



PFM Consulting LLC

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

RE: Ghost River Gravel Pit Regular 112 Operation Reclamation Permit Application Package – Incomplete Response

June 29, 2024

Please accept the enclosed Incompleteness Response documents, excluding Items 5.ii., 11, 12, and 13 as these have been resolved previously.

Warm Regards,

Jodi Schreiber

Jodi Schreiber, Owner
PFM Consulting LLC

1774 N. Cougar Drive
Pueblo West, CO 81007
Phone (719) 529-0916
Fax (719) 766-8339
pfmconsultingcompany@gmail.com
www.pfmconsultingllc.com

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY Department of Natural Resources

1313 Sherman St., Room 215
Denver, Colorado 80203
Phone: (303) 866-3567
FAX: (303) 832-8106



CONSTRUCTION MATERIALS REGULAR (112) OPERATION RECLAMATION PERMIT APPLICATION FORM

CHECK ONE: ☐ There is a File Number Already Assigned to this Operation

Permit # M - - - - (Please reference the file number currently assigned to this operation)



New Application (Rule 1.4.5)



Amendment Application (Rule 1.10)



Conversion Application (Rule 1.11)

Permit # M - - - - (provide for Amendments and Conversions of existing permits)

The application for a Construction Materials Regular 112 Operation Reclamation Permit contains three major parts: (1) the application form; (2) Exhibits A-S, Addendum 1, any sections of Exhibit 6.5 (Geotechnical Stability Exhibit; and (3) the application fee. When you submit your application, be sure to include one (1) complete signed and notarized ORIGINAL and one (1) copy of the completed application form, two (2) copies of Exhibits A-S, Addendum 1, appropriate sections of 6.5 (Geotechnical Stability Exhibit, and a check for the application fee described under Section (4) below. Exhibits should NOT be bound or in a 3-ring binder; maps should be folded to 8 1/2" X 11" or 8 1/2" X 14" size. To expedite processing, please provide the information in the format and order described in this form.

GENERAL OPERATION INFORMATION

Type or print clearly, in the space provided, ALL information requested below.

1. **Applicant/operator or company name (name to be used on permit):** P B & S Sand and Gravel LLC
 - 1.1 Type of organization (corporation, partnership, etc.): LLC
2. **Operation name (pit, mine or site name):** Ghost River Gravel Pit
3. **Permitted acreage (new or existing site):**

	_____ permitted acres
3.1 Change in acreage (+)	_____ acres
3.2 Total acreage in Permit area	<u>21.6</u> acres
4. **Fees:**

4.1 New Application	<u>\$2,696.00</u> application fee
4.2 New Quarry Application	<u>\$3,342.00</u> quarry application
4.4 Amendment Fee	<u>\$2,229.00</u> amendment fee
4.5 Conversion to 112 operation (set by statute)	<u>\$2,696.00</u> conversion fee
5. **Primary commodity(ies) to be mined:**

	<u>Sand</u>	<u>Gravel</u>	
5.1 Incidental commodity(ies) to be mined:	1. <u>NA</u> - _____ lbs/Tons/yr	2. _____ / _____ lbs/Tons/yr	
	3. _____ / _____ lbs/Tons/yr	4. _____ / _____ lbs/Tons/yr	5. _____ / _____ lbs/Tons/yr
5.2 Anticipated end use of primary commodity(ies) to be mined:	<u>Construction Aggregate</u>		
5.3 Anticipated end use of incidental commodity(ies) to be mined:	<u>NA</u>		

6. **Name of owner of subsurface rights of affected land:** Patrick Steele and Jordan Power
If 2 or more owners, "refer to Exhibit O".

7. **Name of owner of surface of affected land:** Patrick Steele and Jordan Power

8. **Type of mining operation:** ☒ Surface ☐ Underground

9. **Location Information:** The center of the area where the majority of mining will occur:

COUNTY: Huerfano

PRINCIPAL MERIDIAN (check one): ☒ 6th (Colorado) ☐ 10th (New Mexico) ☐ Ute

SECTION (write number): S 35

TOWNSHIP (write number and check direction): T 25 ☐ North ☒ South

RANGE (write number and check direction): R 66 ☐ East ☒ West

QUARTER SECTION (check one): ☐ NE ☐ NW ☐ SE ☒ SW

QUARTER/QUARTER SECTION (check one): ☒ NE ☐ NW ☐ SE ☐ SW

GENERAL DESCRIPTION: (the number of miles and direction from the nearest town and the approximate elevation): _____

The mine is located approximately 4 miles east of I-25 on County Road 110. It is approximately 5674 feet in elevation. The nearest town is Colorado City and is approximately 9 miles to the northwest.

10. **Primary Mine Entrance Location** (report in either Latitude/Longitude OR UTM):

Latitude/Longitude:

Example: (N) 39° 44' 12.98"
(W) 104° 59' 3.87"

Latitude (N): deg _____ min _____ sec _____._____ (2 decimal places)

Longitude (W): deg _____ min _____ sec _____._____ (2 decimal places)

OR

Example: (N) 39.73691°
(W) -104.98449°

Latitude (N) 37.825628 (5 decimal places)

Longitude(W) -104.749247 (5 decimal places)

OR

Universal Transverse Mercator (UTM)

Example: 201336.3 E NAD27 Zone 13
4398351.2 N

UTM Datum (specify NAD27, NAD83 or WGS 84) Nad 83 Zone 13

Easting _____

Northing _____

II. Correspondence Information:

APPLICANT/OPERATOR (name, address, and phone of name to be used on permit)

Contact's Name: Jordan Power Title: _____
Company Name: P B & S Sand and Gravel LLC
Street/P.O. Box: _____ P.O. Box: 863
City: Rye
State: Colorado Zip Code: 81069
Telephone Number: (719) - 251-5677
Fax Number: () -

PERMITTING CONTACT (if different from applicant/operator above)

Contact's Name: Jodi Schreiber Title: _____
Company Name: PFM Consulting LLC
Street/P.O. Box: 1774 N. Cougar Drive P.O. Box: _____
City: Pueblo West
State: CO Zip Code: 81007
Telephone Number: (719) - 529-0916
Fax Number: (719) - 766-8339

INSPECTION CONTACT

Contact's Name: Jordan Power Title: _____
Company Name: P B & S Sand and Gravel LLC
Street/P.O. Box: _____ P.O. Box: 863
City: Colorado City
State: Colorado Zip Code: 81069
Telephone Number: (719) - 251-5677
Fax Number: () -

CC: STATE OR FEDERAL LANDOWNER (if any)

Agency: _____
Street: _____
City: _____
State: _____ Zip Code: _____
Telephone Number: () -

CC: STATE OR FEDERAL LANDOWNER (if any)

Agency: _____
Street: _____
City: _____
State: _____ Zip Code: _____
Telephone Number: () -

PS

2. The Board may suspend or revoke this permit, or assess a civil penalty, upon a finding that the permittee violated the terms or conditions of this permit, the Act, the Mineral Rules and Regulations, or that information contained in the application or your permit misrepresent important material facts;

PS

3. If your mining and reclamation operations affect areas beyond the boundaries of an approved permit boundary, substantial civil penalties, to you as permittee can result;

PS

4. Any modification to the approved mining and reclamation plan from those described in your approved application requires you to submit a permit modification and obtain approval from the Board or Office;

PS

5. It is your responsibility to notify the Office of any changes in your address or phone number;

PS

6. Upon permit issuance and prior to beginning on-site mining activity, you must post a sign at the entrance of the mine site, which shall be clearly visible from the access road, with the following information (Rule 3.1.12):

- a. the name of the operator;
- b. a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and,
- c. the permit number.

PS

7. The boundaries of the permit boundary area must be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries prior to site disturbance.

PS

8. It is a provision of this permit that the operations will be conducted in accordance with the terms and conditions listed in your application, as well as with the provisions of the Act and the Construction Material Rules and Regulations in effect at the time the permit is issued.

PS

9. Annually, on the anniversary date of permit issuance, you must submit an annual fee as specified by Statute, and an annual report which includes a map describing the acreage affected and the acreage reclaimed to date (if there are changes from the previous year), any monitoring required by the Reclamation Plan to be submitted annually on the anniversary date of the permit approval. Annual fees are for the previous year a permit is held. For example, a permit with the anniversary date of July 1, 1995, the annual fee is for the period of July 1, 1994 through June 30, 1995. Failure to submit your annual fee and report by the permit anniversary date may result in a civil penalty, revocation of your permit, and forfeiture of your financial warranty. It is your responsibility, as the permittee, to continue to pay your annual fee to the Office until the Board releases you from your total reclamation responsibility.

N/A

10. For joint venture/partnership operators: the signing representative is authorized to sign this document and a power of attorney (provided by the partner(s)) authorizing the signature of the representative is attached to this application.

Certification:

As an authorized representative of the applicant, I hereby certify that the operation described has met the minimum requirements of the following terms and conditions:

1. To the best of my knowledge, all significant, valuable and permanent man-made structure(s) in existence at the time this application is filed, and located within 200 feet of the proposed affected area have been identified in this application (Section 34-32.5-115(4)(e), C.R.S.).
2. No mining operation will be located on lands where such operations are prohibited by law (Section 34-32.5-115(4)(f), C.R.S.);
3. As the applicant/operator, I do not have any extraction/exploration operations in the State of Colorado currently in violation of the provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials (Section 34-32.5-120, C.R.S.) as determined through a Board finding.
4. I understand that statements in the application are being made under penalty of perjury and that false statements made herein are punishable as a Class 1 misdemeanor pursuant to Section 18-8-503, C.R.S.

This form has been approved by the Mined Land Reclamation Board pursuant to section 34-32.5-112, C.R.S., of the Colorado Land Reclamation Act for the Extraction of Construction Materials. Any alteration or modification of this form shall result in voiding any permit issued on the altered or modified form and subject the operator to cease and desist orders and civil penalties for operating without a permit pursuant to section 34-32.5-123, C.R.S.

Signed and dated this 28th day of June, 2024.

Patrick A. Steele
Applicant/Operator or Company Name

If Corporation Attest (Seal)

Signed: [Signature]

Signed: No Seal

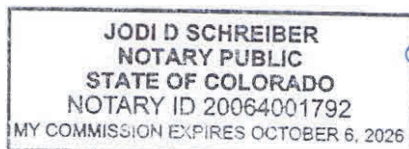
Corporate Secretary or Equivalent

Title: Owner PB&S Sand and Gravel LLC

Town/City/County Clerk

State of Colorado)
) ss.
County of Pueblo)

The foregoing instrument was acknowledged before me this 28th day of June, 2024, by Patrick A Steele as Owner of PB&S Sand & Gravel LLC



[Signature]
Notary Public

My Commission expires: 10/4/26

SIGNATURES MUST BE IN BLUE INK

You must post sufficient Notices at the location of the proposed mine site to clearly identify the site as the location of a

6.4.8 Exhibit H

Wildlife Information

The property is used for rangeland and in an HOA. The site will be returned to both residential and rangeland during reclamation. Colorado Parks and Wildlife was contacted for comment during the previous permit application process. The letter states that this project will not have any negative impacts to wildlife. It is attached for review.

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

6.4.9 Exhibit I

Soils Information

A Custom Soil Resource Report for Huerfano County, specific to this site, is attached for review. The site is made up of Midway clay loam and Midway-Chicosa complex, as well as Manzanst silty clay loam and Manzanola silty clay loam.

The Midway series consists of shallow, well drained soils that formed in residuum and slope alluvium from calcareous platy, clayey shale. Midway soils are on ridge crests, mesas, plains, and hills in shale bedrock uplands. Slopes range from 0 to 40 percent. Mean annual precipitation is about 13 inches and mean annual air temperature is about 50 degrees F.

The Chicosa series consists of very deep, somewhat excessively drained soils that formed in coarse alluvium on terraces, fans and fan remnants. Slopes range from 1 to 25 percent. Mean annual precipitation is about 14 inches and the mean annual temperature is about 50 degrees F.

Topsoil is found at a depth of 3-6 inches onsite, with overburden accounting for approximately 6 inches onsite. Mineable aggregate is then found up to a depth of approximately 20 feet.

COMMERCIAL LEASE AGREEMENT

1. **PARTIES.** This Commercial Lease Agreement ("Agreement") made on 6/28/2024 is between:

Landlord Name: Patrick Steele & Jordan Power with a mailing address of:

8425 Park Rd Rye, CO 81069 ("Landlord"), AND

Tenant Name(s): Jennifer Hunter & Patrick Steele ("Tenant(s)").

Landlord and Tenant are each collectively referred to as the "Parties."

2. **PROPERTY.** The Landlord agrees to lease the property for permit and mining operations to the Tenant(s):

Address: 22 Lascar Rd Rye, CO 81069 Ghost River ("Premises").

Commercial Type: ☐ Single-family ☐ Apartment ☐ Condominium ☒ Other: Gravel Pit

3. **TERM.**

The Agreement shall begin on 6/28/24 and end on 6/28/2029 ("Term").

4. **RENT.**

Theres been a verbal agreement between Jordan Power/Pat Steele (Landowners) along with PB & S Sand and Gravel (Jennifer Hunter & Pat Steele) for as long as it is open and an operating business.

☒ Shall NOT be required to pay a security deposit.

5. **SIGNATURES.**

Landlord's Signature: [Signature] Date: 6/28/2024
Printed Name: Patrick Steele & Jordan Power

Tenant Signature: [Signature] Date: 6/28/2024
Printed Name: Jennifer Hunter

Tenant Signature: [Signature] Date: 6/28/2024
Printed Name: Patrick Steele

COLORADO NOTARY ACKNOWLEDGMENT

State of Colorado

County of Pueblo (County)

This record was acknowledged before me on June 28, 2024 (Date)

by Jennifer Hunter (Signer name) Patrick Steele, Jordan Power

Notary's Official Signature: [Signature]

Title of Office: _____

My Commission Expires: 10/6/26 (Date)


CERTIFICATION

The Applicant, P B & S Sand and Gravel LLLC (print applicant/company name),
by Patrick Steele (print representative's name), as Owner (print
representative's title), does hereby certify that San Isabel Electric Association (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 Ghost River Gravel 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

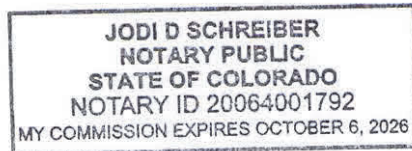
ACKNOWLEDGED BY:

Applicant  Representative Name Patricia Steele
Date June 28, 2024 Title Owner

STATE OF Colorado)
COUNTY OF Pueblo) ss.

The foregoing was acknowledged before me this 28 day of June, 2024, by Patricia A. Stale as owner of PB 51 Sand and Gravel LLC

My Commission Expires: 10/6/2026



CERTIFICATION

The Applicant, P B & S Sand and Gravel LLLC (print applicant/company name),
by Patrick Steele (print representative's name), as Owner (print
representative's title), does hereby certify that Huerfano County (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 Ghost River Gravel 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:

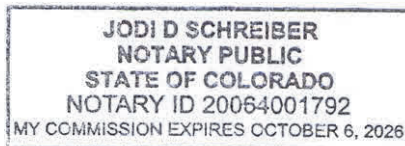
Applicant [Signature] Representative Name Patrick Steele

Date June 28, 2024 Title Owner

STATE OF Colorado)
) ss.
COUNTY OF Publ.)

The foregoing was acknowledged before me this 28 day of June, 2024 by
Patrick Steele as Owner of PB & S Sand and Gravel LLC

[Signature] My Commission Expires: 10/6/26
Notary Public



NOTICE

This site is the location of a proposed construction materials operation. P B & S Sand and Gravel LLC, whose address and phone number is 719-251-5677, 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 Huerfano County Clerk and Recorder's Office, 401 Main Street, Walsenburg, CO 81089, 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 Ghost River Gravel Pit, on 6/3/2024.

SIGNATURE

DATE

Jodi Schreiber June 3, 2024