# Environment, Inc.

LARRY E. O'BRIAN FOUNDER

STEVAN L. O'BRIAN PRESIDENT 7985 VANCE DRIVE, SUITE 205A ARVADA, COLORADO 80003 303-423-7297 FAX 303-423-7599

May 28, 2024

Ms. Amber Gibson Division of Reclamation, Mining & Safety Minerals Section 1313 Sherman St, # 215 Denver, CO 80203

Dear Amber;

RE: Tamrock Gravel LLC. - Shot Rock Pit Permit # M-2012-023 (AM1) - Adequacy Review

On behalf of our client Tamrock Gravel LLC., I will respond to your April 23, 2024, adequacy review letter, as needed, in the order and number format presented in that document.

#### Exhibit A – Legal Description

1. Please provide the Division with edited coordinates for the markers in the road area to ensure that the markers reflect the area encompassed in the map illustration.

The coordinates for corner R7 contained a typo error where I forgot one of the numbers in the Latitude. The Map has been corrected and the new numbers for that corner are 37.192095 N, 104.659737 W. I have also attached 2 Photos showing the corner was properly marked. Note Tami Tamburelli took the pictures and the car in the photo is approximately where you parked during the recent inspection.

- Pursuant to Rule 6.2.1, please include on the Exhibit A-1-Permit Corner Locations Map:
  - a. The name of the Applicant
  - b. A scale bar that meets the requirements of Rule 6.2.1(2)(e)

Both items have been added to the map and a revised copy is supplied with this response..

# Exhibit C – Pre-mining and Mining Plan Map(s) of Affected Lands

- 3. Pursuant to Rule 6.2.1, please include on the Pre-Mining Plan Map Exhibit C: a. The name of the Applicant
  - b. A scale bar that meets the requirements of Rule 6.2.1(2)(e).

Both items have been added to the map and a revised copy is supplied with this response..

4. On the Pre-mining Plan Map, the Estate of Brian Tamburelli is listed as surface/adjacent owner "B". Additionally, Brian Tamburelli is listed as the owner of 2-3 strand wire fences, and a portion of the access road. Please clarify to the Division the property owner of the areas encompassed in 'B' and the structures listed above, and edit them to match throughout the application.

I compared the Structures list with Exhibit S they match, I also compared the Owners name on list on Exhibit C, Exhibit F and Exhibit O and they have been revised to match the Assessors records by removing the "Estate of". I used the term "Estate of" out of respect for the deceased member. Attached is the Las Animas County Property Card showing that Brian Tamburelli, et al, are still listed as the owners of record.

# Exhibit E – Reclamation Plan

5. Pursuant to Rule 6.4.5(1), please address any plans for drainage control on the reclaimed areas.

Five (5) armored sediment basins and drains were placed along the southern and western sides of the mine floor to control runoff erosion. They were line with broken rock to allow the water to filter thru and not pond and to prevent erosion from runoff of the mine floor. I revised Exhibit E - Reclamation Plan to include them and Exhibit F - Reclamation Plan Map to show their location.

# Exhibit F – Reclamation Plan Map

- Pursuant to Rule 6.2.1, please include on the Reclamation Plan Map Exhibit F:
   a. The name of the Applicant
   b. A scale has that most the requirements of Bula 6.2.1(2)(a)
  - b. A scale bar that meets the requirements of Rule 6.2.1(2)(e)

Both items have been added to the map and a revised copy is supplied with this response.

#### Exhibit H – Wildlife Statement

7. The 2012 statement from CPW (above) appears to address the area being proposed as the 'road area' in the amendment application. Please address how the permittee will protect the wetlands, drainages, and riparian areas from erosion, sedimentation, and spills throughout and beyond the reclamation process in this area.

There were no, nor are there any wetlands or riparian areas along road section added to the permit area. This comment from the CPW as associated with the ephemeral drainage section along the County Road where the culverts were installed. It is/was an open channel that only has water in it during a large storm events. Tamburelli Construction filed a Nation Wide 14 Permit with the US Army Corps of Engineers in June 18, 2013 to place the culvert and road crossing in the channel. A copy of the Application and Permit are attached and contains no reference to wetland areas in the project area. All work associate with the USACE permit were completed in 2013 according to the approved permit. Mr. Tamburelli knows of no issues with use of the road causing damage to wetlands, or riparian area nor has there been erosion, or sedimentation and spills in the ephemeral drainage area in the 11 years since competition and do not expect any problems in the future.

# Exhibit N – Source of Legal Right to Enter

The application states that there is a legal right of entry agreement between the Permittee and the Estate of Brian C. Tamburelli on-file with DRMS, and attached to the application. However, the agreement is between Nicole Tamburelli and Tamrock Gravel, LLC.

8. Please clarify to the Division whether Nicole Tamburelli is the surface/subsurface owner, instead of the Estate of Brian C. Tamburelli, or whether she is the executor of the estate.

Nicole Tamburelli is listed as an owner of record in the Las Animas County Assessors records and is capable of granting the limited Right to Enter. Attached is the Las Animas County Property Card showing the owners of record.

# Exhibit O – Owners of Record of Affected Land

9. See item #8 above and clarify the information provided in Exhibit O for surface and subsurface ownership. Additionally, make any needed clarifications on the Application page under items #6 and #7 regarding surface and subsurface ownership.

My response to your Items #4 and 8 explain the owner of record. I corrected Exhibit O to reflect names on the Assessors Property Card.

#### **Exhibit S: Permanent and man-made structures**

- 10. Exhibit S in the application, states that the Division has a structure agreement on-file for the fences and the access road on the east side of the mining area on-top of the hill with the Estate of Brian Tamburelli. The application also states that this agreement is attached, however, the agreement is from the original permit and is with Brian Tamburelli.
  - a. Please provide proof to the Division that a new structure agreement has been sent to the current owner of these structures.

We believe the existing Structure Agreement with Brian Tamburelli is still in effect since he is listed as an Owner of Record is the Las Animas County Assessors office. As of this date Tamrock has received 2 new structure agreements from those mailed on March 15, 2024. Copies of the structure agreements from San Isabel Electric and Patricia Martinez are attached for the file.

I have included an engineering assessment for the 2 remaining structures that Tamrock has not received Structure Agreements for.

#### **Publication Requirements**

11. Pursuant to Rules 1.6.2(1)(d) and 1.6.5, please provide the Division with Proof of Publication.

Attached is a copy of the Proof of Publication from the Trinidad Chronicle News.

12. Please provide the Division with proof of notice to the Owners of Record of surface and mineral rights of the affected land, and to Owners of Record of all land surface within 200 feet of the boundary of the affected land per Rule 1.6.2(1)(e).

Attached are copies of the Proof of Mailing and returned receipt cards for the notice mailed to adjoining owners listed in Exhibit O

13. Please remember that pursuant to Rule 1.6.2(1)(c), any changes or additions to the application on file in our office must also be reflected in the public review copy which was placed with the Las Animas County Clerk and Recorder. Pursuant to Rule 6.4.18, you must provide our office with an affidavit or receipt indicating the date this was done.

A copy of this response and attachments will be placed with the Las Animas County Clerk's office and proof of Placement will be delivered under separate cover once we have it.

#### LIST OF ATTACHMENTS TO THIS RESPONSE:

Exhibit A1 -Permit Corner Locations Map (revised)PhrExhibit C - Pre-Mining Plan Map (revised)ExExhibit F - Reclamation Plan Map (revised)USBrian Tamburelli County Property CardExExhibit S - Structures within 200 ft. (revised)StStructure agreement Patricia MartinezStProof of PublicationAd

Photos Corner R7 Exhibit E - Reclamation Plan (revised) USACE 2013 Permit Exhibit O - Owners of Record (revised) Structure agreement San Isabel Electric Structure Engineering assessment Adjoining owner notice receipts

#### Additional Information

The area was seeded and mulched on May 10, 2024 and the grass is beginning to germinate.

I hope these responses have addressed the adequacy questions you had. I will place a copy of this packet with the Las Animas County Clerks' office as required. If you have any questions please call me.

Sincerely, Environment, Inc.

Stare

Stèvan L. O'Brian President

cc Tamrock Gravel LLC. Las Animas County Clerk file

enclosures





CORNER R7 - PHOTO DATE 4/23/2024



CORNER R7 - PHOTO DATE 4/23/2024



# EXHIBIT E

# **RECLAMATION PLAN AND TIMETABLE**

Unless specifically discussed below, the methods described and approved in the original permit application and the Reclamation Plan will remain unchanged just the sizes of the affected Areas were adjusted to reflect the change. The final reclamation activities will change but the choice of 2 options is removed. The current site conditions more closely matches Option B that would leave much of the higher elevation on the site undisturbed. As mining progressed the overburden became too deep to cost effectively removed much of the northern part of the deposit.

The **Reclamation Plan Map - Exhibit C-1** shows the current configuration of the area mined.

#### **RECLAMATION PLAN**

The proposed future use is to be rangeland, the same as its current use. The depth of the deposit varied from 10 to 40 feet depending on how high up the hillside the area was mined. The overburden was used to construct a 3:1 slope from the top of the rock face to natural ground. All disturbed areas have been resoiled and will be revegetated according to the presented plan.

The pre-permit old mine area on the east side has remained undisturbed and needs no reclamation. The old mine area on the west was redisturbed and will be reclaimed.

Much of the overburden and crusher fines was used to create the 3H to 1V slope from the top of the cut to the mine floor. The area disturbed was then resoiled with 5 to 7 inches of growth medium in preparation for seeding.

The proposed seeding plan is to use a hydro seeder to place the seed on the virgin dirt and then a cover of hydro mulch/tackifier will be place on the seeded area on a second pass. This will assure the seed makes ground contact and will take root into the growth medium.

The area will be returned to at least it's present vegetative condition when reclamation is complete with the exception that no trees will be planted on the mine. Five (5) erosion control and sediment basins have been constructed as shown on **Map Exhibit F - Reclamation Plan Map**. They vary in size as needed and were placed where potential storm runoff from the mines reclaimed floor will accumulate and/or runoff the floor. They were constructed using course rock averaging 6 inches or more in diameter, place in basins or runoff channels built to collect the stormwater and allow it to soak into the ground or leave the site by filtering thru the rock to slow the flow and prevent erosion.

In the road Corridor area no reclamation will be required, the Tamburelli's wish this left as is, since they have future plans to continue to use the road for accessing the south end of their property. The scale/scale house concrete foundations may be used to install another scale, for agricultural uses associated with the ranch or as pads for equipment parking. The area where the rock is stored for use on the ranch will be graded and graveled as parking area if the rock is removed.

#### GRASSES

The approved see mix was recommended by the local NRCS office in 2012. The following seed mixture will be used for the mine. The per acre rate for Pounds-Pure Live Seed (#PLS) for this mix is 8.75 PLS. This mix will provide approximately 32 seeds PLS/ft<sup>2</sup> if drilled this will be doubled for broadcast seeding. No shrubs or trees were added since the landowners will use the area for grazing cattle when reclamation is complete.

APPROVED PROPOSED SEED MIX				
Species	Lbs. PLS/Acre			
Little Bluestem (Pastura)	1.75			
Blue Grama (Hachita)	0.75			
Sideoats Grama (El Reno)	2.25			
Western Wheatgrass (Barton	) <u>4.00</u>			
TOTALS	8.75			

#### WEED CONTROL

The mining and revegetated areas will be monitored closely each spring to determine if noxious weeds are invading the area. Weed control will be initiated if the problem becomes serious and continue until reclamation is complete. In no way should this be

#### Exhibit E

taken to mean that we will try to eradicate all weeds from the property. Some weeds are beneficial to the wildlife in the area by providing protection from the elements during winter. Total eradication of weeds from the site is not necessary desirable, so the operator will be using controls on the noxious weeds and letting the rest grow in select areas. It may be necessary to control weeds by mowing revegetated area after the first year; the feasibility of chemical weed control methods will be studied should it be necessary.

The site review does not indicate there is a noxious weed problem on the site now. However, we will be working with the Las Animas County weed control agent to start selected control as mining begins to avoid having a problem later in the life of the mine.

#### **RECLAMATION TIMETABLE**

The site is under final reclamation. The entire mined area has been resoiled and is waiting revegetation. It is estimated that reclamation will take 2 to 5 years to complete.

		ACRES ±				
AREA	YEARS	TOTAL	RECLAIMED	ROAD	MISC.*	UNDISTU RBED
MINE	3-5	22.07	11.07	0.48	0.09	10.48
ROAD CORRIDOR	1-3	2.07	0.00	0.44	0.20	1.43
TOTAL		24.14	11.07	0.92	0.29	11.91

\* MISC - INCLUDES SCALE/SCALE HOUSE PAD, ROCK STORAGE AREA AND PRE-PERMIT MINING AREAS NEEDING NO RECLAMATION.

9 (5/28/2024)





#### REPLY TO ATTENTION OF

DEPARTMENT OF THE ARMY ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS SOUTHERN COLORADO REGULATORY OFFICE 200 SOUTH SANTA FE AVENUE, SUITE 301 PUEBLO, COLORADO 81003-4270

August 8, 2013

**Regulatory** Division

SUBJECT: Nationwide Permit Verification – Action No. SPA-2013-00364-SCO, Tamburelli Construction LLC Culverted Road Crossing

Brent Tamburelli Tamburelli Construction LLC 137 East Plum Street Trinidad, Colorado 81082

Mr. Tamburelli:

I am writing this letter in response to your pre-construction notification for the proposed construction of a road crossing in Reilly Canyon Creek located at approximately latitude 37.1896, longitude -104.6593, Las Animas County, Colorado. The work, as described in your letter, will involve the installation of a 60-inch culvert in Reilly Canyon Creek to provide an access road from Las Animas County Road 57.7 to land east of the creek. We have assigned Action No. SPA-2013-00364-SCO to this project. Please reference this number in all future correspondence concerning the project.

Based on the information provided, we have determined that the project is authorized by Nationwide Permit No. 14 for Linear Transportation Projects. A summary of this permit and the Colorado Regional Conditions are available on our website at <u>www.spa.usace.army.mil/reg/nwp</u>. Please refer to our website at <u>www.spa.usace.army.mil/reg/wqc</u> for specific information regarding compliance with state water quality certification requirements. You must ensure that the work complies with the terms and conditions of the permit, including Colorado Regional Conditions of water quality certification.

Our review of this project also addressed its effects on threatened and endangered species and historic properties in accordance with general conditions 18 and 20. Based on the information provided, we have determined that this project will not affect any federally listed threatened or endangered species or any historic properties listed, or eligible for listing, in the National Register of Historic Places. However, please note that you are responsible for meeting the requirements of general condition 18 on endangered species and general condition 20 on historic properties. This letter does not constitute approval of the project design features, nor does it imply that the construction is adequate for its intended purpose. This permit does not authorize any injury to property or invasion of rights or any infringement of federal, state or local laws or regulations. The permittee and/or any contractors acting on behalf of the permittee must possess the authority and any other approvals required by law, including property rights, in order to undertake the proposed work.

This permit verification is valid until March 18, 2017 (33 CFR 330.6), unless the nationwide permit is modified, suspended, revoked or reissued prior to that date. Continued confirmation that an activity complies with the terms and conditions, and any changes to the nationwide permit, is the responsibility of the permittee. Activities that have commenced, or are under contract to commence, in reliance on a nationwide permit will remain authorized provided the activity is completed within 12 months of the date of the nationwide permits expiration, modification, or revocation.

Within 30 days of project completion, you must fill out the enclosed Certification of Compliance form and return it to our office. The landowner must allow Corps representatives to inspect the authorized activity at any time deemed necessary to ensure that it is being, or has been, accomplished in accordance with the terms and conditions of the nationwide permit.

If you have any questions, please contact me at (719) 543-6914 or by e-mail at <u>joshua.g.carpenter@usace.army.mil</u>. At your convenience, please complete a Customer Service Survey on-line available at <u>http://per2.nwp.usace.army.mil/survey.html</u>.

Sincerely, 505

Joshua G. Carpenter Senior Project Manager

Enclosure

# **OWNERS OF RECORD OF AFFECTED LAND - SURFACE AREA**

#### SURFACE AREA AND SUBSTANCE TO BE MINED (Revised 5/28/2024)

Brian C. Tamburelli 404 Walnut Trinidad, CO 81082

Brent & Tamara Tamburelli 14220 County Road 57.7 Bon Carbo, CO 81024

#### **ADJOINING LANDOWNERS**

Brian C. Tamburelli 404 Walnut Trinidad, CO 81082

Brent & Tamara Tamburelli 14220 County Road 57.7 Bon Carbo, CO 81024

Ruby Pena 595 S. Forest St APT 110 Glendale, CO 80246 David & John Shannon et al 1810 Brimmer Pueblo, CO 81005

Patricia Martinez & Phyllis O'Neill 1560 Loti DR. Colorado Springs, CO 80915

Las Animas County 200 E. 1st Street Trinidad CO 81082

#### **RECORDED ROW'S**

#### Gasline ROW

Pioneer Natural Resources USA, Inc. 1401 17th St, Suite 1200 Denver, CO 80202

#### Powerlines

San Isabel Electric 781 E. Industrial BLVD. Pueblo, CO 81007

#### Communication Lines

CenturyLink Communications LLC (Lumen Technologies) c/o Timothy Kunkleman 931 14th Street Suite 1230 Denver, CO 80202

# **EXHIBIT S**

#### PERMANENT AND MAN-MADE STRUCTURES

The following list represents the permanent man-made structures within 200 feet of the mining areas. The road that runs along the eastern side of the permit area and fences on the west and north are owned by the property owner and our lease contains a compensation clause in case of damage to them. In some areas the floor of the mine will be above the top of these structures so they will not be impacted by mining. The Road Corridor area and structures are owned by Brent & Tami Tamburelli the owners of Tamrock Gravel.

Please refer to **MAP EXHIBIT C-PRE MINING MAP** for the location of the structures listed below;

#### PERMANENT MAN MADE STRUCTURES WITH 200 FEET OF PERMIT AREA

Mine area (revised 5/28/2024)

Brian Tamburelli (structure agreement in DRMS file) 3 strand wire fences (west and north sides) Gravel road east side

Pioneer Natural Resources USA, Inc.(structure agreement in DRMS file)

6" Natural gas collection line - east side

#### Road amendment area

Brent & Tamara Tamburelli (owners of Tamrock Gravel no structure agreement needed) 3 strand wire fences (east and south sides) Gravel road crossing area Scale house and scale foundations Culverts across drainage Patricia Martinez & Patricia O'Neill Corral fences Las Animas County County Road 57.7 San Isabel Electric Powerlines Century Link (Lumen Technologies)

Communication lines (along CR 57.7)

# Property Record Card

Las Animas Assessor

#### TAMBURELLI BRIAN C & RENEE & NICOLE TAMBURELLI (QCJT)

#### Account: R0015108

Tax Area: 19L - DISTRICT 19L Acres: 160.000

#### Parcel: 14166800

Situs Address: 00000

404 WALNUT TRINIDAD, CO 81082-0000

Value Summary			Legal Description
Value By:	Market	Override	03-33-65 SE4-CONT-160.0 ACRS M/L
Land (1)	\$5,848	N/A	
Total	\$5,848	\$5,848	

#### Land Occurrence 1

Property Code	4147 - GRAZING LAND- AGRICULTURAL	Measure By	Acre
Acres	160	SQFT	6969600

#### Abstract Summary

Code	Classificatio	n	Actua	al Value	Taxable Value	Actual Override	Taxable Override
4147	GRAZING LAN AGRICULTUR			\$5,848	\$1,540	NA	NA
Total				\$5,848	\$1,540	NA	NA
	r Documen		Daala Daar	D		Darradian Na	
Account Nu	umber	Parcel Number	Book Page	Кесо	ording Date	Reception Nu	mber
R0015108		14166800	B: 1007 P: 1939	09/1	2/2001	1007-001939	
		14166800	B: 1108 P: 326	01/2	9/2013	7192-74	



Sent to Structure Owner Via Certified Mail #70192970000082392674

#### PERMITTEE / STRUCTURE OWNER AGREEMENT

The Colorado Division of Reclamation, Mining and Safety (DRMS), abiding by the State of Colorado, Mined Land Reclamation (MLR) Law, requires the permit applicant/operator to agree to reimburse the owner of any permanent man-made structure(s) within 200 feet of the permitted mining area for damage done to the structure(s) as a result of the permitted operation.

Tamrock Gravel LLC. is the owner/operator of the Shot Rock Pit (in the Las Anima County, Colorado), a sand and gravel mine, which has a reclamation plan of rangeland.

San Isabel Electric owns the following structure(s), which are located within 200 feet of the permitted area:

Powerlines

Tamrock Gravel LLC agrees to, and certifies this agreement as follows:

The permittee, Tamrock Gravel LLC, does hereby certify that the above-named Owner shall be compensated for any damage to the above-listed Structure(s), which is located within 200 feet of the permitted area, as a result of the mining operation known as Shot Rock Pits.

A signature by San Isabel Electric and a notary seal in the spaces provided below shall satisfy the MLR law requirement. A copy of the signed notarized agreement shall be kept by Tamrock Gravel LLC and the structure owner.

NOTARY FOR STRUCTURE OWNER
ACKNOWLEDGED BY: Owner(s): <u>SAN ISAB ELECTRIC</u> Mail Address: <u>28/ 5. Industrial BLVD.</u> <u>Puelsed</u> (USST, CO. 81007) Contact: (if different than owner): <u>Royce ANDERSON</u>
Signature
Date: MRCH 20 KO29 MELISSA RHODES NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20184004571
STATE OF Colored MY COMMISSION EXPIRES JANUARY 26, 2026
COUNTY OF Puebio )
The foregoing was acknowledged before me this <u>20</u> day of <u>Marca</u> , <u>2024</u> by <u>Royce Andesson</u> of <u>Son Isobe Electric</u> Notary Public: <u>High Rodu</u> My Commission Expires: <u>High Joe</u>



Sent to Structure Owner Via Certified Mail #70192970000082392698

#### PERMITTEE / STRUCTURE OWNER AGREEMENT

The Colorado Division of Reclamation, Mining and Safety (DRMS), abiding by the State of Colorado, Mined Land Reclamation (MLR) Law, requires the permit applicant/operator to agree to reimburse the owner of any permanent man-made structure(s) within 200 feet of the permitted mining area for damage done to the structure(s) as a result of the permitted operation.

Tamrock Gravel LLC. is the owner/operator of the Shot Rock Pit (in the Las Anima County, Colorado), a sand and gravel mine, which has a reclamation plan of rangeland.

Patricia Martinez & Phyllis O'Neill own the following structure(s), which are located within 200 feet of the permitted area:

#### Corral fences

Tamrock Gravel LLC agrees to, and certifies this agreement as follows:

The permittee, Tamrock Gravel LLC, does hereby certify that the above-named Owner shall be compensated for any damage to the above-listed Structure(s), which is located within 200 feet of the permitted area, as a result of the mining operation known as Shot Rock Pits.

A signature by Patricia Martinez or Phyllis O'Neill and a notary seal in the spaces provided below shall satisfy the MLR law requirement. A copy of the signed notarized agreement shall be kept by Tamrock Gravel LLC and the structure owner.

NOTARY FOR PERMIT APPLICANT	NOTARY FOR STRUCTURE OWNER			
ACKNOWLEDGED BY: Permittee: <u>Tamrock Gravel LLC</u> Mail Address: <u>137 East Plum St</u> <u>Trinidad, CO 81082</u> Contact: <u>Brent Tamburelli, Manager</u> 719-859-0095	ACKNOWLEDGED BY: Owner(s): <u>Batulica a Montine</u> Mail Address: <u>1560 Lenti</u> Dr <u>8</u> <u>Colo Spap Co 80915</u> Contact: (if different than owner):			
Signature:	Signature: Gatricenal morting			
Date: 3-15-2024	Date: march 26, 20 24			
SUSAN K GUTIERREZ Notary Public State of Colorado STATE OF Colorado Notary ID # 19984025752 My Commission Expires 09-16-2026 SS COUNTY OF Las Animas	COUNTY OF ELPOIG NOTARY ID 20234028517			
The foregoing was acknowledged before me this day of, 20, 20, 20, by Brent Tamburelli as Manager of Tamrock Gravel	The foregoing was acknowledged before me this <u>26th</u> day of <u>March</u> , <u>2024</u> , by <u>Patricia A Marthan</u> of <u>Quarky</u> Structures			
Notary Public: Susan K. Sutiener My Commission Expires: 9-16-2026	Notary Public: Appliano Mendago 200 My Commission Expires: JULY 27, 207.7			

Environment, Inc.

LARRY E. O'BRIAN FOUNDER

#### STEVAN L. O'BRIAN PRESIDENT

7985 VANCE DRIVE, SUITE 205A ARVADA, COLORADO 80003 303-423-7297 FAX 303-423-7599

May 7, 2024

Mr. Brent Tamburelli Tamrock Gravel LLC 137 East Plum St. Trinidad, CO 81082

Re: Tamrock Gravel LLC - Shot Rock Pit Permit M-2012-023 - Engineering Assessment

Dear Mr. Tamburelli:

Upon request of Tamrock Gravel LLC, I have conducted an engineering assessment of the 2 structures within 200 feet of the Shot Rock Pit permit property (M-2012-0236) that you have not received signed Structure Agreements for. The Google photo map dated October 4, 2023 shows Las Animas County Road 57.7, but the Century Link Communication lines that runs parallel to the road does not appear on the photo.

The Shot Rock Pit is approximately 4.3 miles north of State HWY 12 in Section 3 & 10, Township 33 South, Range 65 West of the 6th P.M. containing 24.14 acres. The closest non-agreement structure is CR 57.5 that is adjacent to the west side of the Road Corridor area.

No mining or below grade excavation at the mine has taken place within 200 feet of the noted structures. The roadway, stockpiles and concrete foundation will remain for the landowner use so final grading is complete. Removal of the stockpiled material will have no impact on the structures.

#### CONCLUSION

The present condition of the property matches the approved Reclamation Plan and at this time all reclamation is complete within 200 feet of the roadway and communication line. There are no excavated areas needing sloped and the land in the Road Corridor appears to be unchanged from before the mine was permitted, with the exception of a well maintained roadway and culvert.

Based on my years of experience and engineering knowledge, there is no reason to believe there will be any future impacts to off-site structures as a result of mining and reclamation activities, that exist on the site today.

Sincerely,

Stevan L. O'Brian President





Tamrock Gravel, LLC Shot Rock Pit M-2012-023 (AM1) May 28, 2027

See Proof on Next Page

AFFIDAVIT OF PUBLICATION: #2145790

STATE OF COLORADO SS. COUNTY OF LAS ANIMAS

I, Shalon Hartle, as publisher/agent of



of Las Animas County, State of Colorado, state that this newspaper is a qualified newspaper, published and of general circulation in said county, was published in regular edition of said paper, and that the notice bearing order number 2145790 of which the annexed is a copy was published on the following date(s):. 04/12/2024, 04/19/2024, 04/26/2024, 05/03/2024

TIL

Agent Signature

Subscribed and sworn to before me this

day of

Advertising Fee: \$130.96 My Commission Expires: 01/31/2025



Amendment App for Reclamation Permit - Page 1 of 2

#### PUBLISHED NOTICE OF AN AMENDMENT APPLICATION FILING FOR A REGULAR (112) CONSTRUCTION MATERIALS RECLAMATION PERMIT

#### PUBLIC NOTICE

Tamrock Gravel LLC., whose address and phone number is 137 E. Plum, Trinidad, CO 81082, (719) 846-3034, has filed an amendment application for a Reclamation Permit with the Colorado Mined Land Reclamation Board under the provisions of the Colorado Mined Land Reclamation Act for the extraction of construction materials. The proposed mine is known as the Shot Rock Pit, M-2012-023 and is located in part of Sec. 3 and Sec 10, T-33-S, R-65-W, 6th Principal Meridian, Las Animas County, Colorado.

The proposed date of commencement was 2012 and the proposed date of completion is December 2029. The proposed future use of the land is rangeland.

Additional information and the tentative decision date may be obtained from the Division of Reclamation, Mining & Safety, 1313 Sherman St., Suite 215, Denver, CO 80203 (303) 866-3567, or at the Las Animas Clerk and Recorder's office, 200 E. First St #205, Trinidad, Colorado 81082, or the above named applicant.

Comments must be in writing and must be received by the Division of Reclamation, Mining & Safety by 4:00 p.m. on May 23, 2024.

Please note that 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 that the Division of Reclamation, Mining & Safety or the Mined Land Reclamation Board.

Tamrock Gravel LLC. Trinidad, Colorado

First Publication: 4/12/24 Second Publication: 4/19/24 Third Publication: 4/26/24 Last Publication: 5/3/24

Published April 12, 19, 26 and May 3, 2024 214

2145790

Tamrock Gravel, LLC Shot Rock Pit M-2012-023 (AM1) May 28, 2027













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Las Animas County 200 E. 1st Street Trinidad CO 81082	It YES, enter deline below: INO 200 E.F. F.S.F. Triki du d, C.S. 31032
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Brian Tambureli - USPS Return Receipt not received as of 5/20/2023 Tracking Number: 70192970000082392711 Copy Add to Informed Delivery (https://informeddelivery.usps.com/) Delivered Latest Update Delivered, Left with Individual TRINIDAD, CO 81082 Your item was delivered to an individual at the address at April 25, 2024, 3:06 pm 3:06 pm on April 25, 2024 in TRINIDAD, CO 81082. Available for Pickup TRINIDAD Get More Out of USPS Tracking: 301 E MAIN ST USPS Tracking Plus® TRINIDAD CO 81082-9998 M-F 0900-1700; SAT 1000-1300 April 22, 2024, 4:37 pm U.S. Postal Service<sup>™</sup> **Reminder to Schedule Redelivery of** your item **CERTIFIED MAIL® RECEIPT** 2711 April 20, 2024 Domestic Mail Only For delivery information, visit our website sps.com® In Transit to Next Facility Г 10 April 15, 2024 m Certified Mail Fee n 40 4 =0 xtra Services & Fees (check box, as appropri Notice Left (No Authorized Recipient Return Receipt (hardcopy) :<del>3.65</del>  $\overline{\Box}$ Available) Certified Mall Restricted Delivery TRINIDAD, CO 81082 Adult Signature Required April 15, 2024, 3:48 pm Adult Signature Restricted Delivery \$ 970 Postage .68 ñ Arrived at USPS Regional Facility Total Postage and Fees COLORADO SPRINGS CO Г Sent To 1 DISTRIBUTION CENTER Estate of Brian C. April 13, 2024, 8:29 am Street an Tamburelli Feedback City, State 404 Walnut Arrived at USPS Regional Facility PS Form Saud, April 2015 FSN /530-02-000-904 e for Instructions DENVER CO DISTRIBUTION CENTER April 12, 2024, 7:57 pm USPS in possession of item ARVADA, CO 80004 April 12, 2024, 9:13 am Hide Tracking History What Do USPS Tracking Statuses Mean?

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2 2000052571	<ul> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature X B. Received by (Printed Name)	Agent Addressee C. Date of Delivery		
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	David & John Shannon et al 1810 Brimmer Pueblo, CO 81005		2		
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Ruby Pena -Tracking Number: 70192970000082392742 Copy Add to Informed Delivery (https://informeddelivery.usps.com/) **Moving Through Network** Latest Update Arrived at USPS Regional Facility COLORADO SPRINGS CO Your item arrived at our USPS facility in COLORADO DISTRIBUTION CENTER SPRINGS CO DISTRIBUTION CENTER on May 17, 2024 May 17, 2024, 8:38 pm at 8:38 pm. The item is currently in transit to the destination. Unclaimed/Being Returned to Sender **DENVER, CO 80246** May 15, 2024, 12:14 pm Get More Out of USPS Tracking: USPS Tracking Plus® Unclaimed/Being Returned to Sender **DENVER, CO 80246** May 14, 2024, 4:14 pm **Reminder to Schedule Redelivery of** your item April 27, 2024 U.S. Postal Service<sup>™</sup> **CERTIFIED MAIL® RECEIPT** Notice Left (No Authorized Recipient п Domestic Mail Only 274 Available) sps.com® site at www For delivery information visit our **DENVER, CO 80246** April 22, 2024, 4:41 pm m Certified Mail Fee О ГU -0 Arrived at USPS Regional Facility Extra Services & Fees (check Return Receipt (hardcopy) 65 DENVER CO DISTRIBUTION CENTER April 21, 2024, 2:37 am Certified Mail Restricted Delivery Adult Signature Required Adult Signature Restricted Delivery 970 Arrived at USPS Regional Facility Postage .68 COLORADO SPRINGS CO Total Postage and Fees n. DISTRIBUTION CENTER April 19, 2024, 3:54 am σ Sent To 701 Ms. Ruby Pena Street an 595 S. Forest St APT 110 In Transit to Next Facility City, Stat Glendale, CO 80246 April 15, 2024 e for Instructions PS Form 3800, April 2015 PSN 7530-02-000-9047 Addressee Unknown **DENVER, CO 80246** April 15, 2024, 5:22 pm **Departed USPS Regional Facility** DENVER CO DISTRIBUTION CENTER April 13, 2024, 8:33 am Arrived at USPS Regional Facility

DENVER CO DISTRIBUTION CENTER April 12, 2024, 7:56 pm

USPS in possession of item ARVADA, CO 80004 April 12, 2024, 9:09 am



What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Whereis-my-package) Tamrock Gravel LLC 137 E. Plum, Trinidad, CO 81082









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