



PFM Consulting LLC

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

RE: Colorado Gravel LLC Pit M2022-053, Preliminary Adequacy Review Response

May 17, 2023

Ms. Gagnon,

Thank you for taking the time to review the Special Operations 112 Construction Materials Reclamation permit package for the Colorado Gravel LLC Pit M2022-053.

1. The letter from History Colorado has been reviewed. As the site has not been deemed eligible for listing to the National Register of Historic Places, Colorado Gravel LLC will monitor the site for any potential human remains and report if found. Colorado Gravel LLC is currently working on all items noted in the Division of Water Resources comment letter and commits to ensuring all are completed prior to operations.
2. Attached is proof of publication in the local newspaper.
3. Please see attached the certification of posting the notice onsite.
4. Please see the attached signature verification of KICT LLC's receipt of the notice.
5. Please see attached the certified mailing cards and the receipts. There are no easements on the property.
6. The Mining Plan has been updated to include the width of the haul road and the CDOT Access Permit has been included to show their requirements for the drainage control structures.
7. The house is not occupied. The driveway has been included on the map and is attached. The setback and acreage have been included as well. The residential area will be in a non-affected area of the permit boundary. CDOT is requiring that the entrance at the house be abandoned, as they do not allow for two entrances on one parcel.
8. The maximum disturbed acreage will include a 10-acre mining area, 10-acre processing area to include the wash ponds and road. The settling pond will only be used if required by the Colorado Division of Water based upon water discharge testing. If a pond is needed it will be approximately 0.5 acres. This will give a total disturbed acreage of 20.5 acres. Backfilling will occur concurrently with mining to ensure that there is only 10 acre-feet of water exposed at any given time. Before the final 20-acre portion of the mineable area will be disturbed, the first 20-acre portion will be backfilled and ready for topsoil and seeding.



9. The Exhibit D Map has been updated and is attached for review.
10. The maximum length of the highwall will be 700 feet.
11. There will be a 50-foot setback from the power poles and county road on the west side of the permit area. The Mine Plan Map has been updated to include that setback.
12. When the site begins operation, it is anticipated that water will be intercepted within the first month. This water will then be pumped from the mine area to a ditch on the east side of the permit boundary. The water will then flow to the Arkansas River, where it will be discharged at a rate equal to that of the pump. At this time, the rate of that release is unknown. If, after the discharged water tests show that the water needs to be pumped into a settling pond prior to being released into the Arkansas due to the Division of Water Resource requirements, a settling pond will be built in which the water from the mine site will be stored to settle out any solids prior to release. If the pond is constructed along the Arkansas, Colorado Gravel LLC will follow any guidelines given by FEMA and Prowers County for flood protection/bank stability requirements. With operations such as this, recommendations such as placing stockpiles in such a way as to not impede flood waters and fastening to the ground any buoyant objects, i.e. porta potties, is common. We have submitted these two measures, as well as an employee evacuation plan to Prowers County for their approval and incorporation into the Special Use Permit.
13. The Exhibit D and E Maps have been updated to show the floodplain. Please refer to Question 12 with regard to any flood protection/bank stability questions.
14. The final 10-acre pond will have a 50' setback from the Arkansas River.
15. The permit boundary encompasses the ditch. However, it will be located within a non-mining area and will have a 50-foot setback where no mining/disturbance will occur.
16. The operation will wash material onsite and will utilize water from an adjudicated well onsite. Water will be used with a wash plant to wash sand onsite. Two wash ponds will be constructed and the water will be recirculated for continual use. This operation will consume approximately 20-acre feet of water each year.
17. At this time, it is uncertain where additional aggregate material will come from. This depends on the mix design of the final product, as to what type of aggregate will produce the desired asphalt/cement for a project. It is not anticipated that any of the imported material would be used for backfill, as it would all be consumed in the production of the asphalt/cement. The cement powder and asphalt cement would be stored onsite in closed containers.
18. The Cropland Seed mix would contain Forage Grass, Teff, Sand Jose Wheatgrass, and an Orchard Grass Mixture. Hard Red Winter Wheat may also be an option for this site.
19. The Reclamation Plan has been updated to state 6" of topsoil.
20. The pond will have 2H:1V slope. Exhibit F has been updated to reflect this. No imported material will be used for the pond completion and no stormwater protection structures will remain following reclamation, unless required by FEMA and/or Prowers County.



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21. Colorado Gravel LLC acknowledges that a technical revision would be required if the home and outbuildings were to be removed.
22. The Reclamation Plan has been updated.
23. Colorado Gravel LLC commits to providing a weed management plan upon approval of a reclamation permit.
24. The operation will directly affect the Alluvial Arkansas River.

^ Unconsolidated age alluvial aquifers associated with the major river systems

Alluvial aquifers associated with Colorado's major river systems are unconfined and generally consist of unconsolidated silt, sand and gravel that has been deposited during the Quaternary Period by rivers. These alluvial aquifers contain groundwater stored in unconsolidated sediment along river valleys, and as a result, are often referred to as "tributary aquifers" because they typically interact with the associated stream surface water and may exhibit seasonal variation in response to surface-water flow (WEco, n.d.; CGS, 2004, 2006). Colorado's alluvial aquifers may also contain perched or confined groundwater if clay layers are present in the stream sediments (CGS, 2003). The unconsolidated alluvial aquifers associated with the major river systems are mainly used for domestic, agricultural and/or municipal purposes, with those composed of sand and gravel deposits containing the highest yields in the state due to high porosity and permeability (CGS, 2004). Over-pumping of these types of aquifers can result in a decline of water in nearby rivers and lakes.



Colorado's major Quaternary-age alluvial deposits. CGS (2003).

25. Colorado Gravel LLC commits to obtaining a Well Permit and a Substitute Water Supply Plan from the Division of Water Resources in the Applicant/Operator name. No groundwater will be exposed at this site until the above items are in place.
26. Colorado Gravel LLC intends to use LAWMA Preferred water shares for this project and commits to not exposing any groundwater at the site until the permits are in place.
27. The project is estimated to have a water requirement of 44 acre-feet per year. The estimated flow rate is 300 gallons per minute and the site is anticipated to operate approximately 100 days per year. To augment the 10-acre-foot pond, 44 acre-feet of water will be required. The process water will utilize an additional 20 acre-feet annually. The total water required for the site operations is estimated at 64 acre-feet annually.
28. The site will use approximately 2 acre-feet annually for dust suppression.
29. Colorado Gravel LLC has submitted an application for CDPS General Permit COG500000 Discharge from Sand and Gravel Mining and Processing for this site to CDPHE and will follow all CDPHE requirements for such permit at this site.
30. The estimate of average annual production for hay meadows and croplands in the region is 1 ton per acre per year for dryland.
31. Exhibit L has been updated. The total disturbed at any one time will be 20.5 acres.
32. Exhibit L has been updated.
33. The Well Permit and Substitute Water Supply Plan have been added.
34. All permits have been added to the Exhibit.



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35. Colorado Gravel LLC commits to providing all copies of required and approved permits to the Division when available.
36. The lease has yet to be finalized. It will be forwarded to DRMS as soon as it is finalized.
37. The lease has yet to be finalized. It will be forwarded to DRMS as soon as it is finalized.
38. Exhibit O has been updated.
39. Please see the attached acknowledgement from the Prowers County Clerk and Recorder's Office of receipt of the updated documents.
40. Exhibit C has been updated and is included for review.
41. The missing page of the agreement is attached for review.
42. The document has been updated and is attached for review.
43. The structure agreement has been updated.
44. Please see the attached email from Lamar Light and Power.
45. Attached is the CDOT Access Permit for State Highway 385. When the CLOMR is completed, we will have the Prowers County SUP which allows for the project. The SUP with the road use agreement will be sent at that time.

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

Warm Regards,

Jodi Schreiber

Jodi Schreiber, Owner
PFM Consulting LLC

PUBLIC NOTICE

Colorado Gravel LLC, PO Box 187, Lamar, Colorado 81052 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 Colorado Gravel LLC Pit, and is located at or near Section 36, Township 22S, Range 44W, 6th Prime Meridian.

The proposed date of commencement is April 2023, and the proposed date of completion is April 2033. The proposed future use of the land is cropland. 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 Prowers County Clerk and Recorder's office, 301 South Main Street, Lamar, CO 81052, 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 March 15, 2023.

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.

Published: Lamar Ledger February 2, 9, 16, 23, 2023-1950816

Prairie Mountain Media, LLC

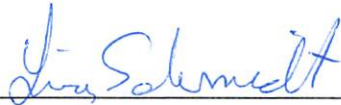
PUBLISHER'S AFFIDAVIT

**County of Prowers
State of Colorado**

The undersigned, Agent, being first duly sworn under oath, states and affirms as follows:

1. He/she is the legal Advertising Reviewer of Prairie Mountain Media LLC, publisher of the *Lamar Ledger*.
2. The *Lamar Ledger* is a newspaper of general circulation that has been published continuously and without interruption for at least fifty-two weeks in Prowers County and meets the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in the *Lamar Ledger* in Prowers County on the following date(s):

Feb 2, 9, 16, 23, 2023



Signature

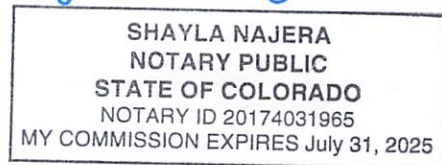
Subscribed and sworn to me before me this

10th day of MARCH, 2023.



Notary Public

(SEAL)



Account: 1118783
Ad Number: 1950816
Fee: \$164.64

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U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C.

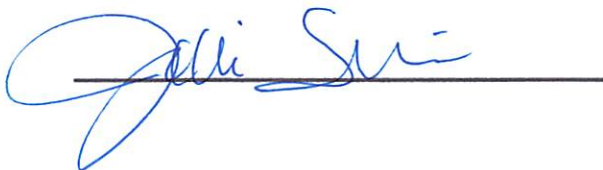
NOTICE

This site is the location of a proposed construction materials operation. Colorado Gravel LLC, whose address and phone number are PO Box 187, Lamar, Colorado 81052, 719-688-3668, 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 Prowers County Clerk and Recorder's Office, 301 Main Street, Lamar, CO 81052, 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, Jodi Schreiber, hereby certify that I posted a sign containing the above notice for the proposed permit area known as the Colorado Gravel LLC Pit, on January 5, 2023.

SIGNATURE



DATE

1/5/2023



PFM Consulting LLC

February 2, 2023

RE: Public Notice Regarding Colorado Gravel LLC Pit

Colorado Gravel LLC, PO Box 187, Lamar, CO 81052, 719-688-3668 or 719-529-0916, 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 Colorado Gravel LLC Pit, and is located at or near Section 36, Township 22S, Range 44W, 6th Prime Meridian.

The proposed date of commencement is April 2023, and the proposed date of completion is April 2033. The proposed future use of the land is cropland. 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 Prowers County Clerk and Recorder's office, 301 South Main Street, Lamar, CO 81052, 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 March 15, 2023.

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.

Warm Regards,

Jodi Schreiber
Owner, PFM Consulting LLC

*Receipt Acknowledged
Surface owner has no objection.
[Signature]
Attorney-in-Fact for PFC LLC
March 21, 2023*

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

NDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3.
Print your name and address on the reverse so that we can return the card to you.
Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

GP Irrigated Farms LLC
732 SE CR 36
PO Box 287
Syracuse, KS 67878



9590 9402 5705 9346 2692 57

Article Number (Transfer from service label)

7022 0410 0000 5536 2027

S Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent
☒ Lucia Hernandez ☐ Addressee
B. Received by (Printed Name) C. Date of Delivery
Lucia Hernandez 2-10-23
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

3. Service Type ☐ Priority Mail Express®
☐ Adult Signature ☐ Registered Mail™
☐ Adult Signature Restricted Delivery ☐ Registered Mail Restricted Delivery
☐ Certified Mail® ☐ Return Receipt for Merchandise
☐ Certified Mail Restricted Delivery ☐ Signature Confirmation™
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☐ Collect on Delivery Restricted Delivery ☐ Insured Mail
☐ Mail Restricted Delivery (00)

Domestic Return Receipt

NDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3.
Print your name and address on the reverse so that we can return the card to you.
Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Michael and Sharon Winters
PO Box 60
Granada, CO 81041



9590 9402 5705 9346 2692 26

Article Number (Transfer from service label)

7022 0410 0000 5536 1129

S Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent
☒ Michael Winters ☐ Addressee
B. Received by (Printed Name) C. Date of Delivery
Michael Winters
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

3. Service Type ☐ Priority Mail Express®
☐ Adult Signature ☐ Registered Mail™
☐ Adult Signature Restricted Delivery ☐ Registered Mail Restricted Delivery
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<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$
Sent To	<u>B. Winters</u>

6211 9E55 0000 0140 22

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GP Irrigated Farms LLC

PO Box 287 732 SEV 36

City, State, ZIP+4® Syracuse, KS 67878

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

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☐ Adult Signature Restricted Delivery \$

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Gene Chickshank

PO Box 963

City, State, ZIP+4® Lamar, CO 80552

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Carolyn Day

15757 Pine Blvd. #394

City, State, ZIP+4® Pembroke Pines, FL 33027

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☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage

Total Postage and Fees

\$ B.13

Sent To

William Swafford Jr.

4127 Cedargate Dr.

City, State, ZIP+4® Fort Collins, CO 80526

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

6.4.1 Exhibit A

Legal Description

The Colorado Gravel LLC Pit is currently located 38.085911, -102.310627. The pit will be accessed from Colorado Highway 385 approximately 1.35 miles north of Granada in Prowers County. The site is approximately 54.5 acres and is described by the following legal description:

NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 36, Township 22S, Range 44W

Entrance: 38.085911, -102.310627

6.4.2 Exhibit B

Index Map

6.4.3 Exhibit C

Pre-Mining and Mining Plan Map

of Affected Lands

6.4.4 Exhibit D

Mining Plan

The Colorado Gravel LLC Pit is a new site that will span 54.5 acres. The target gravel source is located beneath limited topsoil and overburden. The primary commodities are sand and gravel. Incidental materials not used for construction material will be used to reconstruct the pit floor and lessen the pit slopes.

The site is made up of mostly Rocky Ford, clay substratum and clay loam, as well as Las clay loam. The target gravel source is located beneath limited topsoil of 0-6 inches and overburden of an additional 4-12 inches. Topsoil and overburden will be saved for reclamation of the mine site. The stratum beneath the deposit is presumed to be sandstone, shale or conglomerate or a combination thereof. The primary commodities are sand and gravel. 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 speculative due to ever changing economic conditions in the construction industry. If economic demands remain low and extraction is limited to 70,000 tons per year, approximately six acres per year would be mined. At this rate, the life of the mine would extend to approximately 9 years.

Mining will proceed from the southern end of the pit and will move north and east. The residential area noted on the map will not be mined and is located within a non-affected area. Extracted material will be moved to the processing area that is anticipated to be in the southern portion of the pit, denoted on the map. The maximum high wall length will be 700 feet. There will be a 50 foot setback on the western and northern sides of the permit boundary along the highway/powerlines and Arkansas River.

Earthmoving will be accomplished using bulldozers, front end loaders and/or scrapers depending on the depth of plant growth material and overburden. Aggregate will be processed and sized using a crusher and screens. A portable asphalt or concrete batch plant may be onsite as projects warrant.

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

Bulk storage of fuel and small amounts of lubricants will be stored onsite 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 up to 45 feet. Groundwater is expected to be encountered during excavation and mining. Water will be pumped from the facility with surface water onsite not exceeding 10 acres. This water will then be pumped from the mine area to a ditch on the east side of the permit boundary. The water will then flow to the Arkansas River, where it will be discharged at a rate equal to that of the pump. At this time, the rate of that release is unknown. If, after the discharged water tests show that the water needs to be pumped into a settling pond prior to being released into the Arkansas due to the Division of Water Resource requirements, a settling pond will be built in which the water from the mine site will be stored to settle out any solids prior to release. When the pond is constructed along the Arkansas, Colorado Gravel LLC will follow any guidelines given by FEMA and Prowers County for flood protection/bank stability requirements. With operations such as this, recommendations such as placing stockpiles in such a way as to not impede flood waters and fastening to the ground any buoyant objects, i.e. porta potties, is common. We have submitted these two measures, as well as an employee evacuation plan to Prowers County for their approval and incorporation into the Special Use Permit.

The operation will wash material onsite and will utilize water from an adjudicated well onsite. Water will be used with a wash plant to wash sand onsite. Two wash ponds will be constructed and the water will be recirculated for continual use. This operation will consume approximately 20-acre feet of water each year.

No acid or toxic producing materials will be exposed during mining. No explosives will be used in conjunction with mining or reclamation.

The proposed mining operation will consist of an access road from the southwest of the site. The access road will be 40' wide. The Colorado Department of Transportation has granted an Access Permit for this site. It is attached for review and details CDOTs requirements for the road where it intersects State Highway 385, including the drainage structures. All interior haul roads will be temporary and will be reclaimed after the mining has been completed. It is estimated that the life of the pit is 8-10 years and is dependent upon demand.

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 agricultural land will occur following mining at the site. A 10-acre pond will remain on the north end of the site using available water shares for augmentation purposes.

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. 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 adequate for reclamation purposes. No importation of materials for reclamation purposes will be necessary. All disturbed areas, including the processing area, will have all stockpiles and mobile equipment removed. The area will be backfilled to a 3H:1V or shallower and the surface will be scarified. Following that, six inches of topsoil will be replaced on affected surfaces and then the site will be reseeded with the forage grass listed above.

Colorado Gravel LLC will use the below seed mix.

Grass Species

Use the following grass species with soils of high pH and moderate to high soil salt levels. These grasses can tolerate these conditions, making more use of the land for grazing or hay production.

33% Western Wheatgrass	2.3lb.
25% Tall wheatgrass	1.75lb.
13% Buffalograss	0.9lb.
10% Swithgrass	0.7lb.
8.5% Indiangrass	0.6lb.
7.5% Sideoats grama	0.5lb.
3% Alkali Sacaton	0.2lb.
Total: 7lb.	

Seeding Rate: 7 lbs. of mix / acre.

All mining structures, including interior haul roads and stormwater diversion structures, will be reclaimed following all mining operations. All buildings that are brought in for the project are portable control vans and will be removed following reclamation. The home and outbuildings onsite may be removed upon the owners request as the site develops.

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. Colorado Gravel LLC will implement appropriate methods to manage weed growth and will work with Prowers County Weed Control Program for recommendations in the event noxious weeds develop.

6.4.6 Exhibit F

Reclamation Plan Map

6.4.7 Exhibit G

Water Information

Groundwater will be exposed during mining operations and pumped from the site if needed. Any exposed water will be covered by existing LAWMA water shares available on the property. A 10-acre pond will remain throughout the mining and reclamation phases and will be augmented using the above-referenced LAWMA shares.

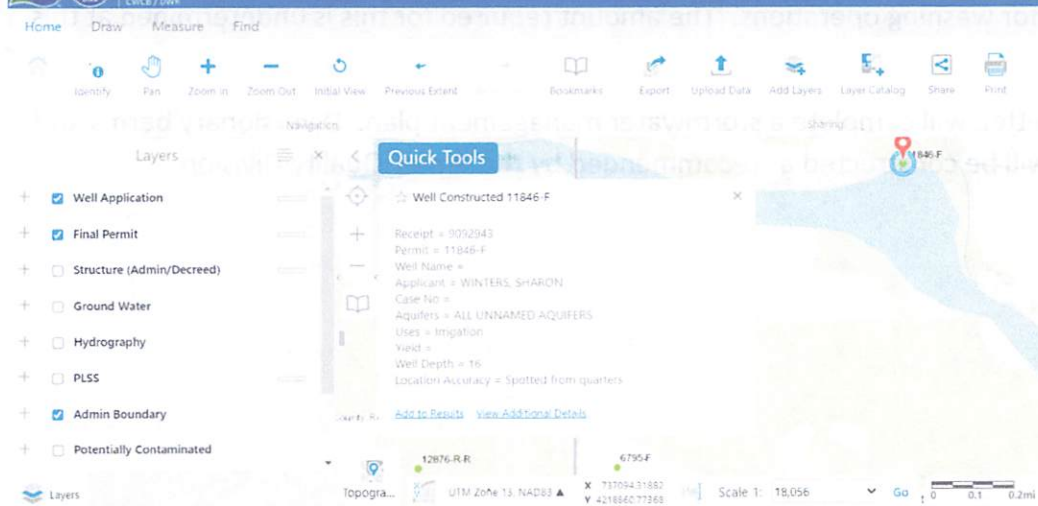
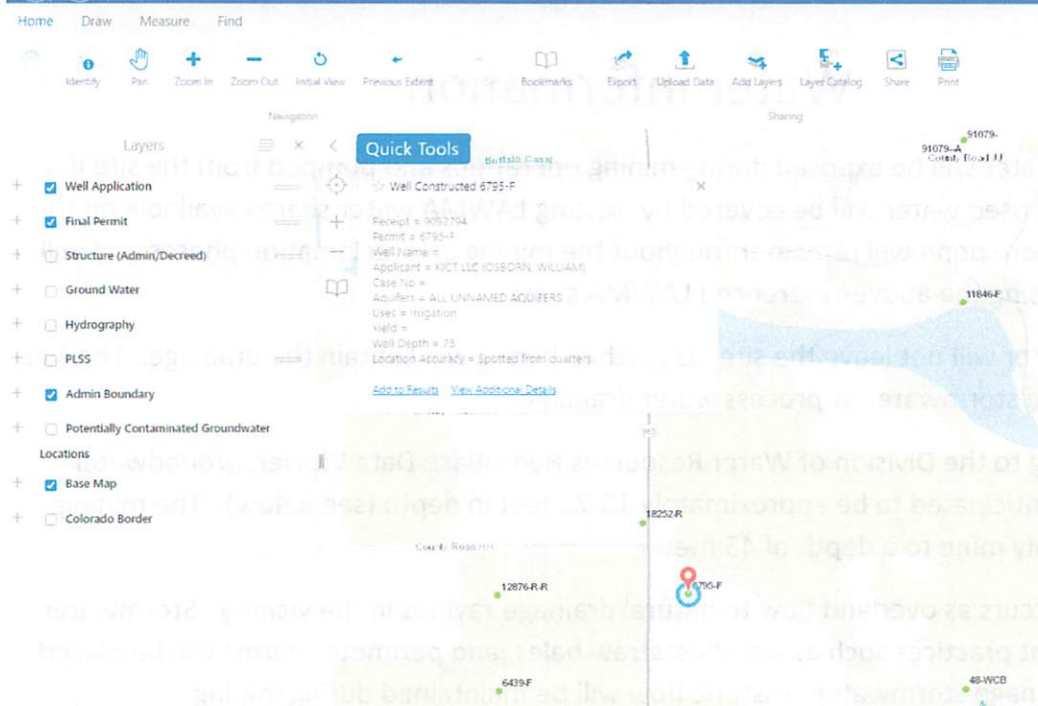
Stormwater will not leave the site, as earthen berms will contain the drainage. The site will not discharge stormwater or process water drainage.

According to the Division of Water Resources HydroBase Data Viewer, groundwater near the site is anticipated to be approximately 16-75 feet in depth (see below). The mining operation will only mine to a depth of 45 feet.

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, as well as for washing operations. The amount required for this is undetermined at this time.

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 farming and will be returned to agricultural uses during reclamation. Colorado Parks and Wildlife was contacted for comment. The response letter is attached for review.

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

6.4.9 Exhibit I

Soils Information

A Custom Soil Resource Report for Prowers County, specific to this site, is attached for review. The site is made up of mostly Rocky Ford, clay substratum and clay loam, as well as Las clay loam.

The Rocky Ford series consists of deep and well-drained soils that formed in alluvium. Slopes range from 0 to 6 percent. The mean annual temperature is 52 degrees Fahrenheit, and the mean precipitation is 12 inches. The soils are moist in some part from March through October and at its driest from December through February.

6.4.10 Exhibit J

Vegetation Information

The Colorado Gravel LLC Pit is characterized by agricultural/crop land. The site has been recently tilled, and no vegetation has reestablished at this time.

6.4.11 Exhibit K

Climate

Climate data was pulled from the Colorado State website for the Prowers County area.
The data is attached for review.

Month	January	February	March	April	May
Avg. Temperatures	Hi 44°F Lo 28°F	Hi 46°F Lo 29°F	Hi 59°F Lo 39°F	Hi 66°F Lo 45°F	Hi 75°F Lo 54°F
Avg. Wind Speed	9 mph	10 mph	11 mph	12 mph	12 mph
Avg. Precipitation	0.7 in	1 in	1.4 in	1.7 in	2.4 in
Average Humidity	58%	54%	45%	42%	46%
Avg. Cloud Cover	22%	26%	23%	24%	22%
Pressure Average	30.1 in	30.1 in	29.9 in	29.8 in	29.8 in
Average Dry Days	22	18	26	26	27
Avg. Precip. Days	3	3	2	3	4
Avg. Snow Days	6	8	3	2	0
Average Fog Days	1	1	0	0	0
Average UV Index	2	3	4	4	6
Avg. Hours of Sun	340	302	343	336	351

Month	June	July	August	September	October	November	December
Avg. Temperatures	Hi 89°F Lo 67°F	Hi 92°F Lo 71°F	Hi 90°F Lo 69°F	Hi 83°F Lo 62°F	Hi 67°F Lo 48°F	Hi 56°F Lo 38°F	Hi 44°F Lo 28°F
Avg. Wind Speed	12 mph	11 mph	10 mph	11 mph	10 mph	10 mph	9 mph
Avg. Precipitation	2.7 in	3.3 in	2.4 in	1.6 in	1.2 in	0.6 in	0.7 in
Average Humidity	40%	43%	44%	44%	44%	47%	54%
Avg. Cloud Cover	15%	17%	14%	13%	16%	16%	22%
Pressure Average	29.8 in	29.9 in	29.9 in	29.9 in	30.0 in	30.0 in	30.1 in
Average Dry Days	28	29	29	28	28	26	25
Avg. Precip. Days	2	2	2	1	1	1	1
Avg. Snow Days	0	0	0	0	2	3	5
Average Fog Days	0	0	0	0	0	0	0
Average UV Index	7	7	7	5	3	3	2
Avg. Hours of Sun	353	367	368	350	354	341	343

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 54.5 acres.

Direct Tasks	Unit	Quantity	Cost	Total Cost
Grading/Ripping	Hours	10	\$145.00	\$1,450.00
Stockpile & Processing				
Placing Topsoil/Fines				
Bull Dozer	Hours	3	\$145.00	\$435.00
Loader	Hours	3	\$145.00	\$435.00
Seeding				
Broadcasting	Hours	3	\$300.00	\$900.00
Seed Mix	Acre	1	\$350.00	\$350.00
Mulch	Acre	1	\$187.50	\$187.50
Tracking seed/mulch				
Dozer	Hours	3	\$154.00	\$462.00
Area Reclaimed	Acre	20.5		\$86,499.75
Mobilization Fee	Hours	1	\$5,000.00	\$5,000.00
Indirect Tasks				
Liability Insurance			0.0155	\$2,360.00
Performance Bond			0.015	\$2,284.00
Profit			0.1	\$15,232.00
Job Superintendent	Hours	20	\$88.00	\$1,760.00
Miscellaneous Indirect			0.0925	\$14,089.00
Total Bond				\$127,224.75

6.4.13 Exhibit M

Other Permits and Licenses

- Colorado Gravel LLC has applied for a Prowers County Special Use Permit.
- Prowers County Floodplain Permit
- Air Permit Emissions Notice (APEN) to the Colorado Department of Public Health and Environment's Air Pollution Control Division,
- Stormwater Discharge/Dewatering Permit – Colorado Department of Public Health and Environment's Water Quality Control Division
- Division of Water Resources Well Permit and Substitute Water Supply Plan
- FEMA Conditional Letter of Map Revision

6.4.14 Exhibit N

Source of Legal Right to Enter

Attached is the lease agreement for this site.

6.4.15 Exhibit O

Owner of Record of Affected Land

Surface Area and Substance to be Mined

KICT LLC

Carolyn Day

Gene Cruickshank

6.4.16 Exhibit P

Municipalities Within Two Miles

The Town of Granada is within two miles of the proposed mining operation.

6.4.17 Exhibit Q

**Proof of Mailing Notices to Board of County
Commissioners and Soil Conservation District**

6.4.18 Exhibit R

Proof of Filing with County Clerk and Recorder

6.4.14 Exhibit S

Permanent Man-made Structures

May 17, 2023

Prowers County Clerk
301 South Main
Suite 210
Lamar, CO 81052

RE: Colorado Gravel LLC Pit

Enclosed is an update to the Construction Materials (112c) Reclamation Permit with the Colorado Mined Land Reclamation Board for the operation known as the Colorado Gravel LLC Pit operated by Colorado Gravel LLC. The Colorado Division of Reclamation, Mining and Safety requires evidence that you received this update of the application for public viewing. I ask that you please sign and date the box below and return via mail or email.

If additional information is necessary to complete this request, please feel free to contact me directly.

Sincerely,



Jodi Schreiber
Mobile 719-529-0916
pfmconsultingcompany@gmail.com

The notice was received on the following date: May 18, 2023

BY: Bridget Castaneda

CERTIFICATION

The Applicant, Colorado Gravel LLC (print applicant/company name),
by Ron Peterson (print representative's name), as Manager (print
representative's title), does hereby certify that GP Irrigation Farms LLC (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 Colorado Gravel LLC Pit (operation name).
File Number M-____-____.

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

NOTARY FOR PERMIT APPLICANT

ACKNOWLEDGED BY:

Applicant Colorado Gravel LLC Representative Name Ron Peterson

Date 10-13-22 Title Manager

STATE OF Colorado)
) ss.
COUNTY OF Powers)

The foregoing was acknowledged before me this 13 day of October, 2022 by
Ron Peterson as Representative of Colorado Gravel LLC.

Jodi D Schreiber My Commission Expires: 10/06/2026
Notary Public

JODI D SCHREIBER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20064001792
MY COMMISSION EXPIRES OCTOBER 6, 2026


CERTIFICATION

The Applicant, Colorado Gravel LLC (print applicant/company name),
by Ron Peterson (print representative's name), as Representative (print
representative's title), does hereby certify that Lumen (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 Colorado Gravel LLC Pit (operation name),
File Number M-2022-053.

*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

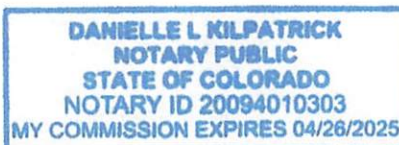
ACKNOWLEDGED BY:

Applicant Colorado Gravel LLC Representative Name 
Date 5-10-23 Title Manager

STATE OF Colorado)
) ss.
COUNTY OF Prowers)

The foregoing was acknowledged before me this 10 day of May, 2023, by
Ron Peterson as Representative of Colorado Gravel LLC.

 My Commission Expires: April 26, 2025
Notary Public



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:

House, Outbuildings and All Ancillary Structures

1. _____
2. _____
3. _____
4. _____
5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, Colorado Gravel LLC (print applicant/company name),
by Ron Peterson (print representative's name), as Representative (print
representative's title), does hereby certify that KICT LLC (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 Colorado Gravel LLC Pit (operation name),
File Number M- - .

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

NOTARY FOR PERMIT APPLICANT

ACKNOWLEDGED BY:

Applicant [Signature] Representative Name William Osborn

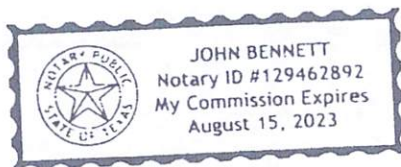
Date April 6, 2023 Title Attorney-in-Fact

STATE OF Texas)

COUNTY OF Travis) ss.

The foregoing was acknowledged before me this 6 day of April, 2023, by
William Osborn as Attorney-in-Fact of Colorado Gravel LLC.

[Signature] My Commission Expires: 8/15/2023
Notary Public



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY

Structure Owner

Name

Date

Title

STATE OF

) ss.

COUNTY OF

)

The foregoing was acknowledged before me this

day of

2023, by

William Osborn

as

Attorney-in-Fact

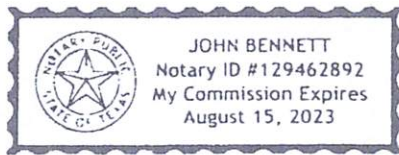
of

KICT LLC

Notary Public

My Commission Expires:

8/15/2023





PFM Consulting <pfmconsultingcompany@gmail.com>

RE: Good morning, Houssin.

1 message

Houssin Hourieh <hhourieh@lamarlp.com>

Fri, Nov 4, 2022 at 8:34 AM

To: PFM Consulting <pfmconsultingcompany@gmail.com>

Good morning Jodi,

Thank you for informing LUB about your proposed mining operation north of Granada. Based on the advice of our Attorney, we would like to go with option B just like all other mining operations.

Regards,

Houssin



Houssin Hourieh, Superintendent
Lamar Utilities Board
100 N Second Street
Lamar, Colorado 81052
719-336-7456

From: PFM Consulting [mailto:pfmconsultingcompany@gmail.com]**Sent:** Thursday, November 03, 2022 9:13 AM**To:** hhourieh@lamarlp.com**Subject:** Good morning, Houssin.

I had reached out to you in March for a structure agreement on a site for Fremont Paving and Redi Mix that was west of Hasty. I am now working on a project north of Granada. I have talked with Mark Hall at SECPA and he believes Lamar Light and Power has a power line that runs beside a site that I am trying to get permitted as a gravel pit. I have attached a map showing the site for your reference. The site will be on the east side of Highway 385 just north of Granada. Since Lamar Light and Power has a power line within 200' of the permit boundary, the State of Colorado requires us to reach out to you and work on getting a structure agreement in place.

Would you look at the attached map and agreement and let me know if you have any questions? As the line is outside of the permit boundary, I do not foresee any issue with the proximity of the line to the project boundary.

Jodi Schreiber, Owner

PFM Consulting LLC

719-529-0916



COLORADO
Department of
Transportation

Region 2 Traffic Section
5615 Wills Blvd Suite A
Pueblo, CO 81008
P (719) 562-5537 F (719) 546-5414

January 24, 2023

Permit No. 222209
SH 385/Prowers

KICT LLC
9 West 57th 30th Floor
New York, NY 10019

Colorado Gravel LLC
1997 CR 71
Sheridan Lake, CO 81071

Dear Permittee & Applicant:

1. Please review the attached State Highway Access Permit (Form #101) and all enclosed attachments.
2. If you choose **NOT** to act on the permit, please notify the Colorado Department of Transportation (CDOT) within 60 days of the date of this transmittal letter, CDOT will consider this permit withdrawn and reapplication will be required.
3. If you wish to **APPEAL** the Terms and Conditions of the permit, please refer to the attached Form 101, Pages 2 and 3 for an explanation of the appeal procedures.
4. If you **ACCEPT** the Permit and its Terms and Conditions and are authorized to sign as legal owner of the property or as an authorized representative, please sign and date the DocuSign Access Permit form #101 on the line marked "PERMITTEE". Your signature confirms your agreement to all the listed Terms and Conditions. **The file will be returned electronically to the permit Author for final signatures and completion. The executed DocuSign envelope will be returned to you electronically through email once the CDOT permit author has signed, executing the permit. Keep in mind that a permit does not grant access, permission to construct or perform any work in the CDOT right-of-way. Access and permission to construct will be granted with a Notice to Proceed to construct.** This states that we have an agreement to grant access at the given location to you. If the permit is not signed electronically, all
5. Once the digital signature is complete you will receive a link to pay the permit fee through PayPal. The link is to pay the permit fee of \$300.00. If the Permittee is not paying the fee and the fee is being paid by third party, a PayPal link can be requested through your permit author. **If the link is missing contact the permit author and they will send the link via email.**
6. As described in the attached Terms and Conditions, you must make a written request to obtain a Notice to Proceed. **DO NOT** begin any work within the State Highway Right-of-Way without a validated Access Permit and Notice to Proceed. Use of this permit without the Colorado Department of Transportation's validation shall be considered a violation of State Law and the permit will be revoked.

If you have any questions, please contact me in Pueblo at:

Michelle Regalado, Assistant Access Manager
Region 2 Traffic Section
5615 Wills Blvd Suite A
Pueblo, CO 81008
P (719) 562-5537 M (719) 251-7804
michelle.regalado@state.co.us

COLORADO DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ACCESS PERMIT

CDOT Permit No.

222209

State Highway No / Mp / Side
385A / 96.960 / Right

Permit Fee
\$300.00

Date of Transmittal
01-24-2023

Region / Section / Patrol / Name
2 / 04 / 15 / Mauch

Local Jurisdiction
Prowers County

The Permittee(s):

KICT LLC
9 West 57th 30th Floor
New York, New York 10019
719-892-0170

The Applicant(s):

Colorado Gravel LLC
1997 CR 71
Sheridan Lake, Colorado 81071
719-688-3668

is hereby granted permission to have an access to the state highway at the location noted below. The access shall be constructed, maintained and used in accordance with this permit, including the State Highway Access Code and any attachments, terms, conditions and exhibits. This permit may be revoked by the Issuing Authority if at any time the permitted access and its use violate any parts of this permit. The issuing authority, the Department and their duly appointed agents and employees shall be held harmless against any action for personal injury or property damage sustained by reason of the exercise of the permit.

Location:

SH 385A ±2040 feet south from MP 97 R

Access to Provide Service to:

LAND USE CODE

1000 - Other Gravel Mining

1097 - AG/Abandoned Residential (1468 SF)/Utility (924 SF)

SIZE

160

2

UNITS

Acres

Each

Additional Information:

Please see attached terms and conditions.

MUNICIPALITY OR COUNTY APPROVAL

Required only when the appropriate local authority retains issuing authority.

Signature	Print Name	Date	Title
-----------	------------	------	-------

Upon the signing of this permit the permittee agrees to the terms and conditions and referenced attachments contained herein. All construction shall be completed in an expeditious and safe manner and shall be finished within 45 days from Initiation. The permitted access shall be completed in accordance with the terms and conditions of the permit prior to being used.

The permittee shall notify Derek Vela with the Colorado Department of Transportation, at (719) 251-0613 at least 48 hours prior to commencing construction within the State Highway right-of-way.

The person signing as the permittee must be the owner or legal representative of the property served by the permitted access and have full authority to accept the permit and its terms and conditions.

Permittee Signature:	Print Name	Date
Applicant Signature: (if applicable)	Print Name	Date

This permit is not valid until signed by a duly authorized representative of the Department.

COLORADO DEPARTMENT OF TRANSPORTATION

Signature	Print Name	Title	Date (of issue)
-----------	------------	-------	-----------------

Copy Distribution:

Required:
1.Region
2.Applicant

3.Staff Access Section
4.Central Files

Make copies as necessary for:
Local Authority
MTCE Patrol
Inspector
Traffic Engineer

Previous editions are obsolete and may not be used
Page 1 of 3 CDOT Form #101 5/07

**State Highway Access Permit
Form 101, Page 2**

The following paragraphs are excerpts of the State Highway Access Code. These are provided for your convenience but do not alleviate compliance with all sections of the Access Code. A copy of the State Highway Access Code is available from your local issuing authority (local government) or the Colorado Department of Transportation (Department). When this permit was issued, the issuing authority made its decision based in part on information submitted by the applicant, on the access category which is assigned to the highway, what alternative access to other public roads and streets is available, and safety and design standards. Changes in use or design not approved by the permit or the issuing authority may cause the revocation or suspension of the permit.

APPEALS

1. Should the permittee or applicant object to the denial of a permit application by the Department or object to any of the terms or conditions of a permit placed there by the Department, the applicant and permittee (appellant) have a right to appeal the decision to the [Transportation] Commission [of Colorado]. To appeal a decision, submit a request for administrative hearing to the Transportation Commission of Colorado within 60 days of transmittal of notice of denial or transmittal of the permit for signature. Submit the request to the Transportation Commission of Colorado, 4201 East Arkansas Avenue, Denver, Colorado 80222-3400. The request shall include reasons for the appeal and may include changes, revisions, or conditions that would be acceptable to the permittee or applicant.
2. Any appeal by the applicant or permittee of action by a local issuing authority shall be filed with the local authority and be consistent with the appeal procedures of the local authority.
3. In submitting the request for administrative hearing, the appellant has the option of including within the appeal a request for a review by the Department's internal administrative review committee pursuant to [Code] subsection 2.10. When such committee review is requested, processing of the appeal for formal administrative hearing, 2.9(5) and (6), shall be suspended until the appellant notifies the Commission to proceed with the administrative hearing, or the appellant submits a request to the Commission or the administrative law judge to withdraw the appeal. The two administrative processes, the internal administrative review committee, and the administrative hearing, may not run concurrently.
4. Regardless of any communications, meetings, administrative reviews or negotiations with the Department or the internal administrative review Committee regarding revisions or objections to the permit or a denial, if the permittee or applicant wishes to appeal the Department's decision to the Commission for a hearing, the appeal must be brought to the Commission within 60 days of transmittal of notice of denial or transmittal of the permit.

PERMIT EXPIRATION

1. A permit shall be considered expired if the access is not under construction within one year of the permit issue date or before the expiration of any authorized extension. When the permittee is unable to commence construction within one year after the permit issue date, the permittee may request a one year extension from the issuing authority. No more than two one-year extensions may be granted under any circumstances. If the access is not under construction within three years from date of issue the permit will be considered expired. Any request for an extension must be in writing and submitted to the issuing authority before the permit expires. The request should state the reasons why the extension is necessary, when construction is anticipated, and include a copy of page 1 (face of permit) of the access permit. Extension approvals shall be in writing. The local issuing authority shall obtain the concurrence of the Department prior to the approval of an extension, and shall notify the Department of all denied extensions within ten days. Any person wishing to reestablish an access permit that has expired may begin again with the application procedures. An approved Notice to Proceed, automatically renews the access permit for the period of the Notice to Proceed.

CONSTRUCTION

1. Construction may not begin until a Notice to Proceed is approved. (Code subsection 2.4)
2. The construction of the access and its appurtenances as required by the terms and conditions of the permit shall be completed at the expense of the permittee except as provided in subsection 2.14. All materials used in the construction of the access within the highway right-of-way or on permanent easements, become public property. Any materials removed from the highway right-of-way will be disposed of only as directed by the Department. All fencing, guard rail, traffic control devices and other equipment and materials removed in the course of access construction shall be given to the Department unless otherwise instructed by the permit or the Department inspector.
3. The permittee shall notify the individual or the office specified on the permit or Notice to Proceed at least two working days prior to any construction within state highway right-of-way. Construction of the access shall not proceed until both the access permit and the Notice to Proceed are issued. The access shall be completed in an expeditious and safe manner and shall be finished within 45 days from initiation of construction within the highway right-of-way. A construction time extension not to exceed 30 working days may be requested from the individual or office specified on the permit.
4. The issuing authority and the Department may inspect the access during construction and upon completion of the access to ensure that all terms and conditions of the permit are met. Inspectors are authorized to enforce the conditions of the permit during construction and to halt any activities within state right-of-way that do not comply with the provisions of the permit, that conflict with concurrent highway construction or maintenance work, that endanger highway property, natural or cultural resources protected by law, or the health and safety of workers or the public.

5. Prior to using the access, the permittee is required to complete the construction according to the terms and conditions of the permit. Failure by the permittee to abide by all permit terms and conditions shall be sufficient cause for the Department or issuing authority to initiate action to suspend or revoke the permit and close the access. If in the determination of the Department or issuing authority the failure to comply with or complete the construction requirements of the permit create a highway safety hazard, such shall be sufficient cause for the summary suspension of the permit. If the permittee wishes to use the access prior to completion, arrangements must be approved by the issuing authority and Department and included in the permit. The Department or issuing authority may order a halt to any unauthorized use of the access pursuant to statutory and regulatory powers. Reconstruction or improvement of the access may be required when the permittee has failed to meet required specifications of design or materials. If any construction element fails within two years due to improper construction or material specifications, the permittee shall be responsible for all repairs. Failure to make such repairs may result in suspension of the permit and closure of the access.

6. The permittee shall provide construction traffic control devices at all times during access construction, in conformance with the M.U.T.C.D. as required by section 42-4-104, C.R.S., as amended.

7. A utility permit shall be obtained for any utility work within highway right-of-way. Where necessary to remove, relocate, or repair a traffic control device or public or private utilities for the construction of a permitted access, the relocation, removal or repair shall be accomplished by the permittee without cost to the Department or issuing authority, and at the direction of the Department or utility company. Any damage to the state highway or other public right-of-way beyond that which is allowed in the permit shall be repaired immediately. The permittee is responsible for the repair of any utility damaged in the course of access construction, reconstruction or repair.

8. In the event it becomes necessary to remove any right-of-way fence, the posts on either side of the access shall be securely braced with an approved end post before the fence is cut to prevent any slacking of the remaining fence. All posts and wire removed are Department property and shall be turned over to a representative of the Department.

9. The permittee shall ensure that a copy of the permit is available for review at the construction site at all times. The permit may require the contractor to notify the individual or office specified on the permit at any specified phases in construction to allow the field inspector to inspect various aspects of construction such as concrete forms, subbase, base course compaction, and materials specifications. Minor changes and additions may be ordered by the Department or local authority field inspector to meet unanticipated site conditions.

10. Each access shall be constructed in a manner that shall not cause water to enter onto the roadway or shoulder, and shall not interfere with the existing drainage system on the right-of-way or any adopted municipal system and drainage plan.

11. By accepting the permit, permittee agrees to save, indemnify, and hold harmless to the extent allowed by law, the issuing authority, the Department, its officers, and employees from suits, actions, claims of any type or character brought because of injuries or damage sustained by any person resulting from the permittee's use of the access permit during the construction of the access.

CHANGES IN ACCESS USE AND PERMIT VIOLATIONS

1. It is the responsibility of the property owner and permittee to ensure that the use of the access to the property is not in violation of the Code, permit terms and conditions or the Act. The terms and conditions of any permit are binding upon all assigns, successors-in-interest, heirs and occupants. If any significant changes are made or will be made in the use of the property which will affect access operation, traffic volume and or vehicle type, the permittee or property owner shall contact the local issuing authority or the Department to determine if a new access permit and modifications to the access are required.

2. When an access is constructed or used in violation of the Code, section 43-2-147(5)(c), C.R.S., of the Act applies. The Department or issuing authority may summarily suspend an access permit and immediately order closure of the access when its continued use presents an immediate threat to public health, welfare or safety. Summary suspension shall comply with article 4 of title 24, C.R.S.

MAINTENANCE

1. The permittee, his or her heirs, successors-in-interest, assigns, and occupants of the property serviced by the access shall be responsible for meeting the terms and conditions of the permit, the repair and maintenance of the access beyond the edge of the roadway including any cattle guard and gate, and the removal or clearance of snow or ice upon the access even though deposited on the access in the course of Department snow removal operations. Within unincorporated areas the Department will keep access culverts clean as part of maintenance of the highway drainage system. However, the permittee is responsible for the repair and replacement of any access-related culverts within the right-of-way. Within incorporated areas, drainage responsibilities for municipalities are determined by statute and local ordinance. The Department will maintain the roadway including auxiliary lanes and shoulders, except in those cases where the access installation has failed due to improper access construction and/or failure to follow permit requirements and specifications in which case the permittee shall be responsible for such repair. Any significant repairs such as culvert replacement, resurfacing, or changes in design or specifications, requires authorization from the Department.

1. A NOTICE TO PROCEED TO CONSTRUCTION, CDOT Form 1265, is required before beginning the construction of the access or any activity in the highway right-of-way. All submittals, documents, plans, and other items that must be completed shall be submitted and approved by the Department before a NOTICE TO PROCEED to construction will be issued.
2. The access is located on the right side of State Highway 385A, a distance of ±240 feet south from milepost 97 (MP 96.71).
3. This section of highway is a Category R-A highway. The information submitted with the application requires the following improvements be designed and installed:
 - a) A 36" x 36" R1-1 STOP sign shall be placed at the access for all egressing vehicular movements onto to HWY 385.
 - b) Hard surface pavement will be required as detailed in item #49
 - c) Install 18-inch pipe culvert under the drive as described in item#67
4. The Permittee/Applicant shall provide the Department with the following submittals, documents, plans and other items for review prior to the issuance of a NOTICE TO PROCEED to construction:
 - a. A written request for a NOTICE TO PROCEED including the access permit number listed above.
 - b. The Applicant, shall provide design, construction, pavement plans to the Department. Design plans must include, but not limited to, utility locations, present and proposed right-of-way lines, present and proposed traffic control devices, cross sections on 50-foot intervals (NO CONTOURS), typical sections showing proposed surfacing requirements, and seeding requirements. Upon approval and prior to issuing a NOTICE TO PROCEED, the design plans shall be provided and shall be approved by CDOT. The final design plans will be incorporated into this Access Permit.
 - c. Cost estimate for the improvements of the highway.
 - d. Signatory Authority verification.
5. This Access Permit is issued to remove one of two existing undocumented accesses to State Highway 385 and to improve and bring to current standards the second existing undocumented access to accommodate the change in use of the property. The existing access is located on the right side of State Highway 385 at approximately milepost 96.79. The location of the 2nd existing undocumented access is on the right side of State Highway 385 at approximately milepost 96.71. The removal of the existing access shall include, but not limited to, the return of highway right-of-way slopes, ditches, and fences to match existing adjacent conditions, including removal of asphalt aprons and culverts. Any asphalt removed from the highway shall result in a smooth finished edge. The removal of the access shall be completed to the satisfaction of the Senior Highway Maintenance Supervisor designated below (#25). The new access will serve:
 - a. One (1) ±160 acre gravel pit
 - b. Existing structures will remain on the property.
 - (1) one abandoned residential structure (1468 SF)
 - (1) one utility building (924 SF)
6. A pre-construction meeting/discussion shall be held with Ron Young, CDOT Access Inspector prior to any construction within the state highway right-of-way AT LEAST 5 DAYS BEFORE STARTING WORK. To schedule a meeting contact Mr. Young at (719) 289-8718 and/or ronaldr.young@state.co.us.

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Access Permit No. 222209

KICT LLC | Colorado Gravel Ron Peterson

SH 385A ±240 miles south from MP 97, Granada, PROWERS

7. Under no circumstances shall the construction of a private driveway by a private interest interfere with the completion of a public highway construction project. The private interest shall coordinate work the CDOT resident engineer named below.
8. The Permittee is responsible for wind and air borne erosion control measures during the construction phase. The developer is responsible for MS4 compliance; best management practice during construction should include clean project entry. The project landfall must be shaped and armored in such a way that no head-cutting will occur. No construction traffic is allowed to enter the highway along pioneered pathways through the ditches.
9. The ditches may not be used for any construction purposes unless allowed under appropriate legal permits; any construction traffic accessing SH 385 under permits shall have appropriate flagging or traffic control.
10. Equipment and vehicles cannot be parked in the clear zone; this includes when occupied by construction personnel; the clear zone shall be kept clear of vehicles, equipment and stockpile to prevent accidents.
11. No additional access will be allowed to State Highway 385 between milepost 96.71 and milepost 97.40 or along the westerly property boundary of parcel 08000024723.
12. The Permittee shall refer to all additional standard requirements attached to this permit. This includes CDOT Form 101b, enclosed additional terms, conditions, exhibits, and noted attachments.
13. The following criteria were used to establish this Access Permit:
 - a. The Application for Access Permit (CDOT Form 137) dated 12-09-2022 and accepted by the regional office on 12-26-2022 and all attachments.
 - b. State Highway Access Code, Volume 2, CCR-601-1; Effective date March 2002
 - c. The State Highway Access Category Assignment Schedule, as revised.
 - d. The Colorado Department of Transportation (CDOT) M&S Standard Plans
 - e. Vicinity Map
 - f. Attached Details
 - g. Exhibit A, "Seeding Requirements"
 - h. Environmental Clearances Information Summary
 - i. Approved Traffic Memo
 - j. Lease
14. The Permittee is required to comply with the Americans with Disabilities Act Accessibility Guidelines (ADAAG) that have been adopted by the U.S. Architectural and Transportation Barriers Compliance Board (Access Board) and incorporated by the U.S. Attorney General as a federal standard. These guidelines are defining traversable slope requirements and prescribing the use of a defined pattern of truncated domes as detectable warnings at street crossings. The new Standards Plans and can be found on the Design and Construction Project Support web page at:
<https://www.codot.gov/business/designsupport/standard-plans>.
15. It is the responsibility of the Permittee/applicant to determine which environmental clearances and/or regulations apply to the project, and to obtain any clearances that are required directly from the appropriate agency. Please refer to or request a copy of the "CDOT Environmental Clearance Information Summary" for details. **FAILURE TO COMPLY WITH REGULATORY REQUIREMENTS MAY RESULT IN SUSPENSION OR REVOCATION OF YOUR CDOT PERMIT, OR ENFORCEMENT ACTIONS BY OTHER AGENCIES.**

16. ALL discharges are subject to the provisions of the Colorado Water Quality Control Act and the Colorado Discharge Permit Regulations. Prohibited discharges include substances such as: wash water, paint, automotive fluids, solvents, oils or soaps.
17. This Access Permit is issued in accordance with the 2002 State Highway Access Code (2CCR 601-1) and is based in part upon the information submitted by the Permittee. This Access Permit is only for the use and purpose stated in the Application and on the Permit. Any changes, based upon existing and/or anticipated future conditions in traffic volumes, drainage, types of traffic, or other operational aspects may render this permit void, requiring a new Application for Access Permit to be submitted for review by the Department and/or Issuing Authority.
18. If necessary, minor changes, corrections and/or additions to the Permit may be ordered by the Department Inspector, other Department representative, or the local authority, to meet unanticipated site conditions. Changes may not be in violation of the State Highway Access Code. All major changes to the permit must be approved in writing by the Department prior to commencement of any work on or within the State Highway right-of-way.
19. The access shall be completed in an expeditious and safe manner and shall be finished within 45 days from initiation of construction within State Highway right-of-way.
20. Backing maneuvers within and into the State Highway right-of-way are strictly prohibited. All vehicles shall enter and exit the highway right-of-way in a forward movement. Backing into the right-of-way shall be considered a violation of the Terms and Conditions of the Access Permit and may result in the revocation of the Permit by the Department and/or Issuing Authority.
21. This access will be allowed a full movement. However, left turn movements in and out of this access may be prohibited at some future date.
22. A Fully Executed Complete Copy of this Permit and a valid Notice to Proceed to Construction must be on the job site with the contractor at all times during the construction. Failure to comply with this or any other construction requirement may result in the immediate suspension of the work by order of the Department Inspector or the Issuing Authority.
23. The Permittee is responsible for obtaining any necessary additional federal, state and/or local government agency permits or clearances required for construction of the access. Approval of this access permit does not constitute verification of this action by the Permittee.
24. Whenever there is work within the highway right of way, the Permittee shall develop and implement a traffic control plan. This plan shall utilize traffic control devices as necessary to ensure the safe and expeditious movement of traffic around and through the work site as well as ensure the safety of the workforce. The approved traffic control plan shall be on site and followed at all times during construction within the right-of-way. A certified Traffic Control Supervisor or a Professional Traffic Engineer may prepare the traffic control plan. The plan shall be in conformance with the latest Manual on Uniform Traffic Control Devices (MUTCD) and other applicable standards. The plan must be submitted and approved by the Senior Maintenance Supervisor listed below five working days prior to beginning construction within the highway right of way. The approved traffic control plan will be attached to the Permit and the NOTICE TO PROCEED TO CONSTRUCTION and must be available on site throughout the duration of the construction. All work that requires traffic control shall be supervised by a registered professional traffic engineer or by a certified traffic control supervisor. The contractor in accordance with the Department Standards shall certify flagging personnel, when required.

25. Five working days prior to beginning construction, the Permittee/Contractor must contact Neil Mauch, Senior Maintenance Supervisor, to coordinate the construction. Mr. Mauch can be contacted in Lamar at (719) 336-9079. Failure to comply with this requirement may result in the revocation of this permit.
26. Two-way traffic shall be maintained throughout the work area at all times.
27. Work shall BEGIN AFTER 8:30 a.m. and all equipment shall be off the right-of-way BEFORE 3:30 p.m. each day. No work is allowed within the highway right-of-way on weekends or State/Federal holidays. No construction vehicles shall be parked, or construction materials stockpiled on the highway right-of-way overnight. No private vehicles may be parked on the highway right-of-way at any time. Modifications to this condition may be allowed as determined by the CDOT Inspector for this permit and area only.
28. No interference with traffic will be allowed after 12:00 Noon the day before a 3- or 4-day holiday weekend, as listed under 108.06 of the Standard Specifications for Road and Bridge Construction.
29. The Annual Average Daily Traffic (AADT) volumes using this access shall not exceed 135 trips. If in the future, the traffic volumes increase by greater than 20% of the permitted number, the permittee (property owner) is required to apply for a new Access Permit and may be required to construct highway improvements.
30. All costs associated with the installation of this access are the responsibility of the Permittee. This includes the design, construction, utility relocation, testing of materials and inspection.
31. Reconstruction or improvements to the access may be required when the Permittee has failed to meet the required design and/or materials specifications. If any construction element fails within two years due to improper construction or material specifications, the Permittee shall be responsible for all repairs. Failure to make such repairs may result in the revoking of the permit and closure of the access.
32. All required access improvements shall be installed prior to the herein-authorized use of this access.
33. Signing and striping are the responsibilities of the Permittee. All signs shall be manufactured in accordance with the Manual on Uniform Traffic Control Devices (M.U.T.C.D.). The sheeting for the signs shall be highway intensity sheeting (ASTM Type III retro reflective sheeting). The Department shall approve the striping.
34. All workers within the State Highway right of way shall comply with their employer's safety and health policies/procedures and all applicable US Occupational Safety and Health Administration (OSHA) regulations- including but not limited to the applicable sections of 29 CFR Part 1910 - Occupational Safety and Health Standards and 29 CFR Part 1926 - Safety and Health Regulations for Construction.
35. Personal protective equipment (e.g. head protection, footwear, high visibility apparel, safety glasses, hearing protection, respirators, gloves, etc.) shall be worn as appropriate for the work being performed and as specified in regulation. At a minimum, all workers in the State Highway right of way, except when in their vehicles, shall wear the following personal protective equipment:
 - a. Head protection that complies with the ANSI Z89.1-2014 standard
 - b. At all construction sites or whenever there is danger of injury to feet, workers shall comply with OSHA's PPE requirements for foot protection per 29 CFR 1910.136, 1926.95, and

- 1926.96. If required, such footwear shall meet the requirements of ASTM F 2412-05 and ASTM F 2413-05
- c. High visibility apparel as specified in the Traffic Control provisions of this permit (at a minimum, ANSI/ISEA 107-1999, Class 2)
 - d. Where any of the above-referenced ANSI standards have been revised, the most recent version of the standard shall apply.
36. All construction materials, techniques and processes shall be in conformance with the specification on the permit and shall be consistent with Department standard specifications for road construction as set forth in the latest "Standard Specifications for Road and Bridge Construction" manual.
37. The Permittee is responsible for any utilities and/or traffic control devices disrupted by the construction of this access and all expenses incurred for repair. There are existing utilities on the highway right-of-way by permit. Owners of those utilities must be contacted. Any work necessary to protect existing permitted utilities, such as encasements, bulwarks, etc. will be the responsibility of the Permittee.
- a. The Permittee is hereby advised that other utilities may exist within the proposed permit area. Permittee shall implement any and all measures to protect any existing utilities from damage.
 - b. Non-Destructive Air-vacuum Excavation (potholing) to expose the utilities being surveyed to determine their exact depth and location maybe necessary before any work commences. A core hole saw cut is the recommended method of entry through pavement for potholing. Flowfill is required for backfill of the core hole under the pavement or on the roadway.
 - c. The vacuum excavation technique is used not only to expose utilities but also for other uses that are benefited by the non-invasive/non-destructive, environmentally friendly technology such as dewatering or drill fluid/saw cutting fluid removal.
 - d. The Contractor shall utilize a spotter to assist in the visual inspection of all excavation work as it progresses near existing CDOT Intelligent Transportation Systems fiber optic line conduits, pull boxes and manholes. The Contractor shall provide a spotter to aid equipment operators when construction activities are near marked or unmarked fiber lines.
 - e. The spotter shall observe all excavation work as it progresses to ensure that no damage occurs to existing underground fiber lines. When the spotter has visual sight of the underground conduit, the spotter shall notify the equipment operator of the proximity to the conduit and begin to guide the excavation work. The spotter shall guide all excavation work around the conduit to ensure no damage occurs.
38. It is the responsibility of the permittee to comply with the Subsurface Utility Engineering (SUE) requirements as defined in the ASCE 38 (American Society for Civil Engineering).
39. Additional CDOT permits are required for work involving water, sanitary sewer, gas, electrical, telephone and landscaping within the right-of-way.
40. Any damage to existing highway facilities shall be repaired immediately at no cost to the Department and prior to continuing other work. Any mud or other material tracked or otherwise deposited on the roadway shall be removed daily or as ordered by the Department inspector.
41. The Department Inspector or the Issuing Authority may suspend any work due to non-compliance with the provisions of this permit, adverse weather or traffic conditions, concurrent highway construction or maintenance in conflict with permit work or any condition deemed unsafe for workers or the general public. The work may be resumed upon notice from the Department Inspector or Issuing Authority.

42. The Permittee shall maintain adequate, unobstructed sight distance in both directions from the access. When determining the distance between accesses, the point of tangent shall be used where a radius is present, or the beginning of the curb cut. The minimum sight distance that shall be maintained along the highway for the access shall be 400 feet. The minimum sight distance that shall be maintained for the vehicle entering the highway shall be 850 feet.
43. Any landscaping or potentially obstructing objects such as but not limited to advertising signs, structures, trees, and bushes, shall be designed, placed, and maintained at a height not to interfere with the sight distance needed by any vehicle using the access. Planting of tree(s), which will be over 4 inches in caliper at maturity, will not be allowed within 30 feet of the edge of the traveled way. All other objects shall not exceed a total height of thirty inches from the top of final grade. The Department will require any object or landscaping that becomes unsightly or is considered to be a traffic hazard to be removed by the Permittee at no cost to the Department.
44. Attached is CDOT Standard Plan M-203-1, entitled "Approach Roads". The radii, surfacing, side drains, and side slope requirements shall be as specified in this permit.
45. The access width, for an access without curbs, shall be measured exclusive of the radii or flares. The width of any non-traversal median is not counted as part of the access width. Only the travel portion is measured.
46. The equivalent turning radii of the access shall accommodate the turning radius of the largest vehicle using the access on a daily basis. Where roadway shoulders are present, the radius is measured to the edge of the closest lane. Where roadway shoulders are not present, the minimum access radii is 25 feet.
47. The access width shall be up to 24 feet at the right-of-way line.
48. The radii of the access shall be large enough to accommodate the largest vehicle using the access on a daily basis without encroaching on the adjacent travel lane.
49. The access shall be surfaced upon completion of earthwork construction and prior to being used. The access shall be surfaced from the highway roadway to the right-of-way line.
 - a. The access shall have a hard surface pavement from the traveled way to the right of way line. The access shall be surfaced with 6 inches of compacted Hot Mix Asphalt Type SX (75) PG64-22 and 12 inches of Aggregate Base Course (Class 6).
 - b. If hard surfacing (concrete or bituminous pavement) abuts existing pavement, the existing pavement shall be saw cut and removed a minimum of one (1) foot back from the existing edge of pavement.
 - c. If patching is required due to saw cutting, 6 inches of Hot Mix Asphalt Type SX (75) PG64-22 shall be used. The material will be placed in 3 lifts.
 - d. Compaction of Hot Mix Asphalt shall be in accordance to section 401.17 of the Department's standard specifications. Compaction of the Aggregate Base Course shall comply with section 304.06.
 - e. Compaction of sub-grade, embankments and backfills shall be in accordance to section 203.07 of the Department's standard specification.
 - f. Placement of base course materials shall be in accordance with section 304.04 of the standard specifications. Compaction shall be in conformance with AASHTO procedure T-99.
 - g. If frost, water or moisture is present in the sub-grade, no surfacing materials shall be placed until all frost, water or moisture is gone or removed.

- h. You must obtain a new NTP following the suspension of work through the winter. If the permit has expired and no other extensions are available to you, then a new access permit application must be submitted to CDOT.
- 50. The horizontal axis of an access to the highway shall be at a right angle to the centerline of the highway and extend a minimum of 40 feet from the edge of pavement or to the right-of-way line, whichever is greater.
- 51. An access that has a gate across it shall be designed so that the longest vehicle using it can clear the roadway when the gate is closed.
- 52. It is the responsibility of the Permittee to prevent all livestock from entering the State Highway right of way at this access location. Any livestock that does enter the highway right of way shall be the sole responsibility of the Permittee.
- 53. Any existing or proposed cattle guard shall be maintained fully within the property boundaries and all repairs are the sole responsibility of the property owner.
- 54. Fill slopes and cut slopes shall be constructed to the slope of the existing highway near the access.
- 55. Soil preparation including topsoil, seeding and mulching is required with the highway right-of-way on all disturbed areas not surfaced and those areas beyond the highway that may erode and send debris into the highway right-of-way. The Department or local municipality shall provide minimum seed mixes, types and rates of seeding and preparation. (See attached Exhibit)
- 56. Installation or removal of any right-of-way fence by the Permittee shall be consistent with right-of-way fence law in section 35-46-111 C.R.S. The Permittee is required to obtain a highway right-of-way fence agreement for a special fence if the Permittee desires to remove the existing standard highway fencing in the area. The Permittee shall contact TJ Thiebaut at (719) 546-5413 or Thomas.Thiebaut@state.co.us for information regarding the fence agreement.
- 57. In the event it becomes necessary to remove any right-of-way fence, the posts on either side of the entrance shall be securely braced with an approved end post before the fence is cut to prevent any slacking of the remaining fence. This shall be in conformance with the Department's Standard M-607-1.
- 58. All right-of-way fence posts and wire removed are Department property and shall be turned over to a representative of the Department.
- 59. Installation of any traffic control device necessary for the safe and proper operation and control of the access shall be required by the permit at the cost of the Permittee.
- 60. All traffic control devices within the highway or other public right-of-way or access that serve the general public shall conform to the M.U.T.C.D.
- 61. If any traffic control devices are evident within 50 feet of the construction area, the Permittee/Contractor must contact Matt Jagow, Traffic Operations Engineer, in Pueblo. Mr. Jagow can be contacted in Pueblo at (719) 546-5751.
- 62. Prior to removing any existing highway signs within the limits of the construction activities, the Permittee must contact Mr. Walter Garcia in Pueblo. Mr. Garcia can be contacted at (719) 546-5767.

63. Physical separation and delineation along a property frontage such as curb and gutter or fencing, may be required when necessary to ensure that access will be limited to permitted locations.
 - a) Survey markers or monuments must be preserved in their original positions. Notify Mr. Dennis Pirtle, CDOT Land Surveyor, at (719) 546-5746 immediately upon damage to or discovery of any such markers or monuments at the work site.
 - b) Any survey markers or monuments disturbed during the execution of this permit shall be repaired and/or replaced immediately to the satisfaction of the CDOT Land Surveyor at the expense of the Permittee.
 - c) All survey procedures and minimum tolerances shall be in conformance with the Department Survey Manual and the "Manual of Instruction for the Survey of Public Lands of the United States" 1972 and section 38-53-101 et seq, C.R.S.
 - d) Monuments shall conform to Department Standard M-629-1.
64. Each access shall be constructed in a manner that shall not cause water to enter onto the roadway or shoulder and shall not interfere with the existing drainage system in the right-of-way or any adopted municipal system and drainage plan.
65. The highway drainage system is for the protection of the state highway right-of-way, structures, and appurtenances. It is not designed nor intended to serve the drainage requirement of abutting or other properties beyond undeveloped historical flow. Drainage to the state highway right-of-way shall not exceed the undeveloped historical rate of flow.
66. The Permittee shall provide, at their own expense, drainage structures for access that will become an integral part of the existing drainage system. Drainage structures under the access should extend beyond the access radius to accommodate the side slopes.
67. The Permittee shall install a new 18-inch corrugated metal pipe or an equivalent 18-inch steel arch pipe. It shall be a sufficient length to allow for the side slopes. CDOT Inspector can determine if the existing pipe is in good working condition. It is recommended that all debris and vegetation is removed from the area of the pipe before inspection.
68. All existing drainage structures shall be extended, modified or upgraded as applicable to accommodate all new construction and safety standards. This shall be done in accordance with the Department's standard specifications.
69. Flared end sections or other protective end treatments are required for culverts larger than 18-inch diameter.
70. Culverts installed in open ditches shall have flared end sections.
71. All drainage appurtenances required for detention and release shall be located and fully maintainable outside the highway right-of-way.
72. This Permit hereby replaces all previous access permit(s) for this ownership, which now become null and void.
73. A certificate of insurance naming the Colorado Department of Transportation (CDOT) as an additional insured is required to be submitted before work begins. **The insurance certificate shall also list the Access Permit number.**
74. The Permittee or the contractor shall be required to provide comprehensive general liability and property damage insurance naming the Department and the issuing authority (if applicable) as an

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Access Permit No. 222209

KICT LLC | Colorado Gravel Ron Peterson

SH 385A ±240 miles south from MP 97, Granada, PROWERS

additional insured party, in the amounts of not less than \$600,000 per occurrence and automobile liability insurance of \$600,000 combined single limit bodily injury and property damage for each accident, during the period of access construction. By accepting the permit, the Permittee agrees to save, indemnify, and hold harmless to the extent allowed by law, the issuing authority, the Department, its officers, and employees from suits, actions, claims of any type or character brought because of injuries or damage sustained by any person resulting from the Permittee's use of the access permit during the construction of the access.

75. CDOT retains the right to perform any necessary maintenance work in this area.

76. Notify the Department of Transportation Inspector, Mr. Ron Young (ronaldr.young@state.co.us) in Pueblo at (719) 289-8718 upon completion of the access construction for a final inspection and to request a Letter of Acceptance. A cost estimate for improvements of the highway shall be submitted to the Access Inspector at the time of acceptance. Please note that there is a 2-year warranty period for all construction elements. The 2-year warranty period begins with the date of the acceptance letter.

House Detail



Land Owner: Enstrom
Bristol Properties LLC

Land Owner: Sharon &
Michael Winters

Arkansas River

Old House Foundation
(Owned by William
Swafford JR)

Kiowa County Road HH 3/10

This well is past 200' from Permit Boundaries
Well Constructed 8942-
Receipt = 9092832
Permit = 8942-
Well Name =
Applicant = SCHLAGER, JOHN E

Land Owner: William
L Swafford JR

See House Detail

Well Constructed 18252-R
Receipt = 9093188
Permit = 18252-R
Well Name =
Applicant = KICT LLC (OSBORN, WILLIAM)
Case No =
Aquifers = ALL UNNAMED AQUIFERS
Uses = Irrigation
Yield =
Well Depth = 65

Kiowa County Road HH

Legend

- Permit Boundary (54.5 Acres)
- Existing Fence Line
- 10' Existing Contours
- Existing Road
- Gas Line (Atmos)
- Telecommunications (Century Link)
- Power Line (Lamar Light And Power)
- Concrete Ditch
- Metal Culvert (cdot)
- Well

Map By James Higgs
Colorado Gravel LLC
8/2/22

James Higgs

Land Owner: GP
Irrigation Farms LLC
A CO LLC

Existing Access Road
38.085911°-102.310627°

This well is past 200' from Permit Boundaries
Well Constructed 6795-F
Receipt = 9092794
Permit = 6795-F
Well Name =
Applicant = KICT LLC (OSBORN, WILLIAM)

Land Owner: KICT
LLC
A Delware LLC

Land Owner:
KICT LLC
A Delware LLC

Center Pivot

Notes:

- 1) All mining operations will have a 50' setback from any utilities or man made structures.
- 2) The mining operations will have a 50' setback from the North Granada Ditch.
- 3) Entire permit Boundary is in the 100 yr flood zone.

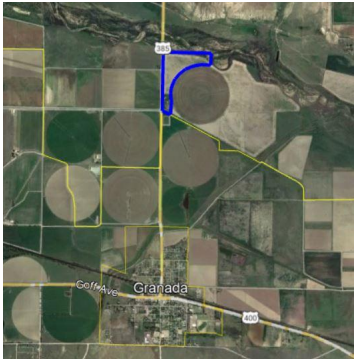
Scale

← 660'-0" →

**Colorado Gravel LLC Pit
Existing Conditions
Exhibit C**

**Colorado Gravel LLC Pit
Legal Description Exhibit A/B**

Map By James Higgs
Colorado Gravel LLC



- NAD 83 Coordinates**
- 1) 38.093007°-102.310153°
 - 2) 38.092958°-102.303093°
 - 3) 38.091497°-102.303150°
 - 4) 38.091536°-102.304705°
 - 5) 38.091333°-102.305908°
 - 6) 38.090949°-102.307093°
 - 7) 38.090390°-102.307954°
 - 8) 38.089726°-102.308690°
 - 9) 38.089074°-102.309072°
 - 10) 38.088532°-102.309273°
 - 11) 38.087977°-102.309352°
 - 12) 38.087451°-102.309300°
 - 13) 38.086838°-102.309184°
 - 14) 38.085325°-102.309342°
 - 15) 38.085755°-102.310634°
 - 16) 38.092493°-102.310617°

Legal Description
W 1/2 of SE 1/4, NE 1/4 of SE 1/4 of
S36 T22S R44W

Land Owner:
Enstrom Bristol
Properties LLC

Land Owner: Sharon
& Michael Winters

Land Owner:
William L
Swafford JR

Land Owner:
KICT LLC
A Delaware LLC

Land Owner:
William L
Swafford JR

Land Owner:
KICT LLC
A Delaware LLC

Approx. Pit Entrance
38.085911°-102.310627°

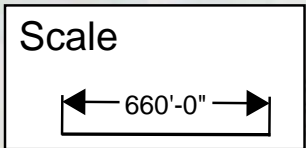
Land Owner:
GP Irrigation
Farms LLC
A CO LLC

Land Owner:
KICT LLC
A Delaware LLC

Arkansas River

Permit Boundaries
(54.5 acres)

- Notes:**
- 1) All mining operations will have a 50' setback from any utilities or man made structures.
 - 2) The mining operations will have a 50' setback from the North Granada Ditch.
 - 3) Entire permit Boundary is in the 100 yr flood zone.



Colorado Aggregate Pit Mining Map Exhibit D

Map By James Higgs
Colorado Aggregate LLC
8/2/22



Land Owner: Enstrom
Bristol Properties LLC

Land Owner:
Sharon & Michael
Winters

Arkansas River

Permit Boundaries
(54.5 acres)

Stockpile of Topsoil/Erosion Berm

Stockpile of Overburden/Erosion Berm

Land Owner:
KICT LLC
A Delaware LLC

Land Owner:
William L
Swafford JR

13.7 Acres of Un-Affected Land

Approx. Pit Entrance
38.085911°-102.310627°

Approximately 10 acres
Processing/stockpile
Area

40' Gravel Haul Road

1.6 Acres of Non Mined Area

Notes:

1) All mining operations will have a 50' setback from any utilities or man made structures.

2) The mining operations will have a 50' setback from the North Granada Ditch.

3) Entire permit Boundary is in the 100 yr flood zone.

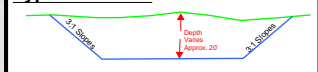
4) The abandon residence consist of 4.7 acres pf the 13.7 acres

5)

40.8 Mining Acres
13.7 Un-Affected Acres

54.5 Permit Acres

Typical Section



Land Owner:
GP Irrigation
Farms LLC
A CO LLC

Land Owner:
KICT LLC
A Delaware LLC

Scale



**Colorado Gravel LLC Pit
Reclamation Map Exhibit E**

Map By James Higgs
Colorado Gravel LLC
8/2/22



**Land Owner:
Sharon & Michael
Winters**

**Land Owner: Enstrom
Bristol Properties LLC**

Arkansas River

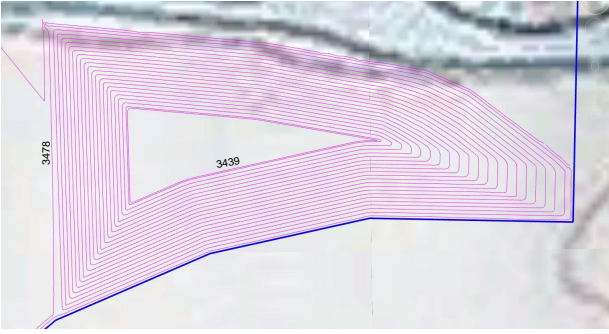
**Land Owner:
William L
Swafford JR**

**Permit Boundaries
(54.5 acres)**

Finish Grade will be approximately original contours except lowered to have a foot over static water levels

- Notes:**
- 1)All mining operations will have a 50' setback from any utilities or man made structures.
 - 2)The mining operations will have a 50' setback from the North Granada Ditch.
 - 3)Entire permit Boundary is in the 100 yr flood zone.

Pond Contour Detail



**Land Owner:
William L
Swafford JR**

**Land Owner:
KICT LLC
A Delaware LLC**

Approx. Pit Entrance
38.085911°-102.310627°

**Land Owner: GP Irrigation
Farms LLC
A CO LLC**

**Land Owner: KICT LLC
A Delaware LLC**

North Granada Ditch

Typical Section

Approx. 6" of Topsoil
Approx. 6" of overburden
General Back Fill

Scale

600'-0"