contacted. All Rite commits to adhering to all conditions of approval in the DWR memo. No groundwater will be exposed and all water will percolate through the pit floor within 72 hours.

Please feel free to contact me with any questions regarding this Application Package and Adequacy Response.

Thank you,

A handwritten signature in black ink, appearing to read 'Jodi Schreiber', with a stylized flourish at the end.

Jodi Schreiber
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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.

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Bulk storage of fuel and small amounts of lubricants will be stored on site and will be housed in an earthen berm that will have a capacity of at least 110% of the tanks and containers to be housed.

Mining will develop a gravel pit to a depth of approximately 15-20 feet. No groundwater is expected to be encountered during excavation and mining; therefore, no impact to the hydrologic balance is anticipated. No acid or toxic producing materials will be exposed during mining. No explosives will be used in conjunction with mining or reclamation. All interior haul roads will be temporary and will be reclaimed after the mining has been completed. The current haul road is approximately 25 feet wide.

This is a privately owned site and does not require the State Historic Preservation Office requirements for a cultural or historic study. If the operator encounters any structure of note, the State Historic Preservation Office will be notified.

6.4.5 Exhibit E

Reclamation Plan

Reclamation to rangeland will occur following mining at the site. Slopes will be returned to a 3H:1V slope or flatter when mining has concluded, thus allowing for reclamation to immediately follow mining as the site progresses. As topsoil, waste rock and overburden are removed from the working face, they will be stockpiled for future reclamation use. Throughout mining, slopes will be maintained at a 3H:1V minimum, except for the active mine face. Waste rock and overburden will be placed on the pit floor as quantity allows. Four inches of topsoil will be replaced on affected surfaces. If necessary, surfaces will be roughened prior to seeding. All materials used for backfilling will be generated from onsite sources. Onsite topsoil will be adequate for reclamation purposes. No importation of materials for reclamation purposes will be necessary.

No trees, shrubs, or bushy-type vegetation will be planted. Only the appropriate grasses selected by the NRCS will be used. All Rite Paving and Redi Mix will use the seed mix from the original permit application and is attached for review. The seed will be drilled at ¼" to ½" in depth and wheat straw mulch will be crimped in at a rate of 1000 pounds per acre.

All mining structures, including interior haul roads and stormwater diversion structures, will be reclaimed following all mining operations. All buildings are portable control vans.

Throughout the mining area, salvageable surface material will be removed and stockpiled for use in final reclamation. Upon commencement of reclamation, the area will be monitored for noxious weeds. The original permit for this site contained a weed management program that will be followed, along with any additional guidance from the Las Animas County weed Control Program.

6.4.13 Exhibit M

Other Permits and Licenses

- All Rite Paving and Redi Mix has a Las Animas County Special Use Permit.
- Air Permit Emissions Notice (APEN) - Colorado Department of Public Health and Environment's Air Pollution Control Division
- Stormwater Discharge Permit – Colorado Department of Public Health and Environment's Water Quality Control Division

6.4.12 Exhibit L

Reclamation Costs

Reclamation cost estimates were calculated on a per acre basis and applied to maximum active mining area of 420 acres.

Direct Tasks	Unit	Quantity	Cost	Total Cost
Placing Topsoil/Fines				
Bull Dozer	Hours	0.33	\$145.00	\$47.85
Loader	Hours	0.33	\$145.00	\$47.85
Seeding				
Broadcasting	Hours	0.33	\$300.00	\$99.00
Seed Mix	Acre	1	\$350.00	\$350.00
Mulch	Acre	1	\$187.50	\$187.50
Tracking seed/mulch				
Dozer	Hours	0.33	\$154.00	\$50.82
Area Reclaimed	Acre	320		\$250,550.00
Mobilization Fee	Hours	1	\$100	\$100
Indirect Tasks				
Liability Insurance			0.0155	\$2,573.00
Performance Bond			0.015	\$2,490.00
Profit			0.1	\$16,000.00
Job Superintendent	Hours	20	\$88.00	\$1,760.00
Miscellaneous Indirect			0.0925	\$14,800.00
Total Bond				\$274,953.00





