



## PFM Consulting LLC

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

RE: Lascar Pit M2023-005, Third Adequacy Response

April 26, 2023

Ms. Michels,

The language in Exhibit B and L have been updated to include the windmill and cluster mailbox. The Exhibit E Existing Conditions Map has been updated with the new structure information/language and Exhibit A has been updated with contour lines as requested. The Exhibit E Mining and Reclamation Maps have been updated with the new location of the entrance of the site.

Attached are the Structure Agreements and the CUP from Huerfano County which includes language for the use of County Road 640. The Owl Survey that was performed onsite is attached as well to address the comments from Colorado Parks and Wildlife.

The documents above were sent via email to the Huerfano County Clerk and Recorder. A copy of their acknowledgement is included as well for your review.

If additional information is needed to address this adequacy review, please let me know at your earliest convenience.

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



PFM Consulting LLC

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

### **6.3.1 EXHIBIT A**

#### **LEGAL DESCRIPTION AND LOCATION MAP**

The site is approximately 13 miles north of Walsenburg, CO. The property is surrounded by dry rangeland in each direction. County Road 650 borders the south end of the site and Interstate 25 is to the east of the property. The main site access is located at the southwest corner of the site with access from County Road 650 and is shown on the General Location.

The total permit area is 30.0 acres.

#### **1. Legal Description**

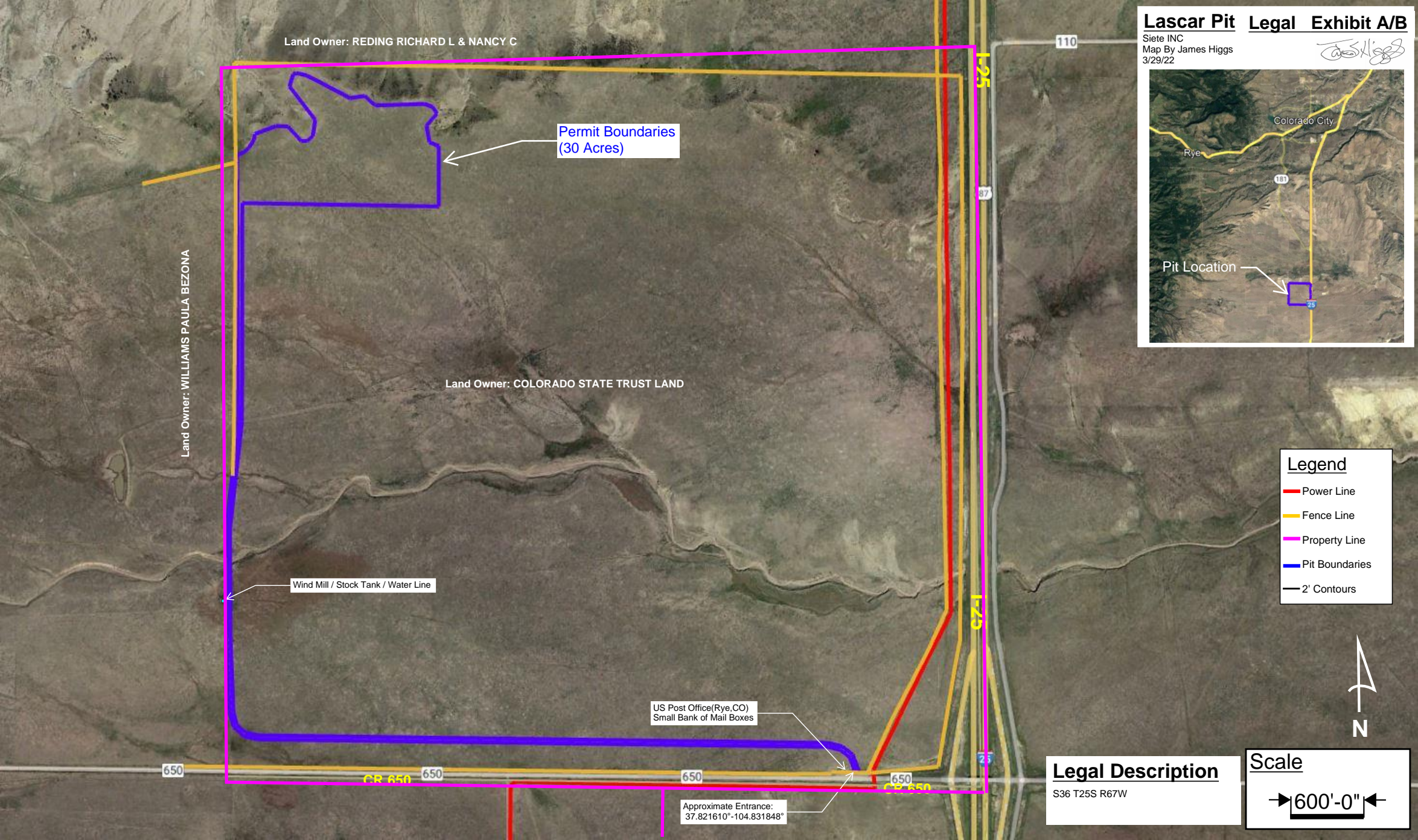
A tract of land located within the west half of Section 36, Township 25 South, Range 67 West of the 6<sup>th</sup> Principal Meridian of Huerfano County in the State of Colorado.

The pit can also be described as located at with a mine entry location of:

Latitude 37.821610°

Longitude -104.831848°

Siete INC  
Map By James Higgs  
3/29/22



Legend

Power Line

Fence Line

Property Line

Pit Boundaries

2' Contours

Legal Description

S36 T25S R67W

Scale

600'-0"

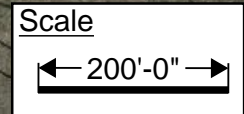


3/29/23  
Map By James Higgs

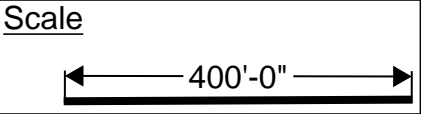


NAD 83 Coordinates

- 5) 37.834245° -104.847871°
- 6) 37.834291° -104.847680°
- 7) 37.834384° -104.847563°
- 8) 37.834542° -104.847438°
- 9) 37.834665° -104.847418°
- 10) 37.834824° -104.846879°
- 11) 37.834813° -104.846559°
- 12) 37.834523° -104.846222°
- 13) 37.834522° -104.846053°
- 14) 37.834619° -104.845915°
- 15) 37.834947° -104.845852°
- 16) 37.835627° -104.846518°
- 17) 37.835881° -104.846423°
- 18) 37.835902° -104.846335°
- 19) 37.835857° -104.846073°
- 20) 37.835395° -104.844958°
- 21) 37.835437° -104.844571°
- 22) 37.835241° -104.844302°
- 23) 37.835272° -104.843033°
- 24) 37.835213° -104.842820°
- 25) 37.835065° -104.842705°
- 26) 37.834838° -104.842975°
- 27) 37.834486° -104.842900°
- 28) 37.834410° -104.842655°
- 29) 37.833178° -104.842661°
- 30) 37.833250° -104.847740°

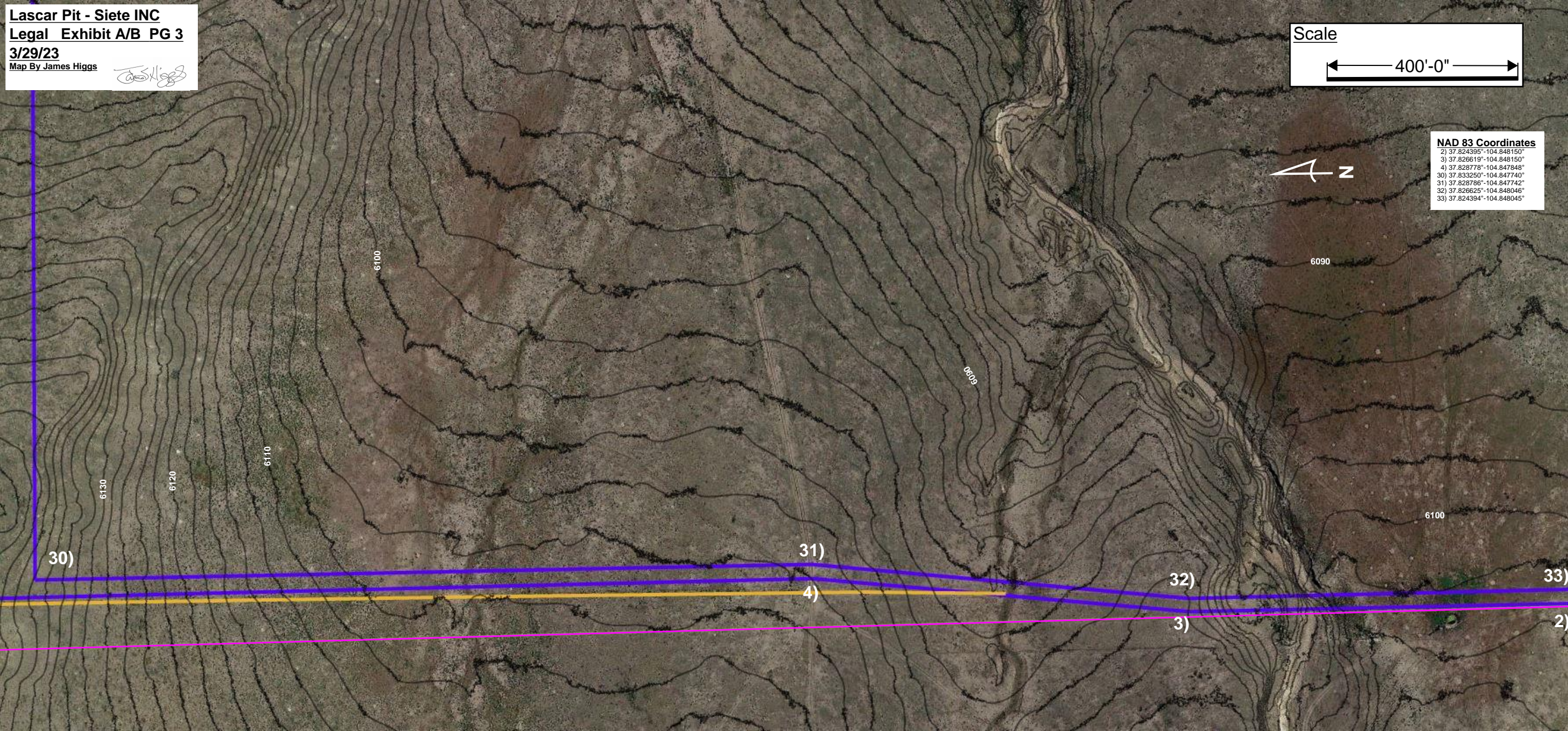






NAD 83 Coordinates

|     |            |              |
|-----|------------|--------------|
| 2)  | 37.824395° | -104.848150° |
| 3)  | 37.826619° | -104.848150° |
| 4)  | 37.828778° | -104.847848° |
| 30) | 37.833250° | -104.847740° |
| 31) | 37.828789° | -104.847742° |
| 32) | 37.826625° | -104.848046° |
| 33) | 37.824394° | -104.848045° |





NAD 83 Coordinates

|     |                        |
|-----|------------------------|
| 1)  | 37.822844°-104.848071° |
| 34) | 37.822845°-104.847968° |
| 35) | 37.822600°-104.847885° |
| 36) | 37.822436°-104.847667° |
| 37) | 37.822376°-104.847353° |
| 46) | 37.822293°-104.847347° |
| 47) | 37.822366°-104.847720° |
| 48) | 37.822547°-104.847964° |



Scale

← 200'-0" →



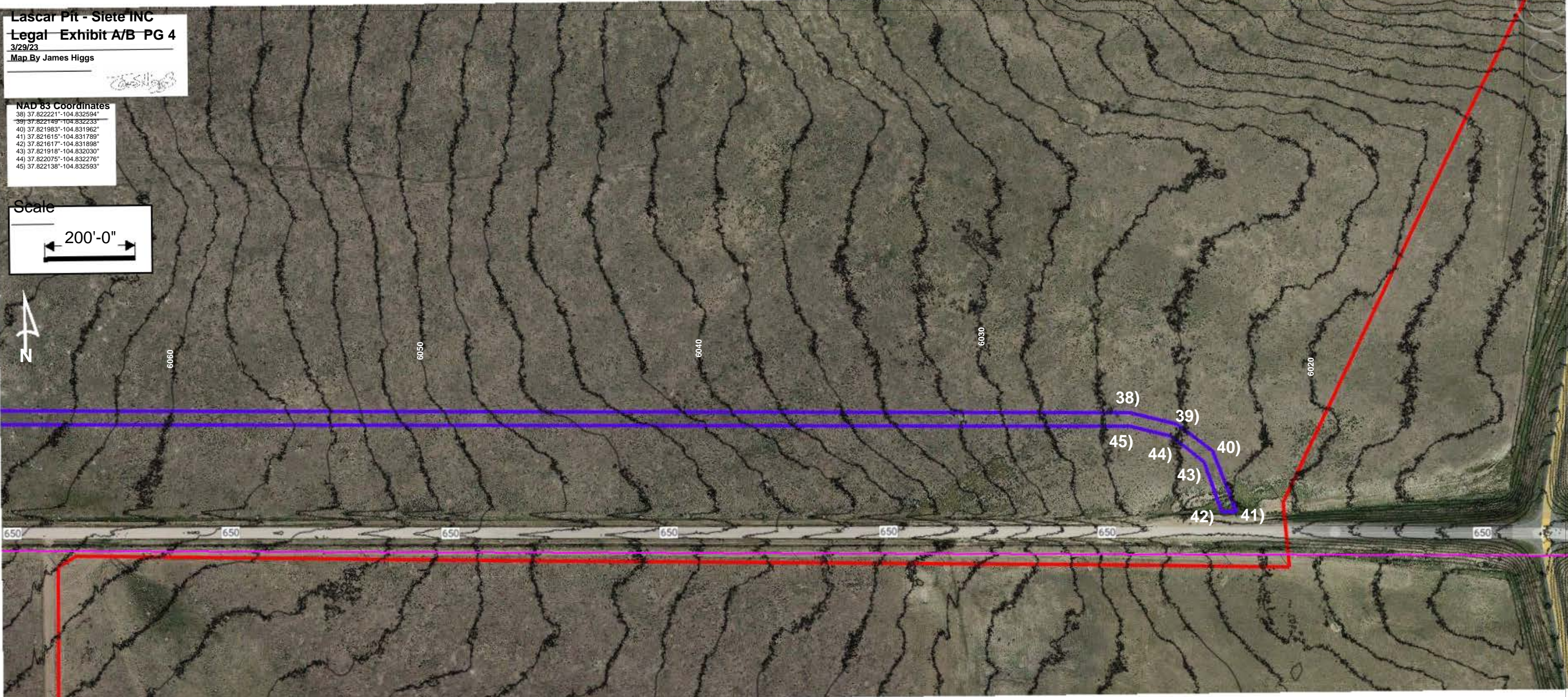


NAD 83 Coordinates

- 38) 37.822221° -104.832594°
- 39) 37.822149° -104.832233°
- 40) 37.821983° -104.831962°
- 41) 37.821615° -104.831789°
- 42) 37.821617° -104.831898°
- 43) 37.821918° -104.832030°
- 44) 37.822075° -104.832276°
- 45) 37.822138° -104.832593°

Scale

200'-0"





### **3. Structures**

There is a fence, stock tank, water line, windmill, cluster mailbox and County Road 650 that all lie within 200' of the permit boundary.

### **4. Soils**

The NRCS soil map is included. The site contains two main soil types:

- Baca Silt Loam – 61.9%, Well-drained with slow to medium runoff
- Samsil-Chicosa Complex – 16.3%, Well-drained with medium to high runoff



**Lascar Pit**  
**Existing Conditions Exhibit E**

Siete INC  
Map By James Higgs  
2/5/22



Land Owner: WILLIAMS PAULA BEZONA

Land Owner: REDING RICHARD L & NANCY C

Land Owner: COLORADO STATE TRUST LAND

Permit Boundaries  
(30 Acres)

Stock Tank / Water Line

Wind Mill / Stock Tank / Water Line

US Post Office(Rye,CO)  
Small Bank of Mail Boxes

Approximate Entrance:  
37.821610°-104.831848°

**Legend**

- Power Line
- Fence Line
- Property Line
- Pit Boundaries
- 2' Contours

Notes:  
1) Buzz Williams owns all the fences, wind mill, water line and stock tank within 200'.  
2) Bank of mail boxes is owned by the Rye, CO USPS  
3) Huerfano County is the owner of the CR650



**Scale**

→ 600'-0" ←



Land Owner: REDING RICHARD L & NANCY C

# Lascar Pit - Siete INC Mining Map Exhibit E

3/29/23  
Map By James Higgs



Land Owner: WILLIAMS PAULA BEZONA

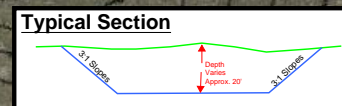
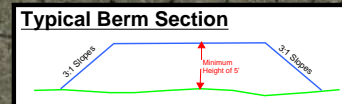
Permit Boundaries  
(30 Acres)



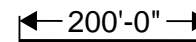
Land Owner: COLORADO STATE TRUST LAND

**Legend**

- Permit Boundary (30.0 Acres)
- Existing Fence Line
- 10' Existing Contours
- Property Boundaries
- Erosion Berm/Stockpile of Topsoil
- Stockpile of Overburden



**Scale**



Notes:  
1) Floor depth will be determined in the field  
2) All slopes will be mined at a 3:1, except for the working face.  
3) Entrance Location: 37.821610°-104.831848°

Haul Road

Approximate  
Processing  
Area

Approximate  
Stockpile  
Area



Land Owner: COLORADO STATE TRUST LAND

6140

6130

6120

6110



Land Owner: REDING RICHARD L & NANCY C

# Lascar Pit - Siete INC Reclamation Map Exhibit E

3/29/23  
Map By James Higgs



Permit Boundaries  
(30 Acres)



Land Owner: WILLIAMS PAULA BEZONA

Land Owner: COLORADO STATE TRUST LAND

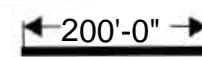
## Typical Section



## Legend

- Permit Boundary (30.0 Acres)
- Existing Fence Line
- 10' Existing Contours
- Property Boundaries
- Erosion Berm/Stockpile of Topsoil & Overburden

## Scale



Notes:  
1) Floor depth will be determined in the field.  
2) All slopes will be mined at a 3:1, except for the working face.  
3) Entrance Location: 37.821610° -104.831848°  
4) All contours are approximate.

Haul Road

Land Owner: COLORADO STATE TRUST LAND





### **6.3.12 EXHIBIT L**

#### **PERMANENT MAN-MADE STUCTURES**

There is a stock tank, windmill, waterline, fence, cluster mailbox and County Road 650 within 200' of the permit boundary. A Structure Agreement for the stock tank, fence, windmill and water line is attached for review. Huerfano County has supplied the agreement for use of County Road 650. A Structure Agreement for the mailbox owned by the U.S. Post Office is attached for review.



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. Fence, Stock Tank, Water Line and Windmill
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

*(Please list additional structures on a separate page)*



### CERTIFICATION

The Applicant, Siete Inc. (print applicant/company name),  
by Baxter Kirkland (print representative's name), as President (print  
representative's title), does hereby certify that Buzz Williams (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 Siete INC. (operation name),  
File Number M-2023-005.

*This form has been approved by the Colorado Mined Land Reclamation Board pursuant to its  
authority under the Colorado Land Reclamation Act for the Extraction of Construction Materials and  
the Colorado Mined Land Reclamation Act for Hard Rock, Metal, and Designated Mining Operations.  
Any alteration or modification to this form shall result in voiding this form.*

### NOTARY FOR PERMIT APPLICANT

ACKNOWLEDGED BY:

Applicant [Signature] Representative Name Baxter Kirkland  
Date 4/24/2023 Title President

STATE OF Colorado )  
 ) ss.  
COUNTY OF Pueblo )

The foregoing was acknowledged before me this 24 day of April, 2023, by  
Baxter W. Kirkland as President of Siete, Inc.

Bonnie J. Pameg My Commission Expires: 09/28/2026  
Notary Public





NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

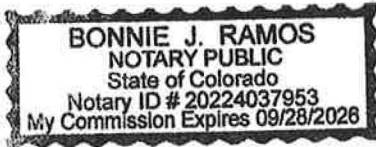
Structure Owner Buzz Wille Name Buzz Williams

Date 4/24/23 Title Structure Owner

STATE OF Colorado )  
 ) ss.  
COUNTY OF Pueblo )

The foregoing was acknowledged before me this 24 day of April, 2023, by  
Buzz Williams as Structure Owner of Lascar Rd. Pit.

Bonnie J. Ramos My Commission Expires: 09/28/2026  
Notary Public





HUERFANO COUNTY LAND USE  
401 MAIN STREET, SUITE 304  
WALSENBURG, COLORADO 81089  
719-738-1220, EXT. 506



April 26, 2023

Siete Inc.  
Attn: Jodi Schreiber  
8155 Park Road, PO Box 202  
Rye, CO 81069

Re: Conditional Use Permit 23-06

Dear Ms. Schreiber,

This letter is to notify you that the Board of County Commissioners approved your application for a gravel pit in Township 25S, Section 36, Range 67W at their March 28, 2023 meeting with the following conditions:

1. Traffic Control Plan – Road and Bridge Department to approve an Access Permit, signage plan, and lower truck speed limit, on Lascar between I-25 and the access/haul road.
2. Access from Lascar Rd onto Section to be as close as feasible to I-25.
3. Road Maintenance: Require paving of Lascar Rd. between the end of CDOT's pavement and the access onto the Section in compliance with County road design standards.
4. Letter from a legal water supplier demonstrating proof of available water.
5. Noxious weed plan approved by County Weed Control Officer with security bond in the amount of \$5000. Annual reviews to be conducted by Weed Control Officer.
6. Acreage/scope of operations is limited to the 30-acre scope of operations presented in the site plan as part of this application. Subsequent operations subject to BOCC approval of an amendment to this Conditional Use Permit.
7. One-year performance review and site visit from the Land Use Office. Additional reviews or site visits to be conducted on a complaint basis.
8. Hours of operation: Crushing/Mining hours of operation: 7:00AM to 5:00PM; Truck Traffic hours: 7:00AM to 6:00PM; Maintenance and labor: no restriction on hours.
9. The Tom Branch Apache Creek, an intermittent stream, runs through the section. If more than the thirty acres initially proposed is to be permitted for mining, a 200 ft. setback to be required between mining operations and intermittent streambeds.
10. No explosives to be used.

If you have any questions or need additional assistance, please call me at 719-730-1220 x108

Sincerely,

A handwritten signature in blue ink, appearing to read "Sky Tallman".

Sky Tallman  
Land Use Director  
Huerfano County Land Use Department  
401 Main Street Suite 304  
Walsenburg, CO 81089



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. Cluster Mailbox
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

*(Please list additional structures on a separate page)*



## CERTIFICATION

The Applicant, Siete Inc. (print applicant/company name),  
by Baxter Kirkland (print representative's name), as President (print  
representative's title), does hereby certify that United State Post Office (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 Siete INC. (operation name),  
File Number M-2023-005.

*This form has been approved by the Colorado Mined Land Reclamation Board pursuant to its  
authority under the Colorado Land Reclamation Act for the Extraction of Construction Materials and  
the Colorado Mined Land Reclamation Act for Hard Rock, Metal, and Designated Mining Operations.  
Any alteration or modification to this form shall result in voiding this form.*

## NOTARY FOR PERMIT APPLICANT

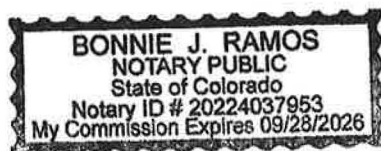
ACKNOWLEDGED BY:

Applicant [Signature] Representative Name Baxter Kirkland  
Date 4/24/2023 Title President

STATE OF Colorado )  
 ) ss.  
COUNTY OF Pueblo )

The foregoing was acknowledged before me this 24 day of April, 2023 by  
Baxter Kirkland as President of Siete, Inc.

Bonnie J. Ramos My Commission Expires: 09/28/2026  
Notary Public





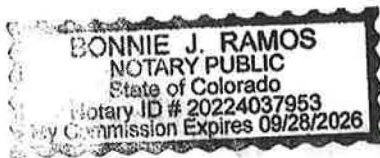
**NOTARY FOR STRUCTURE OWNER**

ACKNOWLEDGED BY:

Structure Owner United States Post Office Name Jessica Beckham  
Date 4/24/2023 Title Rye/Pueblo count PO.  
STATE OF Colorado )  
 ) ss.  
COUNTY OF Pueblo )

The foregoing was acknowledged before me this 24 day of April, 2023, by  
Jessica Beckham as Postoffice Clerk of Pueblo-Rye Post Office

Bonnie J. Ramos My Commission Expires: 09/28/2026  
Notary Public







## **SMITH ENVIRONMENTAL & ENGINEERING**

*Delivering Smart Solutions for Planning, Permitting, & Design*

### MEMORANDUM

TO: Aurion Dransfield  
Project Manager  
Siete, Inc.

FROM: Cooper Pierce  
Environmental Scientist I  
Smith Environmental and Engineering (SMITH)

DATE: April 10, 2023

RE: Burrowing Owl Survey Results at Lascar Pit, Huerfano County, CO

The Burrowing Owl (*Athene cunicularia*) is a State of Colorado Threatened species and is protected under the Migratory Bird Treaty Act (MBTA) of 1918, as amended. Burrowing Owls primarily use abandoned prairie dog burrows for nesting and refuge in Colorado from mid-March through October of each year.

SMITH completed surveys following CPW guidelines to determine if Burrowing Owls are present at the proposed Lascar Pit development site and access road (Figure 1) prior to any prairie dog mitigation activities. Surveys were completed on April 5, 7, and 10, 2023 within two hours of sunrise during optimal weather conditions (i.e., little to no wind, no precipitation, and sunny skies). SMITH utilized recorded owl calls to increase the probability of detection. No owls were observed during the surveys, and SMITH believes prairie dog management activities, including clearing and grubbing, can proceed without negatively impacting Burrowing Owls.





PFM Consulting &lt;pfmconsultingcompany@gmail.com&gt;

---

**Re: Lascar Pit Updated Permit Application Pages**

---

**Erica Vigil** <evigil@huerfano.us>

Wed, Apr 26, 2023 at 11:52 AM

To: PFM Consulting &lt;pfmconsultingcompany@gmail.com&gt;

This has been received and printed out for public view.

Thank you

On Wed, Apr 26, 2023 at 10:51 AM PFM Consulting <pfmconsultingcompany@gmail.com> wrote:

Thank you for speaking with me this morning.

Attached are the updated pages for the Colorado Division of Reclamation, Mining and Safety permit package for the Lascar Pit. Per their requirements, these updated application materials are to be placed with the Clerk and Records Office for public review.

Would you please confirm receipt of this email and attachments?

Thank you for your time and attention to this matter.

Jodi Schreiber, Owner  
PFM Consulting LLC  
719-529-0916  
[www.pfmconsultingllc.com](http://www.pfmconsultingllc.com)  
[pfmconsultingcompany@gmail.com](mailto:pfmconsultingcompany@gmail.com)

**"Success is stumbling from failure to failure with no loss of enthusiasm."**  
**-Winston Churchill**

--  
*Erica Vigil*  
*Huerfano County Clerk & Recorder*  
*401 Main St., Ste. 204*  
*Walsenburg, CO 81089*  
*Fax: 719-738-2060*  
*Phone: 719-738-3000 ext. 220*