



STATE OF
COLORADO

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

Adequacy 2 Holcim Quincy/Pioneer Farm TR3

1 message

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

Wed, Nov 15, 2023 at 9:40 AM

To: Wyatt WEBSTER <wyatt.webster@holcim.com>, Kurt THURMANN <kurt.thurmann@holcim.com>, Robin Reilley - DNR <robin.reilley@state.co.us>

Gentlemen,

Please find DRMS's second adequacy for the above referenced permit update. Also attached is the draft cost estimate for your review and comment.

Thank you

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



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

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

F [303.832.8106](tel:303.832.8106)

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

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

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

2 attachments



Adq 2 TR3 M2000080 Quincy Pit.pdf

229K



CostSummary_Estimate_2023 PioneerFarms.pdf

835K



15 November 2023

Wyatt Webster Environmental and Land Manager
Kurt Thurmman | Environmental and Land Manager
Mountain Region Holcim - WCR, Inc.
Mobile: (720) 329-8851
1687 Cole Blvd., Suite 300
Golden, CO 80401

RE: Holcim Quincy Pit, Permit; M2000080
TR3 Preliminary Adequacy #2

DRMS received the mine plan update for the Quincy Pit on 18 October 2023. The preliminary adequacy was sent to Holcim on 26 October 2023 and responses were received from Holcim on 27 October 2023. This letter constitutes the second adequacy round to clarify and update the mine and reclamation plan documents on file for this 112c permit.

1. Please submit the following Exhibits:
 - a. Exhibit C Mining Plan
 - b. Exhibit D: A reclamation Plan
 - c. Exhibit E: Mine Plan Map
 - d. Exhibit F: List of other Permits and Licenses
 - e. Exhibit L: Permanent Man Made Structures

Please label each exhibit appropriately, combine and submit as one pdf document. This document becomes the updated permit. DRMS has provided a draft cost estimate and this document can be further discussed as needed should any changes be required. The draft cost estimated is enclosed with this correspondence. The following links provide background information for your submittal:

<https://drms.colorado.gov/rules-and-regulations>

- o https://drive.google.com/file/d/1nWs3Y_2wm8fp4eApFjUhZC2IyHxKKCM8/view
- o <https://drive.google.com/file/d/1I5U8fOVjQ7VyB3GC7DGv6Gkcz7PwuRl/view>
- o <https://drive.google.com/file/d/1ARhhLDzIFQHY-L4KS-rELNkRyT7VTOvr/view>

I'm available to answer any questions that you may have.

Thank you,

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



COST SUMMARY WORK

Task description: _____

Site: Pioneer Farm

Permit Action: Insp 2023

Permit/Job#: M2000080

PROJECT IDENTIFICATION

Task #: 000

State: Colorado

Abbreviation: None

Date: 5/17/2023

County: Arapahoe

Filename: M080-000

User: RAR

Agency or organization name: DRMS

TASK LIST (DIRECT COSTS)

Task	Description	Form Used	Fleet Size	Task Hours	Cost
001	Grading, Leveling and Erosion Repair 20 acres Active Mining	SITEMAINT ENANCE	1	20.00	\$3,810
002	Finish Grade Affected Land	GRADER	1	24.44	\$3,706
003	Spread Topsoil Over Mine Area 20 acres	SCRAPER1	1	17.95	\$26,286
004	Spread topsoil over scale house area	DOZER	1	4.78	\$870
006	Revegetation	REVEGE	1	5.75	\$14,871
007	Mobilization of Equipment	MOBILIZE	1	3.45	\$7,819
SUBTOTALS:				76.37	\$57,362

INDIRECT COST

OVERHEAD AND PROFIT

Liability insurance: 2.02

Total = \$1,159

Performance bond: 1.05

Total = \$602

Job superintendent: 38.19

Total = \$2,869

Profit: 10.00

Total = \$5,736

TOTAL O & P = \$10,366

CONTRACT AMOUNT (direct + O & P) = \$67,728

LEGAL - ENGINEERING - PROJECT MANAGEMENT:

Financial warranty processing (legal/related costs): \$500

Total = \$500

Engineering work and/or contract/bid preparation: 8.59

Total = \$5,818

Reclamation management and/or administration: 6.20

\$4,199

CONTINGENCY: 0.00

Total = \$0

TOTAL INDIRECT COST = \$20,883

TOTAL BOND AMOUNT (direct + indirect) = \$78,245

SITE MAINTENANCE

Task description: Grading, Leveling and Erosion Repair 20 acres Active Mining

Site: Pioneer Farm

Permit Action: Insp 2023

Permit/Job#: M2000080

PROJECT IDENTIFICATION

Task #: 001

State: Colorado

Abbreviation: None

Date: 5/17/2023

County: Arapahoe

Filename: 001

User: RAR

Agency or organization name: DRMS

UNIT COSTS

Maintenance Item	Hours per Year	Menu Selection	Quantity	Unit	Unit Cost	Total Cost
Grading, Leveling, Erosion Repair 20 Acres Active mining	20.00	Cat D6T XL	20.00	EA	\$190.49	\$3,809.80

Job Hours: 20.00

Total Cost: \$3,809.80

DRAFT

MOTOR GRADER WORKTask description: Finish Grade Affected LandSite: Pioneer FarmPermit Action: Insp 2023Permit/Job#: M2000080PROJECT IDENTIFICATIONTask #: 002State: ColoradoAbbreviation: NoneDate: 5/17/2023County: ArapahoeFilename: 002User: RARAgency or organization name: DRMSHOURLY EQUIPMENT COSTBasic Machine: CAT 12MHorsepower: 158

Ripper Attachment: _____

Shift Basis: 1 per dayData Source: (CRG)Cost Breakdown:

		Utilization %
Ownership Cost/Hour:	\$57.51	NA
Operating Cost/Hour:	\$47.24	100
Ripper Ownership Cost/Hour:	\$0.00	NA
Ripper Operating Cost/Hour:	\$0.00	
Operator Cost/Hour:	\$46.87	NA
Total Unit Cost/Hour:	\$151.62	
Total Fleet Cost/Hour:	\$151.62	

MATERIAL QUANTITIESTotal Area to be graded or ripped: 40.00 acresSource of estimated acreage: TR2HOURLY PRODUCTION

Average Grader Speed:	<u>1.50</u>	mph
Selected Application:	<u>Finish grading (0-2.5 mph) - 1.5</u>	
Selected Blade Angle:	<u>0</u>	degrees
Effective Blade Length:	<u>12.00</u>	feet
Width of blade overlap per pass:	<u>2.00</u>	feet
Net grading or ripping width per pass:	<u>10.00</u>	feet
Unadjusted Hourly Unit Production:	<u>1.8182</u>	acres/hour

Job Condition Correction FactorsSite Altitude: 5790 feet

		Source
Altitude Adj:	<u>1.00</u>	(CAT HB)
Job Efficiency:	<u>0.90</u>	(1sh/d, fav.)
Net Correction:	<u>0.9000</u>	multiplier

Adjusted Hourly Unit Production: 1.6364 acres/HourAdjusted Hourly Fleet Production: 1.6364 acres/HourJOB TIME AND COSTFleet size: 1

Grader(s)

Total job time: 24.44

Hours

Unit cost: \$92.66 per acreTotal job cost: \$3,706**SCRAPER TEAM WORK**Task description: Spread Topsoil Over Mine Area 20 acresSite: Pioneer FarmPermit Action: Insp 2023Permit/Job#: M2000080**PROJECT IDENTIFICATION**Task #: 003State: ColoradoAbbreviation: NoneDate: 5/17/2023County: ArapahoeFilename: 003User: RARAgency or organization name: DRMS**HOURLY EQUIPMENT**COSTShift basis: 1 per day

	Equipment Description
-Scraper:	Cat 627G w/push-pull
-Dozer:	NA
Support Equipment -Load Area:	Cat D6T XL
-Dump Area:	NA
Road Maintenance -Motor Grader:	CAT 12M
-Water Truck:	Water Tanker, 5,000 Gal.

Cost Breakdown:

	Scraper Work Team		Support Equipment		Maintenance Equipment	
	Scraper	Dozer	Load Area	Dump Area	Motor Grader	Water Truck
%Utilization-machine:	100	NA	10	NA	50	50
Ownership cost/hour:	\$227.06	NA	\$7.51	NA	\$57.51	\$37.19
Operating cost/hour:	\$252.32	NA	\$64.62	NA	\$23.62	\$25.65
%Utilization-ripper:	NA	NA	NA	NA	NA	NA
Ripper own. cost/hour:	NA	NA	\$0.00	NA	\$0.00	\$0.00
Ripper op. cost/hour:	NA	NA	\$0.00	NA	\$0.00	\$0.00
Operator cost/hour:	\$47.07	NA	\$40.04	NA	\$46.87	\$38.91
Unit Subtotals:	\$526.45	NA	\$181.97	NA	\$128.00	\$101.75
Number of Units:	2	0	1	0	1	1
Group Subtotals:	Work:	\$1,052.90	Support:	\$181.97	Maint:	\$229.75

Total work team cost/hour: \$1,464.62**MATERIAL QUANTITIES**Initial volume: 16,200

CCY

Swell factor: 1.000Loose volume: 16,200

LCY

Source of estimated volume: 6" over 20 acresSource of estimated swell factor: Cat Handbook**HOURLY PRODUCTION****Scraper Bowl (volume) Basis:**

Material weight: 1,600 lbs/LCY
 Material description: Top Soil
 Rated Payload: 52,800 pounds

Struck Volume: 15.70 LCY
 Heaped Volume: 22.00 LCY
 Average Volume: 18.85 LCY

Payload Capacity: 33.00 LCYAdjusted Capacity: 18.85 LCYCycle Time:Scraper Loading Time: 0.90 MinutesManeuver and Spread Time: 0.60 MinutesJob Condition Correction:

Site Altitude: 5790 feet

	Scraper	Push Dozer	Source
Altitude Adj:	1.000	NA	(CAT HB)
Job Efficiency:	0.830	NA	(CAT HB)
Net Correction:	0.830	NA	

Travel Time:Road Condition: Firm, smooth, rolling, dirt/lt. surfaced, watered, maintained 3.0Haul Route:

Seg #	Haul Distance (Ft)	Grade (%)	Roll. Res (%)	Total Res (%)	Velocity (fpm)	Travel Time (min)
1	400.00	0.00	3.00	3.00	2824	0.32

Haul Time: 0.32 minutesReturn Route:

Seg #	Haul Distance (Ft)	Grade (%)	Roll. Res (%)	Total Res (%)	Velocity (fpm)	Travel Time (min)
1	400.00	0.00	3.00	3.00	2874	0.26

Return Time: 0.26 minutesTotal Scraper team cycle time: 2.23 minutesAdjusted for job conditions: 902.63 LCY/HourSuggested Number of Scrapers: 1 Scraper(s)Adjusted single scraper team (unit) hourly production: 902.63 LCY/HourAdjusted multiple scraper team (fleet) hourly production: 902.63 LCY/HourUnadjusted unit production/hour: 1,087.50 LCY/HourOptimal Number of Scrapers per push
dozer: _____JOB TIME AND COSTFleet size: 1 Team(s)Total job time: 17.95 HoursUnit cost: \$1.623 /LCYTotal job cost: \$26,286

BULLDOZER WORKTask description: Spread topsoil over scale house areaSite: Pioneer FarmPermit Action: Insp 2023Permit/Job#: M2000080PROJECT IDENTIFICATIONTask #: 004State: ColoradoAbbreviation: NoneDate: 5/17/2023County: ArapahoeFilename: 004User: RARAgency or organization name: DRMSHOURLY EQUIPMENT COSTBasic Machine: Cat D6T XLHorsepower: 185Blade Type: Semi-UniversalAttachment: NAShift Basis: 1 per dayData Source: (CRG)Cost Breakdown:

		<u>Utilization %</u>
Ownership Cost/Hour:	\$77.31	NA
Operating Cost/Hour:	\$64.62	100
Ripper ov	\$0.00	A
Cost/Ho		
Ripper op. Cost/Ho	\$0.00	A
Operator Cost/Ho	\$40.04	A
Total unit Cost/Hour:	\$111.97	
Total Fleet Cost/Hour:	\$181.97	

MATERIAL QUANTITIESInitial Volume: 800Swell factor: 1.000Loose volume: 800 LCYSource of estimated volume: Estimate 1 acre 6-inches

Source of estimated swell

factor: Cat HandbookHOURLY PRODUCTIONAverage push distance: 150 feet

Unadjusted hourly

production: 212.5 LCY/hrMaterials consistency description: Partly consolidated stockpile 1.1Average push gradient: 0 %Average site altitude: 5,790 feetMaterial weight: 1,600 lbs/LCY

Weight description: Top SoilJob Condition Correction Factor

		<u>Source</u>
Operator Skill:	0.750	(AVG.)
Material consistency:	1.100	(CAT HB)
Dozing method:	1.000	(GEN.)
Visibility:	1.000	(AVG.)
Job efficiency:	0.830	(1 SHIFT/DAY)
Spoil pile:	0.800	(FND-RF)
Push gradient:	1.000	(CAT HB)
Altitude:	1.000	(CAT HB)
Material Weight:	1.438	(CAT HB)
Blade type:	1.000	(PAT)

Net correction: 0.7877Adjusted unit
production: 167.39 LCY/hrAdjusted fleet
production: 167.39 LCY/hrJOB TIME AND COSTFleet size: 1 Dozers
Unit cost: \$417/LCYTotal job time: 4.78 HoursTotal job cost: \$870**DRAFT**

REVEGETATION WORKTask description: RevegetationSite: Pioneer FarmPermit Action: Insp 2023Permit/Job#: M2000080PROJECT IDENTIFICATIONTask #: 006State: ColoradoAbbreviation: NoneDate: 5/17/2023County: ArapahoeFilename: 006User: RARAgency or organization name: DRMSFERTILIZINGMaterials

Description	Units / Acre	Unit	Cost / Unit	Cost /Acre
			\$	\$
			Total Fertilizer Materials Cost/Acre	\$0.00

Application

Description	Cost /Acre
	\$
Total Fertilizer Application Cost/Acre	\$0.00

TILLING

Description	Cost /Acre
Chisel plowing {DMG}	\$98.43
Total Tilling Cost/Acre	\$98.43

SEEDING

Seed Mix	Rate – PLS LBS / Acre	Seeds per SQ. FT	Cost /Acre
Wheat, Winter - Tam 107	60.00	55.10	\$16.50
Totals Seed Mix	60.00	55.10	\$16.50

Application

Description	Cost /Acre
Drill Seeding (DRMS Survey Cost)	\$232.00
Total Seed Application Cost/Acre	\$232.00

MULCHING and MISCELLANEOUS**Materials**

Description	Units / Acre	Unit	Cost / Unit	Cost /Acre
			\$	\$
Total Mulch Materials Cost/Acre				\$0.00

Application

Description	Cost /Acre
	\$
Total Mulch Application Cost/Acre	\$0.00

NURSERY STOCK PLANTING

Common Name	No. Acre	Type and Size	Planting Cost	Fertilizer Pellet Cost	Cost /Acre
					\$
Totals Nursery Stock Cost / Acre					\$0.00

JOB TIME AND COST

No. of Acres:	40	Cost /Acre:	\$346.93
Estimated Failure Rate:	10%	Cost /Acre*:	\$248.50
*Selected Replanting Work Items:		SEEDING	

Initial Job Cost:	\$13,877.20
Reseeding Job Cost:	\$994.00
Total Job Cost:	\$14,871
Job Hours:	5.75

EQUIPMENT MOBILIZATION/DEMOBILIZATIONTask description: **Mobilization of Equipment**Site: **Pioneer Farm**Permit Action: **Insp 2023**Permit/Job#: **M2000080****PROJECT IDENTIFICATION**Task #: **007**State: **Colorado**Abbreviation: **None**Date: **5/17/2023**County: **Arapahoe**Filename: **007**User: **RAR**Agency or organization name: **DRMS****EQUIPMENT TRANSPORT RIG COST**Shift basis: **1 per day**Cost Data Source: **CRG Data**Truck Tractor Description: **GENERIC ON-HIGHWAY TRUCK TRACTOR, 6X4, DIESEL POWERED,
400 HP (2ND HALF, 2006)**Truck Trailer Description: **GENERIC FOLDING GOOSENECK, DROP DECK EQUIPMENT
TRAILER (25T, 50T, AND 100T)****Cost Breakdown:**

Available Rig Capacities	0-25 Tons	26-50 Tons	51+ Tons
Ownership Cost/Hour:	\$15.25	\$23.06	\$37.58
Operating Cost/Hour:	\$5.26	\$3.78	\$51.41
Operator Cost/Hour:	\$7.71	\$7.71	\$27.71
Helper Cost/Hour:	\$0.00	\$0.22	\$20.22
Total Unit Cost/Hour:	\$8.22	\$101.82	\$136.92

NON ROADABLE EQUIPMENT:

Machine Description	Weight/ Unit (TONS)	Owner ship Cost/hr/ unit	Haul Rig Cost/hr/unit	Fleet Size	Haul Trip Cost/hr/ fleet	Return Trip Cost/hr/ fleet	DOT Permit Cost/ fleet
Cat D6T XL	23.25	\$77.31	\$68.22	1	\$145.53	\$68.22	\$1,000.00
CAT 12M	16.01	\$57.51	\$68.22	1	\$125.73	\$68.22	\$250.00
Cat 627G w/push-pull	43.48	\$227.06	\$101.82	2	\$657.76	\$203.64	\$500.00
Drill/Broadcast Seeder with Tractor	25.00	\$6.25	\$68.22	2	\$148.94	\$136.44	\$500.00

Subtotals: **\$1,077.96** **\$476.52** **\$2,250.00****ROADABLE EQUIPMENT:**

Machine Description	Total Cost/hr/ unit	Fleet Size	Haul Trip Cost/hr/ fleet	Return Trip Cost/hr/ fleet
Light Duty Pickup, 4x4, 3/4 T.	\$14.23	1	\$14.23	\$14.23
Fuel Tanker, 4x2, 170 HP	\$30.60	1	\$30.60	\$30.60

Subtotals: **\$44.83** **\$44.83**

EQUIPMENT HAUL DISTANCE and Time

Nearest Major City or Town within project area region: AURORA
 Total one-way travel distance: 20.00 miles
 Average Travel Speed: 55.00 mph

Total Non-Roadable Mob/Demob Cost * \$7,786.45
 * two round trips with haul rig:
 Total Roadable Mob/Demob Cost ** \$32.60
 ** one round trip, no haul rig:

Transportation Cycle Time:

	Non-Roadable Equipment	Roadable Equipment
Haul Time (Hours):	0.36	0.36
Return Time (Hours):	0.36	0.36
Loading Time (Hours):	0.50	NA
Unloading Time (Hours):	0.50	NA
Subtotals:	1.73	0.73

JOB TIME AND COST

Total job time: 3.45 Hours

Total job cost: \$7,819

DRAFT



November 15, 2023

Robin Reilley
Division of Reclamation, Mining & Safety
1313 Sherman Street, Room 215
Denver, CO 80203

RE: Permit No. M-2000-080 – Holcim Quincy Pit
Technical Revision Request 3 (TR-03) Preliminary Adequate #2

Exhibit C: Attached

Exhibit D: Attached

Exhibit E: Attached

Exhibit F: CDPHE Air Permit Number 00AR0691.XP, CDPHE Stormwater Permit Number COG501856

Exhibit L: Attached Partial Surface Relinquishment Acknowledgement letter between Rhonda Webber (Landowner), Pioneer Sand Company, Inc. (d.b.a. Holcim – WCR, Inc.), and Oak Leaf Solar LLC. Also, please find the attached Structure Owner Agreement between Holcim – WCR, Inc. and CORE Electric Cooperative.

If you have any questions, please feel free to contact me at 702-379-4623.

Sincerely,

A handwritten signature in black ink, appearing to read 'Wyatt R. Webster', written over a horizontal line.

Wyatt R. Webster
Environmental & Land Manager

6.4.4 Exhibit D

Mining Plan

The Holcim Quincy Pit is a topsoil and backfill source quarry that was initially permitted in 2000. The current 112 Permit area encompasses 310 acres. Approximately 11 acres were recently encumbered by a solar farm with a 10-year lease. This portion of the permitted area will not be mined for at least 10 years. Truck scales and scale house are located in the southeast corner of the permitted area. This area will remain for the life of the mine.

The target deposit is the sandy loam that is an ideal construction backfill material. Currently the material is mined to approximately eight feet below ground surface. Sandy loam lies below the current target material. The sandy deposit is found at 30 feet below ground surface and likely extends substantially further.

Mining Operation

This surface mine progresses from south to north and east to west, across the permitted area. The top six to eight inches of topsoil are salvaged and stockpiled to be used during reclamation. Any additional topsoil is screened and mixed with the loam to produce topsoil for landscaping. The sandy loam is screened and stockpiled to produce construction material. Mining relies on a loader and a screen.

The affected area will be bonded and mined as one operational unit of 60 acres. The topsoil removed from an undisturbed area is placed on a mined out area, smoothed out and prepared for the farm to plant. Depending on the seasonality of the crop, acres may be graded but not planted. Slopes will be contoured to 3H: 1V if necessary.

Mining equipment includes a loader and a water truck as necessary will be used to maintain roads and mitigate dust.

The mine floor is sandy loam that is very permeable. Surface water as precipitation and snow melt infiltrates within 72 hours. Perimeter berms are constructed along the edge of the mine area.

6.4.5 Exhibit E

Reclamation Plan

Post-mining land use is cropland with the landowner, the farmer, planting the crop i.e. revegetating. Surrounding land use is agriculture. Historically the land has produced winter wheat. The lease agreement states that the operator will prepare the mined out and graded area for cultivation.

Salvaged topsoil material will be replaced to an average depth of six inches. Stockpiled topsoil that isn't immediately used will be stockpiled, appropriately posted and segregated for use in reclamation. The placed topsoil will be roughened for erosion control or prepared for immediately cultivation, depending on the season. Every effort will be made to coordinate topsoil preparation with the farmer's planning season in the fall. Soil fertilizing and cultivation methods will be at the landowner's discretion.

Upon completion of mining, compacted areas including the interior haul road and high traffic area around the scale house will be ripped to a depth of eight inches and graded. The area will then be prepared as described in the preceding paragraph.

To address the potential for erosion during reclamation, contour furrows will be shaped into the surface at 50 foot intervals, perpendicular to the slope. The contour furrows will be approximately 20 feet long and spaced approximately 50 feet apart.

Exhibit E

Holcim Quincy Pit M-2000-080

Reclaimed (49.4 acres) = —
Active (60.6 acres) = —
2024 Anticipated (15.3 acres) = —
Affected Area (242.0 acres) = —
Solar Farm (10.0 acres) = —
DRMS Permit Boundary (310.0 acres) = —

Google Earth

S Manila Rd



1000 ft

OAK LEAF SOLAR 39 LLC
2645 E 2ND AVE
SUITE 206
DENVER CO 80218

RJN



PARTIAL RELEASE

05/22/2020 08:13 AM RF: \$38.00 DF: \$0.00

Arapahoe County Clerk, CO

Page: 1 of 6

Joan Lopez, Clerk & Recorder

E0060686

PARTIAL SURFACE RELINQUISHMENT ACKNOWLEDGEMENT

STATE OF COLORADO §
COUNTY OF ARAPAHOE §

KNOW ALL PERSONS BY THESE PRESENTS:

This PARTIAL SURFACE RELINQUISHMENT ACKNOWLEDGMENT ("Acknowledgement") is effective this _____ day of June, 2019, by and between **PIONEER SAND COMPANY, INC.**, a Colorado corporation whose address is Attn: Russ Bartz, 630 Plaza Drive, Suite 150, Highlands Ranch Colorado, 80129, its successors and assigns ("First Party") and Oak Leaf Solar 39 LLC, a Delaware limited liability corporation whose address is 2645 East 2nd Ave, Suite 206, Denver, CO 80218, its successors and assigns ("Second Party").

RECITALS

1. First Party, is the present owner of that certain Paid-Up soil and gravel Lease (the "Soil and Gravel Lease") filed under Reception Number **D8062470** in the office of the Clerk and Recorder of Arapahoe County, Colorado.
2. Second Party, is the present owner of that certain Solar Energy Development and Operations Lease Agreement dated February 22, 2019 (the "Solar Agreement") with Rhonda Webber as Landowner, the short form of such Solar Agreement filed under Reception Number E0049838 in the office of the Clerk and Recorder of Arapahoe County, Colorado.
3. The lands which are subject to this Acknowledgement are limited to those leased surface lands subject to the Solar Agreement that are thoroughly described in **Exhibit A-1** and depicted on **Exhibit A-2** which are attached hereto and hereinafter referred to as the "Subject Land." The Subject Land does not include the subsurface estate or mineral estate underlying the land depicted on **Exhibit A-2**, and described in **Exhibit A-1**.
4. This Acknowledgement relates to the First Party and Second Party, collectively being referred to as both "Parties", surface use of Subject Lands for the duration of which the Solar Agreement and the Soil and Gravel lease are in effect.

NOW, THEREFORE, in consideration of the premises and the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

Upon execution of this Acknowledgment, First Party does hereby relinquish unto the Second Party the surface rights of Subject Lands down to a depth of fifty (50) feet, the

right to enter upon the surface of said Subject Lands to explore for and remove the minerals by virtue of the subsurface estate or mineral estate underlying the lands, and First Party further waives all surface rights to the Subject Lands under the Soil and Gravel Lease, any surface use agreement, and common law. Notwithstanding anything to the contrary in the Soil and Gravel Lease and any surface use agreement affecting the Subject Lands, the First Party shall not adversely impact subjacent support for the Subject Lands or otherwise interfere with the Second Party's use of the surface of the Subject Lands, and Second Party specifically acknowledges that neither its Solar Agreement nor this Acknowledgement implies any claim by the Second Party to the mineral rights of the Subject lands either during the term of the Solar Agreement or after.

This Acknowledgment is mutually binding with regard to the use of the Subject Lands, and this Acknowledgement is not a termination of or relinquishment of any part of the underlying Soil and Gravel Lease or the surface and subsurface rights outside of said Subject Lands. First Party is only giving up its surface and subsurface rights on and underneath the Subject Lands during the term of the Solar Agreement, after the termination of which, such surface and subsurface rights contained in the First Party's Soil and Gravel Lease shall be available to the First Party.

This Acknowledgement may be freely assigned, in whole or in part, by the Second Party.

This Acknowledgement may be executed in two or more original counterparts, all of which together will constitute one and the same agreement.

[SIGNATURE AND ACKNOWLEDGEMENT PAGE FOLLOWS]

FIRST PARTY:

PIONEER SAND COMPANY, INC, a Colorado corporation

By: [Signature]
Name: Kevin Guzik
Title: COO

SECOND PARTY:

By: [Signature]
Name: John H. Ford
Title: CEO

Acknowledgements

STATE OF Colorado §
COUNTY OF Douglas §

The foregoing instrument was acknowledged before me this 2 day of Dec, 2019 by Kevin Guzik as COO of Pioneer Sand Company, Inc, a Colorado Corporation

My Commission expires: April 4, 2023

DEENA L HARRIS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20194013105
MY COMMISSION EXPIRES APRIL 4, 2023

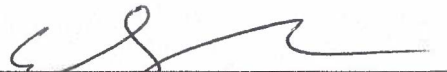
Deena L Harris
Notary Public

STATE OF Colorado §
COUNTY OF Denver §

The foregoing instrument was acknowledged before me this 4th day of May, 2020 by John Herzford, as CEO of Oak Leaf Energy & Solar 39 LLC.

My Commission expires: March 21, 2023

ELIZABETH SCANLON
NOTARY PUBLIC - STATE OF COLORADO
NOTARY ID 20194011173
MY COMMISSION EXPIRES MAR 21, 2023


Notary Public
Elizabeth Scanlon

EXHIBITS A-1
Legal Description – Oak Leaf Solar 39 LLC Solar Energy Facility

LEASE AREA LEGAL DESCRIPTION:

A PORTION OF THAT PERCEL OF LAND AS DESCRIBED IN QUITCLAIM DEED, RECORDED FEBRUARY 21, 2019, AT RECEPTION NO. D9014932 IN THE OFFICIAL RECORDS OF ARAPAHOE COUNTY, COLORADO, BEING A PORTION OS THE SOUTH HALF OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 64 WEST OF THE 6TH P.M., BEING MORE PARTICULARY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 34, BEING MONUMENTED WITH A NO. 6 REBAR WITH A 3-1/4" ALUMINUM CAP, PROPERLY MARKED, "PLS 30087"; THENCE N37°04'25"W (BASIS OF BEARING IS THE SOUTH LINE OF SAID SECTION 34, MONUMENTED AT THE EAST END, THE SOUTHEAST CORNER OF SAID SECTION, BY A #6 REBAR WITH A 3-1/4" ALUMINUM CAP, PROPERLY MARKED, "PLS 30087" AND AT THE WEST END, THE SOUTHWEST CORNER OF SAID SECTION, BY A #6 REBAR WITH A 3" ALUMINUM CAP, PROPERLY MARKED, "PLS 6935", HAVING A MEASURED BEARING AND DISTANCE OF N89°27'07"W, 5276.39', A DISTANCE OF 664.81 TO THE POINT OF BEGINNING; THENCE ALONG THE FOLLOWING SIX (6) COURSES.

1. N90°00'00"W, A DISTANCE OF 671.87 FEET,
2. N00°00'00"W, A DISTANCE OF 662.85 FEET,
3. N90°00'00"E, A DISTANCE OF 622.08 FEET,
4. S15°22'09"E, A DISTANCE OF 483.64 FEET,
5. S57°54'05"W, A DISTANCE OF 92.54 FEET,
6. S00°00'00"E, A DISTANCE OF 147.33 FEET,

TO THE POINT OF BEGINNING.

THIS PROPERTY CONTAINS A CALCULATED AREA OF 453,946 SQUARE FEET (10.421 ACRES) MORE OR LESS.

PROJECT DESCRIPTION

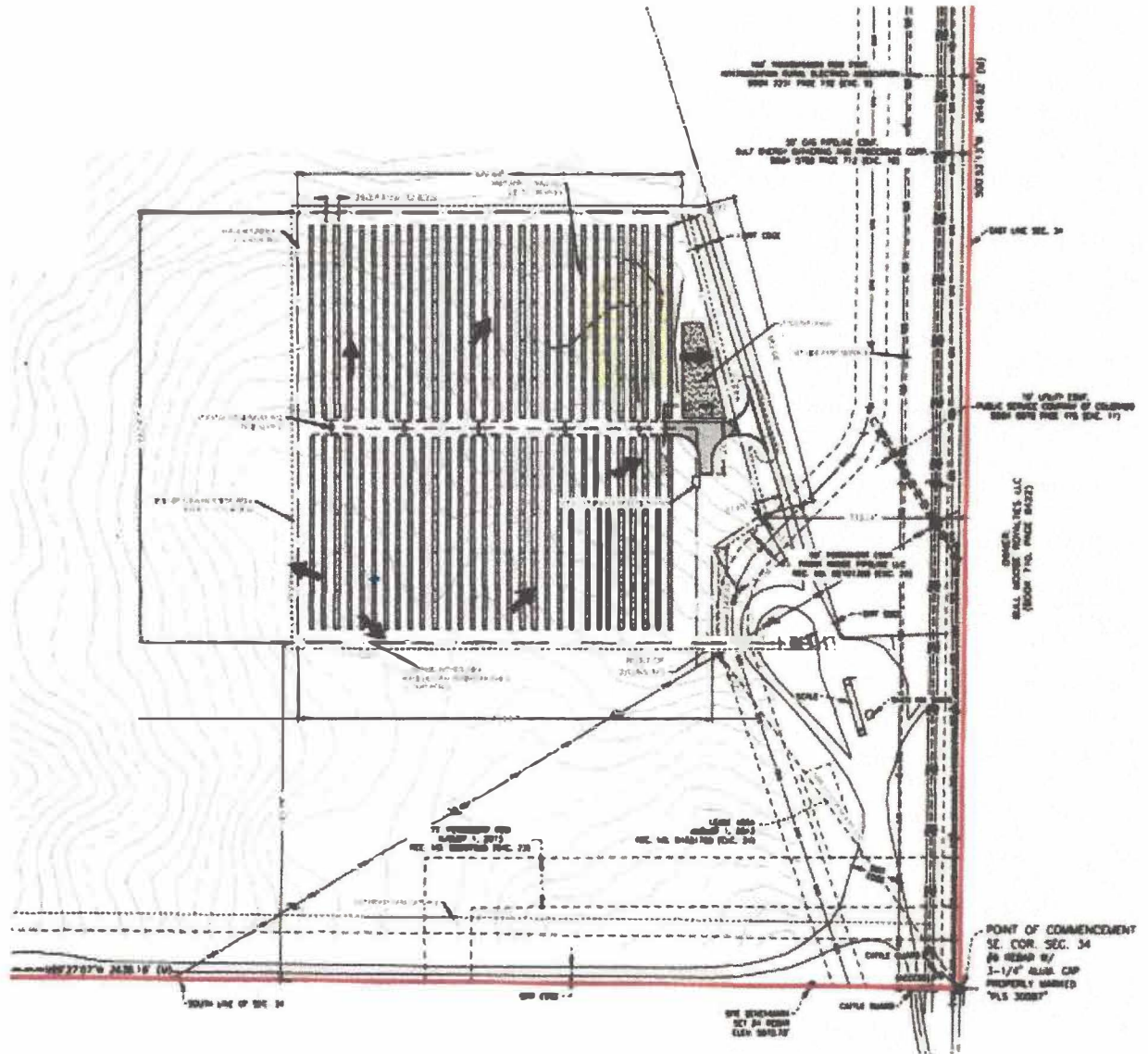
1.5 MW-AC (2.0 MW-DC) SINGLE-AXIS TRACKER SOLAR PROJECT

PROJECT AREA: ±11.15 ACRES INCLUDING "LIMITS OF CONSTRUCTION"

MODULE QUANTITY: 5,400 MODS. (QUANTITIES MAY VARY)

PARCEL NUMBER: 1979-00-0-00-406

Exhibit A-2
Subject Land Depiction – Oak Leaf Solar 39 LLC



April 26, 2022

CORE Electric Cooperative
1092 Cedar St.
Bennett, CO 80102

RE: Structure Owner Agreement

Dear Structure Owner/ Representative:

In January of 2023, Holcim – WCR, Inc. (“Holcim”) acquired Pioneer Sand Company, Inc. Holcim has taken over operations of the Pioneer Farm Pit and has submitted an application for the transfer of permit and succession of operator for DRMS Permit No. M-2000-080 (Pioneer Farm Pit).

The attached structure agreement covers the electric power distribution lines and H-Frame transmission towers that are within 200 feet of the Pioneer Farm Pit. Refer to the attached map that depicts the location of the transmission lines and towers.

The State of Colorado, Division of Reclamation, Mining and Safety (“Division”) requires that structure agreements be sent out where the affected lands of the mine permit are within two-hundred feet of any significant, valuable and permanent man-made structures.

Holcim does not anticipate adverse effects on the electric lines or the H-Frame transmission towers that are described above. Please review the attached structure agreement, sign and notarize in the structure owner section. Should you require any additional information, please contact Neil Whitmer at neil.whitmer@holcim.com.

Sincerely,

Holcim – WCR, Inc.



Neil Whitmer
Director Land & Environment

Attachments: Structure Agreement, Exhibit A, Pioneer Farm Pit Location Map

CERTIFICATION

The Applicant, Holcim - WCR, Inc. (print applicant/company name),
by Kevin Peart (print representative's name), as Senior VP / General Manager (print
representative's title), does hereby certify that CORE Electric Cooperative (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 Pioneer Farm Pit (operation name),
File Number M- 2000 - 080.

*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

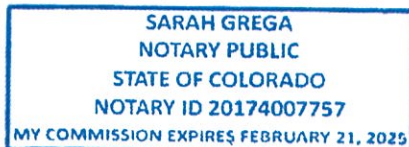
ACKNOWLEDGED BY:

Applicant [Signature] Representative Name KEVIN PEART
SENIOR VICE PRESIDENT
Date 5/5/23 Title SENIOR VICE PRESIDENT

STATE OF Colorado)
) ss.
COUNTY OF Jefferson)

The foregoing was acknowledged before me this 5 day of May, 2023, by
Kevin Peart as Senior Vice President of Holcim - WCR, Inc.

[Signature] My Commission Expires: 2/21/25
Notary Public



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY: CORE Electric Cooperative

Structure Owner Am Name Andrew Minter

Date 5-11-2023 Title Transmission operations Director

STATE OF Colorado)
) ss.

COUNTY OF Douglas)

The foregoing was acknowledged before me this 11th day of May, 2023, by
Andy Minter as Transmission of CORE Electric cooperative
operations Director

Alycia Menendez My Commission Expires: 9/25/2026
Notary Public

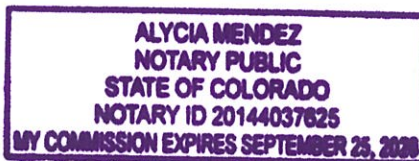


EXHIBIT A
LEGAL DESCRIPTION

The S ½ of Section 34, Township 4 South, Range 64 West, 6th P.M.,
County of Arapahoe,
State of Colorado.



Approximate
Mine Permit Boundary

H-Frame Tower

Approximate location of
CORE Electric
Transmission Lines
(in red)

H-Frame Tower

Holcim-WCR, Inc.
Pioneer Farm Pit
M-2000-080