

PFM Consulting LLC

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

RE: Ghost River Gravel Pit M2003-002, Incompleteness Response

March 23, 2023

Ms. Michels,

Thank you for taking the time to review the amendment package for the Ghost Rive Gravel Pit. All revisions/updates requested have been made and documentation of those changes have been enclosed for your review.

If additional information is needed to complete the review, please let me know and I will get the information submitted.

Warm Regards,

Jodi Schreiber

Jodi Schreiber, Owner PFM Consulting LLC

> 1774 N. Cougar Drive Pueblo West, CO 81007 (719) 529-0916 pfmconsultingcompany@gmail.com www.pfmconsultingllc.com

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 REGULAR (112) OPERATION RECLAMATION PERMIT APPLICATION FORM

| CHECK ONE: There is a File Number Already Assigned to this Operation |
|---|
| Permit # <u>M</u> (Please reference the file number currently assigned to this operation) New Application (Rule 1.4.5) Conversion Application (Rule 1.11) |
| Permit # <u>M</u> - 2003 Q02 (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) <u>complete signed and notarized ORIGINAL</u> 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 <u>NOT</u> 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, <u>ALL</u> information requested below.

1. Applicant/operator or company name (name to be used on permit): HCR High Country Repair

1.1 Type of organization (corporation, partnership, etc.): Corporation

2. Operation name (pit, mine or site name): Ghost River Gravel Pit

| 3. | Per | mitted acreage (new or existing site): | | | | | 9.9 | permitted acres |
|----|----------------------------------|---|-------------|--------------|--------------|-------|--|--|
| | 3.1 | Change in acreage (+) | | | | | 3.6 | acres |
| | 3.2 | Total acreage in Permit area | | | | | 13.5 | acres |
| 4. | Fees 4.1 4.2 4.4 4.5 | S: New Application New Quarry Application Amendment Fee Conversion to 112 operation (set by state Conversion to 112 operation (set by state) | ute) | | | | \$2,696.00 \$3,342.00 \$2,229.00 \$2,696.00 | application fee quarry application amendment fee conversion fee |
| 5. | <u>Prin</u> | nary commoditie(s) to be mined: Gra | vel | Aggrega | ate | | | |
| | 5.1 | Incidental commoditie(s) to be mined: | 1 | | lbs/Tons/yr | 2 | 1 | lbs/Tons/yr |
| | | 3. / lbs/Tons/yr | 4 | 1 | lbs/Tons/yr | 5 | / | lbs/Tons/yr |
| | 5.2 | Anticipated end use of primary commo | litie(s) to | be mined:_ | Construction | Aggre | gate | |
| | 5.3 | Anticipated end use of incidental comm | oditie(s) | to be mined: | | • | | |

- 2 -

| 6. | Name of owner of subsurface rights of affected land: Natasha Goldberg, Chris and Barbara Dickey | | | | |
|-----|---|--|--|--|--|
| 7. | Name of owner of surface of affected land: Natasha Goldberg, Chris and Barbara Dickey | | | | |
| 8. | Type of mining operation: Surface Underground | | | | |
| 9. | Location Information: The center of the area where the majority of mining will occur: | | | | |
| | COUNTY: Huerfano | | | | |
| | PRINCIPAL MERIDIAN (check one): 6th (Colorado) 10th (New Mexico) Ute | | | | |
| | SECTION (write number): S 35 | | | | |
| | TOWNSHIP (write number and check direction): T 25 North South | | | | |
| | RANGE (write number and check direction): R <u>66</u> East <u>West</u> | | | | |
| | QUARTER SECTION (check one): | | | | |
| | QUARTER/QUARTER SECTION (check one): | | | | |
| | GENERAL DESCRIPTION: (the number of miles and direction from the nearest town and the approximate elevation): | | | | |
| | This mine is located approximately 4 miles west of I-25 on County Road 110. It is approximately 5674 feet in elevation. | | | | |
| | | | | | |
| 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) | | | | |

| Danial Donghan | | | | | |
|---|--------------|--------------------|--------------------|--|--|
| Example: (N) 39° 44' | | | | | |
| (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) | 825628 | _(5 decimal places |) | | |
| Longitude(W) -104 | .749247 | (5 decimal places |) | | |
| OR | | | | | |
| Universal Tranverse Mercator | <u>(UTM)</u> | | | | |
| Example: 201336.3 E NAD27 Zone 13 4398351.2 N | | | | | |
| UTM Datum (specify NAD27, NAD83 or WGS 84) Nad 83 Zone 13 | | | | | |
| Easting | | | | | |
| Northing | | | | | |

6.4.1 Exhibit A

Legal Description

The Ghost River Gravel Pit is currently located 37.825628° 104.749247°. The pit will be accessed through Huerfano County Road 110 approximately 4 miles east of I-25 in Huerfano County. The site is approximately 13.5 acres and is described by the following legal description:

Location: Huerfano County, CO

N ½ SW ¼ of S35 T25S R66W

Entrance: 37.825628° 104.749247°







6.4.4 Exhibit D Mining Plan

The Ghost River Gravel Pit is an existing site of 9.9 acres. This application package will convert the current 110 Permit, M2003-002, to a Construction Materials 112C. In addition, 3.6 acres will be added to the permit to incorporate disturbed areas outside of the current permitted area. Access to the site will be from Huerfano County Road 110 at the southeast corner of the site.

The site consists of the Manvel-Minnequa loams, 1 to 5 percent slopes, Kim fine sandy loam, 3 to 9 percent slopes, Penrose-Minnequa complex, 4 to 25 percent slopes and Penrose-Rock outcrop complex, 4 to 25 percent slopes. It is anticipated that shale will be found immediately beneath the material to be mined. The target gravel source is located beneath limited topsoil of 0-6 inches and overburden of an additional 18 inches - 8 feet. Topsoil and overburden will be saved for reclamation of the mine site. The primary commodities of this site are landscape aggregate, gravel and road base. Incidental materials not used for construction material will be used to reconstruct the pit floor and lessen the pit slopes.

The life of the proposed operation is difficult to quantify due to the changing economic conditions in the construction industry. Extraction will be limited to 70,000 tons per year. At this rate, the life of the mine would be approximately 3-5 years depending on local economic conditions.

Mining will proceed to the north of the current processing area. Extracted material will be moved to the processing area that is anticipated to be in the central portion of the pit. Earthmoving will be accomplished using front end loaders. Aggregate will be processed and sized using a crusher and screens. Mining will stay at least 25 feet from the San Isabel Power Pole located within the permit boundary. All equipment will be portable.

All plant growth material and topsoil will be salvaged and stockpiled for reclamation use. These stockpiles will be located at the perimeter of the site and posted as reclamation topsoil. Waste rock and overburden will be stockpiled and used to rebuild the pit floor and slopes during reclamation. Established stockpiles will be stored onsite and seeded with the approved seed mix to reduce the chance of erosion. These stockpiles will be located separate from the landscape aggregate and gravel stockpiles.

Overburden perimeter stormwater berms will be constructed as excavation and reclamation progresses. These berms will serve to control erosion and keep sedimentation from reaching any drainage. Water for dust suppression will be purchased from a local source and hauled onsite.

6.4.4 Exhibit D

Mining Plan

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Mining will develop a gravel pit to a depth of approximately 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 ranch road connecting the property to Huerfano County Road 110 will remain following reclamation, per the landowner's request. The current haul road is approximately 20 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 back to rangeland will occur immediately in all areas owned by Chris and Barbara Dickey with the goal of releasing this acreage from the site as rapidly as possible. Reclamation back to rangeland will occur for the remaining portions of the site following mining at the site. The land has historically been rangeland and will be returned to such use following mining operations.

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. Three to six 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 necessary.

No trees, shrubs, or bushy-type vegetation will be planted. Only the appropriate grasses selected by the NRCS will be used. The operator will use the seed mix from the original permit application below. The seed will be broadcast at the rates below.



6.4.7 Exhibit G Water Information

Mining is expected to have no impact on the prevailing hydrologic balance. Groundwater will not be exposed, and stormwater will not leave the site. The site will not discharge stormwater or process water drainage.

Runoff occurs as overland flow to natural drainage ravines in the vicinity. Stormwater best management practices such as waddles, straw bales, and perimeter berms will be placed to effectively manage stormwater. Historic flow will be maintained during mining.

Consumptive use of water may occur as dust suppression on the haul road and affected areas. The operator will purchase the necessary volume of water from an appropriate supplier and transport to the site for use. It is anticipated that the site could use up to 10,000 gallons per day and that the water could be purchased from the City of Rye.

The permittee will complete a stormwater management plan. Diversionary berms and impoundments will be constructed as recommended by the Water Quality Division.

6.4.8 Exhibit H

Wildlife Information

The property is used for grazing. And will be returned to rangeland during reclamation. Colorado Parks and Wildlife was contacted for comment during this permit application process. The letter states that this project will not have any negative impacts to wildlife.

Forage and cover for wildlife is very limited due to the arid climate. Small animals, including rabbits, foxes, etc. are found in the surrounding environment. The site is within range for white tail deer, antelope, prairie dog, various snakes, various lizards, and ring-necked pheasant. Impacts to wildlife will be mitigated through a weed management plan and reseeding all mined areas with a diverse and native rangeland seed mix.

ACCESS AGREEMENT

This Agreement is entered into this 13th day of March, 2023, by and between NATASHA GOLDBERG of Rye, Colorado, and CHRIS A. DICKEY and BARBARA A. DICKEY of Rye, Colorado.

WHEREAS, Natasha Goldberg is the current owner of Lot 22, Ghost River Ranch Filing 1 in Huerfano County, Colorado ("Lot 22"); and

WHEREAS, Chris A. Dickey and Barbara A. Dickey ("the Dickeys") are the current owners of Lot 23, Ghost River Ranch, Filing 1 in Huerfano County, Colorado ("Lot 23"); and

WHEREAS, Natasha Goldberg owns the Ghost River Gravel Pit on Lot 22 wherein she mines gravel through the gravel pit operator HCR High Country Repair ("the gravel pit"); and

WHEREAS, the Dickey's Lot 23 has been affected by the gravel pit's operations with the placement of piles of dirt on said lot located at or near the lot line with Lot 22; and

WHEREAS, Natasha Goldberg will need lawful access to the affected portions of Lot 23 for reclamation as required by the Colorado Division of Reclamation, Mining and Safety; and

WHEREAS, the parties wish to enter into this Access Agreement granting Natasha Goldberg permission to access the Dickey's Lot 23 under the following terms and conditions;

NOW THEREFORE, in exchange for adequate consideration, the receipt of which the parties herein acknowledge, the parties agree as follows:

1. The Dickey's grant Natasha Goldberg access to those areas of their Lot 23 that have been affected by the gravel pit's past operations for the limited purpose of reclaiming those affected areas of their Lot 23 as required by the Colorado Division of Reclamation, Mining and Safety.

2. Natasha Goldberg agrees she will have access to the Dickey's Lot 23 for the limited purpose of reclaiming those areas of Lot 23 that were affected by the gravel pit's operation and also agrees to reclaim said areas as required by the Colorado Division of Reclamation, Mining and Safety.

3. The parties agree this Access Agreement is binding on their successors and assigns and shall run with the land.

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BARBARA A. DICKEY

STATE OF COLORADO)) ss. COUNTY OF PUEBLO)

DALEENA MARIE BOBIAN SAIZ NOTARY PUBLIC

STATE OF COLORADO NOTARY ID 20204004925 MY COMMISSION EXFIRES FEBRUARY 04, 2024

Subscribed and sworn to before me by Chris A. Dickey and Barbara A. Dickey on March 2023.

Witness my hand and official seal.

otary Public My commission expires: Felon NATASHA GOLDBERG STATE OF COLORADO)) SS. COUNTY OF PUEBLO)

Subscribed and sworn to before me by Natasha Goldberg on March _____, 2023.

Witness my hand and official seal.

Notary Public

My commission expires: ____

ALLYNNE LEE POLL Notary Public State of Colorado Notary ID # 19874160680 My Commission Expires 04-06-2025

6.4.15 Exhibit O

Owner of Record of Affected Land Surface Area and Substance to be Mined

Natasha Goldberg

Chris and Barbara Dickey

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: San Isabel Electric Power Pole

| 2. | Please see attached list for poles and equipment. |
|----|--|
| 3. | |
| 4. | |
| 5. | |
| | (Please list additional structures on a separate page) |

1.

| ACKN | NOWLEGED BY: |
|--------|--|
| Struct | Name Vatala to laberg |
| Date_ | 2/24/23) Title D |
| STAT | TE OF (olorado) |
| COUN | NTY OF <u>Pueblo</u>) ss. |
| The fo | pregoing was acknowledged before me this 24 day of February, 2023, by |
| Na-a- | sha Goldberg as the currer of Ghost Pive Gravel P.J |
| 1 in | The WAR AND MAN |
| Notary | wimply bulled My Commission Expires: 10/26/24 |
| | our at the second of contract of |
| | KOURTNY M G QUILLEN |
| | NOTARY PUBLIC STATE OF COLORADO |
| | NOTARY ID 20164040875 |
| | MY COMMISSION EXPIRES OCTOBER 26. 2024 |
| | Remain a Million of A. L. L. Lond, Real of A. L. L. A. Share and A. Sarahara and A. Sa |
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the Cali

CERTIFICATION

| The Applicant, High Co | ountry Repair | (print applicant/company name), |
|------------------------------|--|------------------------------------|
| by Natasha Goldberg | (print representative's name), as Owner | |
| representative's title), doe | es hereby certify that San Isabel Electric | (structure owner) shall |
| be compensated for any d | lamage from the proposed mining operation to | the above listed structure(s) |
| located on or within 200 | feet of the proposed affected area described wit | thin Exhibit A, of the Reclamation |
| Permit Application for | Bhost River Gravel Pit | (operation name), |
| File Number M- | and the second | |

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

ACKNOWLEGED BY:

Applicant San Isabel Electric Association Representative Name Royce Anderson

Date February 15, 2023 Title ROW & Safety Manager

STATE OF <u>Colorado</u>) COUNTY OF Pueblo) ss.

The foregoing was acknowledged before me this 15th day of February, 2023, by Poyce Anderson as ROW + Sofety Mang. of San Frabel Electric.

My Commission Expires: June 30, 2021 1001 Notary Public

PEGGY L NIELSEN NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20024021040 MY COMMISSION SATURES JUNE 30, 2026



GHOST RIVER PIT EXPANSION CONFLICTS:

Poles and equipment within the 200' of proposed mine site.

| Pole ID # | Lat: | Long: |
|-----------|----------|------------|
| 30410-3 | 37.82374 | -104.74982 |
| 30410-4 | 37.82448 | -104.74935 |
| 30410-5 | 37.82521 | -104.74889 |
| 30410-6 | 37.82590 | -104.74845 |
| 30410-7 | 37.82662 | -104.74801 |
| 30410-8 | 37.82739 | -104.74753 |
| 30410-9 | 37.82815 | -104.74705 |
| 30410-10 | 37.82892 | -104.74657 |

Poles and equipment within the proposed mine site.

| Pole ID # | Lat: | Long: |
|------------|----------|-------------|
| SLACK SPAN | 37.82530 | -104.74894 |
| MID SPAN | 37.82559 | -104.74966 |
| END POLE | 37.82589 | -104.750461 |

This sale is the location of a proposed construction materials operation. HCR High Country Repair, whose address and phone number are PO Box 61, Rye, CO \$1069 **MCREME Bottlers**, has applied for a Reclamation Permit with the Colorado Almed Land Reclamation Board. Anyone wishing to comment on the application may siew the application at the Hoerfano County Clerk and Recorder's Office, 401 Main Street, Walsenburg, CO \$1089, 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

MINE

Certification:

I. NaTIANA OCLARENT_, hereby certify that I posted a sign containing the above notice for the proposed permit area known as the Ghost Rever Gravel Pit, on 2 9 23

SIGNATURE

2923



COLORADO Parks and Wildlife

Department of Natural Resources

Pueblo Service Center 600 Pueblo Reservoir Road Pueblo, CO 81005 P 719.561.5300 | F 719.561.5321

February 7, 2023

Jodi Schreiber 1774 N. Cougar Drive Pueblo West, CO 81007

RE: Ghost River Gravel Pit Wildlife Review

Dear Ms. Schreiber,

Thank you for allowing Colorado Parks & Wildlife (CPW) the opportunity to review this amendment application and discuss any wildlife concerns. The Ghost River Gravel Pit is located in an area with diverse wildlife populations. CPW species activity maps indicate that nearly 50 different wildlife species are found in this general area. With potential impact to this many different species, this application was carefully reviewed.

My local District Wildlife Manager was able to discuss this project with you in depth via telephone. Its CPW's understanding that the amendment application will not cause any increases in traffic, disruption, or expansion of the gravel pit compared to current operating levels, thus wildlife impacts are negligible. This amendment will correctly identify acres of operation under the current lease. This project will not have any negative impacts to wildlife.

Sincerely,

Mule 8 - #122

Michael D Brown Area Wildlife Manager Colorado Parks & Wildlife



Ghost River Pit Legal Description Exhibit A/B Tostiges

Map By James Higgs High Country Repair 1/16/23

Land Owner: DICKEY CHRIS A & BARBARA A

Land Owner: **GOLDBERG NATASHA**

8)

Overview Map

Pit Location

NAD 83 Coordinates 1) 37.825136°-104.749570° 2) 37.825331°-104.749570° 3) 37.825331°-104.750241° 4) 37.825421°-104.750352°

4) 37.825421 -104.750352 5) 37.825595°-104.750433° 6) 37.826098°-104.751474° 7) 37.828202°-104.750157° 8) 37.827387°-104.748186° 9) 37.825324°-104.749324' 0) 37.825195°-104.74946

Legal Description

┫ 300'-0" →

N 1/2 of SW 1/4 of S35 T25S R6W

Scale

Approx. Pit Entrance 37.825628°-104.749247°

Land Owner: GOLDBERG NATASHA

7)







