STATE OF COLORADO

Carter - DNR, Jocelyn <jocelyn.carter@state.co.us>

Two Rivers Pit M1998-038, Adequacy Review #3 Response

1 message

Jodi Schreiber <jodi@arycorp.com> Wed, Jul 31, 2024 at 6:00 AM
To: "Carter - DNR, Jocelyn" <jocelyn.carter@state.co.us>, Amy Gust <Amy@rmtnlandscape.com>

Good morning, Jocelyn,

Please see the adequacy review response for the Two Rivers Amendment, along with supporting documents.

If you need anything further, please let me know.

Thank you,

ARY CORPORATION

Jodi Schreiber

839 Mackenzie Ave., Canon City, CO 81212
Office (719) 275-3264 | **Mobile** (719) 529-0916
jodi@arycorp.com

"Success is not final, failure is not fatal; it is the courage to continue that counts."
–Winston Churchill

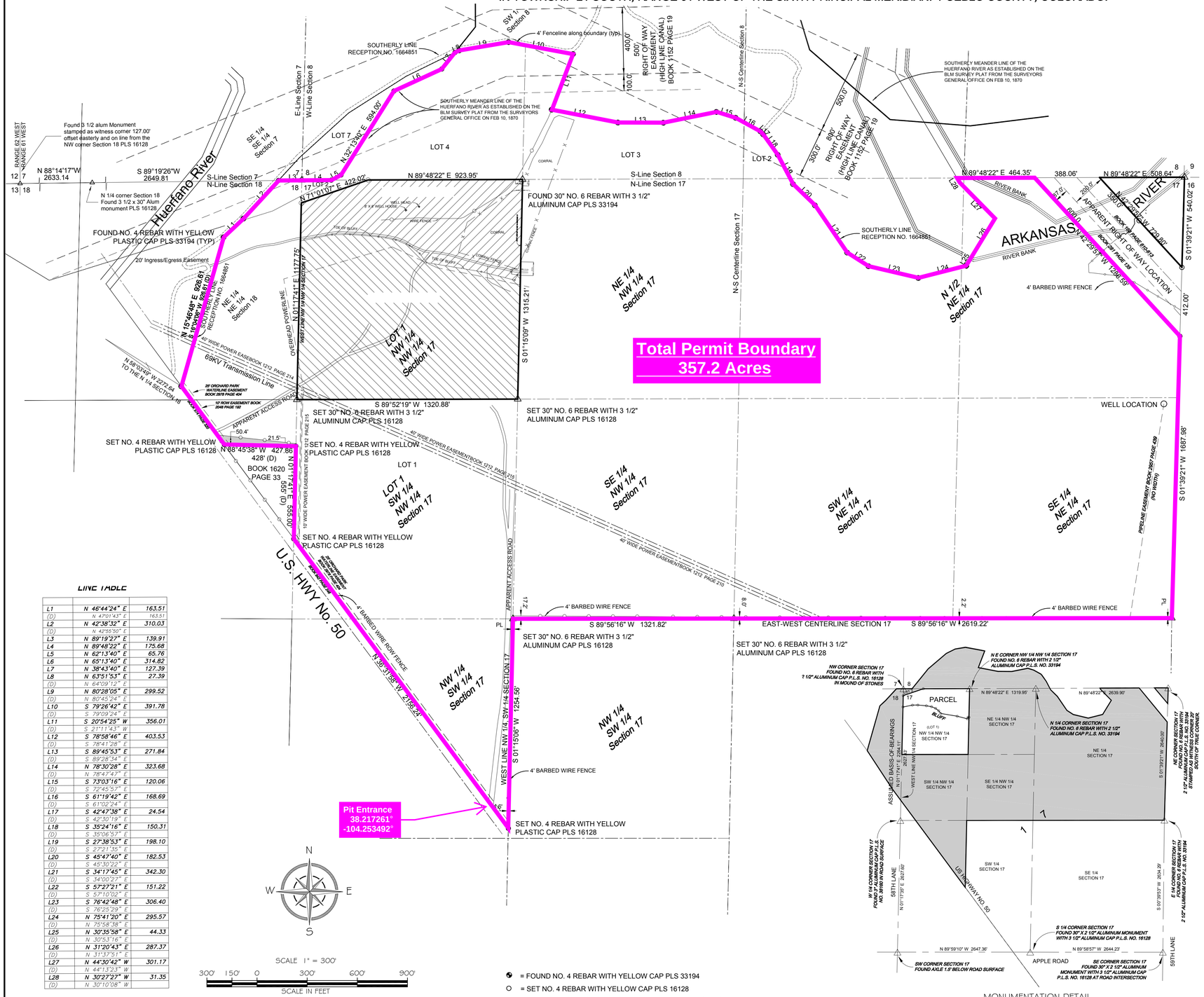
10 attachments

- **Exhibit B r3.pdf** 1072K
- **Exhibit F r3.pdf** 326K
- **Exhibit C4 r.5.pdf** 375K
- **Exhibit C 3 r.5.pdf** 157K
- **Exhibit D r2.pdf** 435K
- **Phase Map R8.pdf** 341K
- **Amendment 1 Adeqaucy Review 3 Response 7.14.2024.pdf** 393K
- **DRMS Permit Narrative Updated Updated 7.14.2024.pdf** 586K
- **Groundwater Monitoring Plan Scope of Work_revised -Final.FULL_07.30.24.pdf** 25943K
- **Amendment 1 Adeqaucy Review 3 Response 7.31.2024.pdf** 392K

Two River Pit
Exhibit B - Legal Map
7/9/24

ALTA/ACSM LAND TITLE SURVEY

A PARCEL OF LAND LOCATED WITHIN A PORTION OF THE S 1/2 OF SECTION 8, THE EAST 1/2 OF THE NE 1/4 OF SECTION 18 AND A PORTION OF SECTION 17 ALL IN TOWNSHIP 21 SOUTH, RANGE 61 WEST OF THE SIXTH PRINCIPAL MERIDIAN. PUEBLO COUNTY, COLORADO.



LINE TABLE

L1	N 46°44'24" E	163.51
(D)	N 47°01'43" E	163.51
L2	N 42°38'32" E	310.03
(D)	N 42°55'50" E	
L3	N 89°19'27" E	139.91
L4	N 89°48'22" E	175.68
L5	N 62°13'40" E	65.76
L6	N 65°13'40" E	314.82
L7	N 38°43'40" E	127.39
L8	N 63°51'53" E	27.39
(D)	N 64°09'12" E	
L9	N 80°28'05" E	299.52
(D)	N 80°45'24" E	
L10	S 79°26'42" E	391.78
(D)	S 79°09'34" E	
L11	S 20°54'25" W	356.01
(D)	S 21°11'43" W	
L12	S 78°58'46" E	403.53
(D)	S 78°41'28" E	
L13	S 89°45'53" E	271.84
(D)	S 89°28'34" E	
L14	N 78°30'28" E	323.68
(D)	N 78°47'47" E	
L15	S 73°03'16" E	120.06
(D)	S 72°45'57" E	
L16	S 61°19'42" E	168.69
(D)	S 61°02'34" E	
L17	S 42°47'38" E	24.54
(D)	S 42°30'19" E	
L18	S 35°24'16" E	150.31
(D)	S 35°06'57" E	
L19	S 27°38'53" E	198.10
(D)	S 27°21'35" E	
L20	S 45°47'40" E	182.53
(D)	S 45°30'22" E	
L21	S 34°17'45" E	342.30
(D)	S 34°00'27" E	
L22	S 57°27'21" E	151.22
(D)	S 57°10'02" E	
L23	S 76°42'48" E	306.40
(D)	S 76°25'29" E	
L24	N 75°41'20" E	295.57
(D)	N 75°58'38" E	
L25	N 30°35'58" E	44.33
(D)	N 30°53'16" E	
L26	N 31°20'43" E	287.37
(D)	N 31°37'51" E	
L27	N 44°30'42" W	301.17
(D)	N 44°13'23" W	
L28	N 30°27'27" W	31.35
(D)	N 30°10'08" W	

◆ = FOUND NO. 4 REBAR WITH YELLOW CAP PLS 33194

O = SET NO. 4 REBAR WITH YELLOW CAP PLS 16128

(D) = DEED TO DOS RIOS AS RECORDED UNDER RECEPTION NO. 1664851

MONUMENTATION DETAIL

LEGAL DESCRIPTION

The SE 1/4 NE 1/4 Section 17: Township 21 South Range 61 West of the 6th P.M.

Lot 2 in the NW 1/4 NW 1/4 Section 17, Township 21 South, Range 61 West of the 6th P.M.;
A portion of Lot 1 of the NE 1/4 of Section 18, Township 21 South, Range 61 West of the 6th P.M., described as follows:
Beginning at a point where the Northeasterly line of new Highway No. 50 intersects the East line of the NE 1/4 of said Section; thence North along said Section line a distance of 855 feet to a point; thence West at right angles, a distance of 659 feet to a point in said Northeasterly line of said new Highway No. 50; thence southeasterly along the Northerly line of said new Highway No. 50 to the Point of Beginning;

EXCEPTING THEREFROM a tract of land approximately 2 acres described in a deed from Richard A. Harpman and Emily Harpman to Clarence A. Engelbrect and Linda Engelbrect recorded August 14, 1967 in Book 1620 at Page 33;

All that part of Lot 1 of the NE 1/4 of the NE 1/4 of Section 18, Township 21 South, Range 61 West of the 6th P.M., lying south of the centerline of the Huerfano River and East of the County Road, known as the Santa Fe Trail (U.S. Highway No. 50);
Lots 2 and 3, South of the Arkansas River, EXCEPT part conveyed to Mary Lee Russell in Book 206 at Page 534; and Lot 4 South of the Arkansas River in section 8, Township 21 South, Range 61 West of the 6th P.M.,

The N 1/2 of the NE 1/4 and the NE 1/4 of the NW 1/4 all in Section 17, Township 21 South, Range 61 West of the 6th P.M.;
SW 1/4 of the NW 1/4; and the NW 1/4 of the of the SW 1/4 lying Northeast of Highway 50, all in Section 17, Township 21 South, Range 61 West of the 6th P.M.; and
SE 1/4 of the NW 1/4 and the SW 1/4 of the NE 1/4 of Section 17, Township 21 South, Range 61 West of the 6th P.M.

EXCEPTING THEREFROM: any portion thereof as conveyed in Deed recorded December 4, 1968 in Book 1645 at Page 186; Deed recorded February 16, 1996 in Book 2867 at Page 515; and in Deed to Dos Rios Ranch, LLC, A Colorado Limited Liability Company, recorded March 8, 2006 at Reception No. 1664851;
AND FURTHER EXCEPTING THEREFROM: any portion thereof lying within the right of way for the Highline Ditch in said Section 17; and
FURTHER EXCEPTING those portions deeded to the Department of Highways in Book 1648 at Page 987; to Pueblo County for Public Highway in Book 116 at Page 75; Book 642 at Page 246; Book 574 at Page 320; Book 877 at Page 272; Book 168 at Page 610 and Book 281 at Page 135.
AND FURTHER EXCEPTING any portion lying within that parcel contained in Amended Decree in Quiet Title recorded January 9, 2015 at Reception No, 1993941.

SURVEYORS CERTIFICATION

I, ROCKY L. MANGINI, a Professional Land Surveyor in the State of Colorado hereby certify to Fidelity National Title Company that a survey of the land described above was done by me or under my direct responsible charge in August 2015 and complies with the minimum standards for Land Surveys and Plats as set forth in Section 38-51-106 et, seq. C.R.S. 1994 (as amended).

I also certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 3, 4, 6(b),7(a)(1), 8, 11(a) and 18 of Table A thereof. The field work was completed in August 2015.

COLORADO REGISTERED ROCKY LEE MANGINI 16128 PROFESSIONAL LAND SURVEYOR

8/26/2015
DATE

ROCKY L. MANGINI
PROFESSIONAL LAND SURVEYOR NO. 16128

NOTES:

1.) A search for recorded rights of way and easements by Fidelity National Title Insurance Company, Commitment No. 598-F0516818-320-BY3, Amendment No. 3, having an effective date of June 12, 2015 at 7:00 a.m.

2.) Bearings based on the west line of the NW 1/4 of Section 17, Township 21 South, Range 61 West of the Sixth Principal Meridian, monumented at the W 1/4 Corner with a 3" aluminum cap P.L.S. No. 38160 in road surface and monumented at the NW corner with a No. 6 rebar (30" long) with 2 1/2" aluminum cap P.L.S. No. 16128 in mound of stones, assumed to bear N 01°17'41"W.

3.) All distances shown hereon are in U.S. Survey Feet.

4.) At the time of this survey there was no observed evidence that the site was used as a solid waste dump, sump or sanitary landfill.

5.) This survey meets the maximum allowable Relative Positional Precision for and ALTA/ACSM Land Title Survey of (0.07 feet) plus 50 parts per million.

PROPERTY MAY BE SUBJECT TO:
(Note: Numbered items correspond to the numbered items within the title work prepared Fidelity National Title Company)

8. Reservations, if any, as set forth in the following Patents, posted in the Bureau of Land Management -
General Office Land Records:
Patent No. 59, issued June 18, 1890 to Worsnop Clough;
Patent No. 58, issued June 18, 1890 to Worsnop Clough;
Patent No. 60, issued June 18, 1890 to Worsnop Clough;
Patent No. 5792, issued May 23, 1906 to John C. Collins;
Patent No. 6605, issued November 3, 1891 to Samuel Cottom;
Patent No. 63956, issued June 1, 1868 to Henry Dircks, George Gilbert, and George Woodward;
Patent No. 105759, issued December 10, 1867 to Ruth Miller and George F. Norris;
Patent No. 572, issued August 5, 1869 to George F. Norris;
Patent No. 6561, issued November 3, 1891 to William T. Junior Baker; and
Patent No. 9063, issued April 5, 1905 to Edwin B. Haver.

9. All rights to any and all minerals, ore and metals of any kind and character, and all coal, asphaltum, oil, and other like substances in or under the land, the rights of ingress and egress for the purpose of mining, together with enough of the surface of the same as may be necessary for the proper and convenient working of such minerals and substances, as reserved by the State of Colorado, as evidenced in Deed recorded March 24, 1937, in Book 835 at Page 226.
10. An easement for irrigation channels, ditches and waterways, and incidental purposes granted to The Highline Canal Company, by the instrument recorded April 13, 1951 in Book 1152 at Page 19. (As shown on this survey)
11. An easement for electrical lines and incidental purposes granted to Southern Colorado Power Company, by the instrument recorded June 15, 1953 in Book 1212 at Page 210. (As shown on this survey)
12. An easement for electrical lines and incidental purposes granted to Southern Colorado Power Company, by the instrument recorded June 15, 1953 in Book 1212 at Page 215. (As shown on this survey)
13. An easement for pipes and/or ditches for irrigation and incidental purposes granted to Elden E. Rogers, by the instrument recorded October 3, 1955 in Book 1280 at Page 167. (Blanket Easement)
14. An easement for communication and other facilities and incidental purposes granted to The Mountain States Telephone and Telegraph Company, by the instrument recorded October 2, 1980 in Book 2046 at Page 192. (Blanket Easement)
15. An undivided one-half (1/2) interest in all oil, gas and other minerals as reserved by Dinsmore C. Wayt and Irene Wayt, in Deed recorded May 27, 1983 in Book 2158 at Page 92, and any and all assignments thereof or interests therein.
16. Gravel rights, as more particularly set forth therein, as reserved by Ann Carruth as Personal Representative of the Estate of Odie W. Carruth aka O. W. Carruth, in Deed recorded October 27, 1993 in Book 2689 at Page 242, and any and all assignments thereof or interests therein.
17. An undivided one-half (1/2) interest in all gravel, conveyed to Ann Carruth, by Deed recorded October 27, 1993 in Book 2689 at Page 245, and any and all assignments thereof or interests therein.
18. Gravel rights, as more particularly set forth therein, conveyed to Ann Carruth by Deed, recorded October 27, 1993 in Book 2689 at Page 246, and any and all assignments thereof or interests therein.
19. An easement for pipeline, and incidental purposes granted to Scott E. Cotton and Ann C. Cotton, by the instrument recorded December 27, 1996 in Book 2957 at Page 439. (Blanket Easement)
20. An easement for sub-surface water main(s) and incidental purposes granted to the Orchard Park Water Association, by the instrument recorded March 17, 1997 in Book 2978 at Page 404.
21. An easement for sub-surface water main(s) and incidental purposes granted to the Orchard Park Water Association, by the instrument recorded March 17, 1997 in Book 2978 at Page 407.
Right of First Refusal recorded March 9, 2006 at Reception No. 1665193.
22. Terms, agreements, provisions, conditions and obligations of a Memorandum of Lease Agreement, executed by Kirkland Construction, LLLP, as Lessee(s), for an additional term of fourteen (14) years, recorded June 29, 2007 at Reception No. 1732252.
23. Deed of Conservation Easement recorded December 26, 2007 at Reception No. 1752850 and Amendment recorded September 26, 2008 at Reception No. 1783071.
24. Deed of Conservation Easement recorded December 26, 2007 at Reception No. 1752851 and Amendment recorded September 26, 2008 at Reception No. 1783068.
25. Deed of Conservation Easement recorded December 28, 2007 at Reception No. 1753089.
33. Notice regarding mineral rights recorded March 18, 2014 at Reception No. 1970020.
34. Any limitations on access to and from U. S. Highway 50, from subject property, resulting from the fact that the Colorado Department of Transportation has the authority to establish points of access from said Highway.
35. Any increase or decrease in the area of the land and any adverse claim to any portion of the land which has been created by or caused by accretion or reliction, whether natural or artificial; and the effect of the gain or loss of area by accretion or reliction upon the marketability of the title of the land.
36. Any rights, interest or easements in favor of the United States, the State of Colorado or the Public, which exists or are claimed to exist in and over the present and past bed, banks or waters of the Arkansas River.
37. Deed of Trust from Carl R. Pantaleo, to the Public Trustee of Pueblo County for the benefit of The First National Bank of Las Animas, to secure an indebtedness in the principal sum of $95,675.93, and any other amounts and/or obligations secured thereby, dated April 10, 2000, and recorded April 13, 2000 at Reception No. 1328752.

NOTE: No Full Release of said Deed of Trust appears of record. The Partial Release recorded April 20, 2006 at Reception No. 1671609 purports to release that portion thereof conveyed to Dos Rios Ranch, LLC, in Deed recorded March 8, 2006 at Reception No. 1664851.

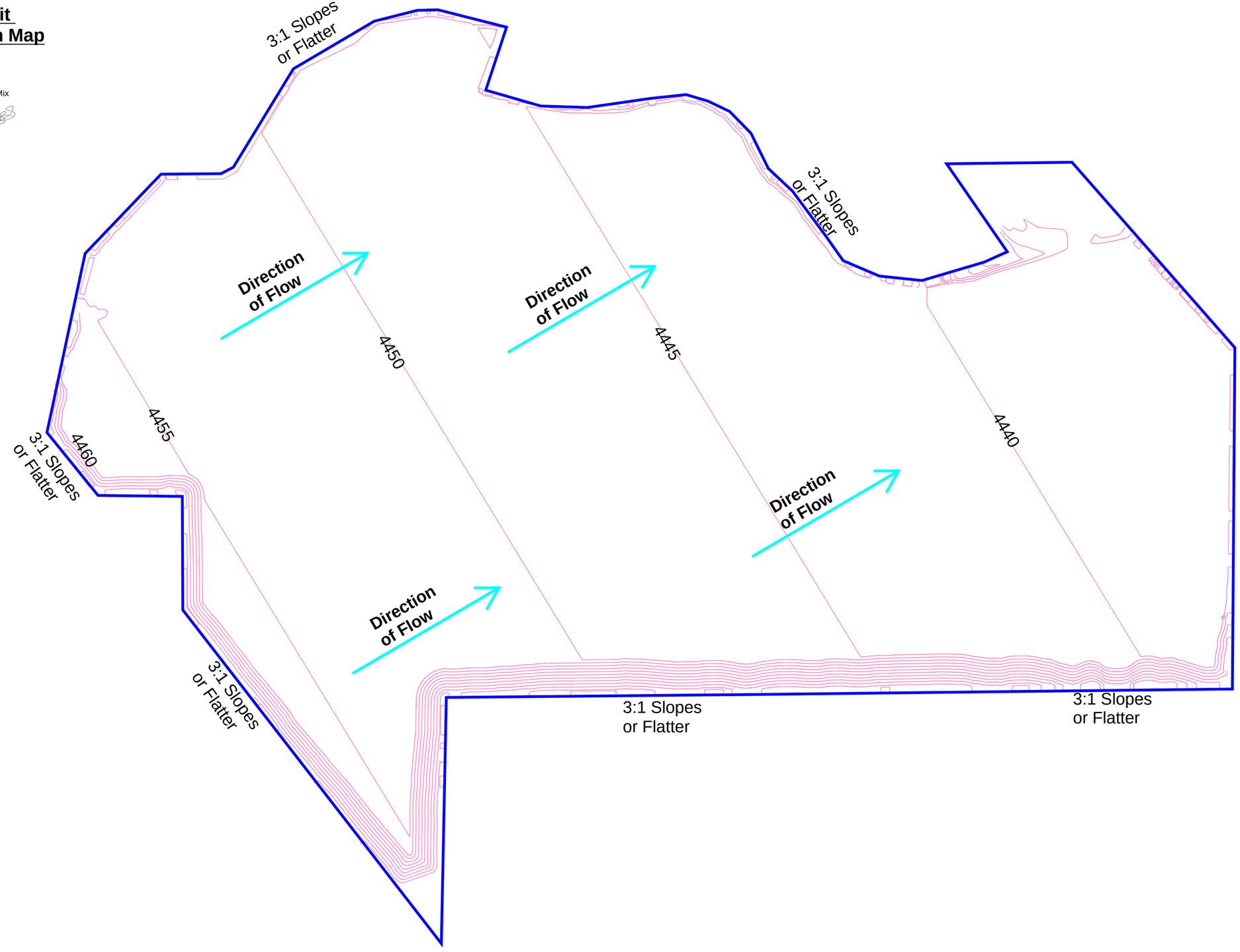
NOTICE:
According to C.R.S. 13-80-105, you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certificate shown hereon.

Mangini & Associates, Inc
Professional Engineers and Professional Land Surveyors
P.O. Box 8505 – Pueblo, CO
(719) 544–0865 Fax (719) 676–2853

OWNER/TITLE: RANDY SHIPP / HARVEY KRAMER			
JOB DESCRIPTION: ALTA / ACSM SURVEY @ 57935 E U.S. HWY 50			
DETAILED BY: MAC			DATE: 08/21/2015
JOB NUMBER: 2015–161			SCALE: 1" = 300'
FILE NAME: 2015–161			SHEET NO. 1 OF 1
REF JOB NO.:			
#	DATE	REVISIONS (COMMENTS)	CHECKED BY:

Two River Pit Reclamation Map Exhibit F

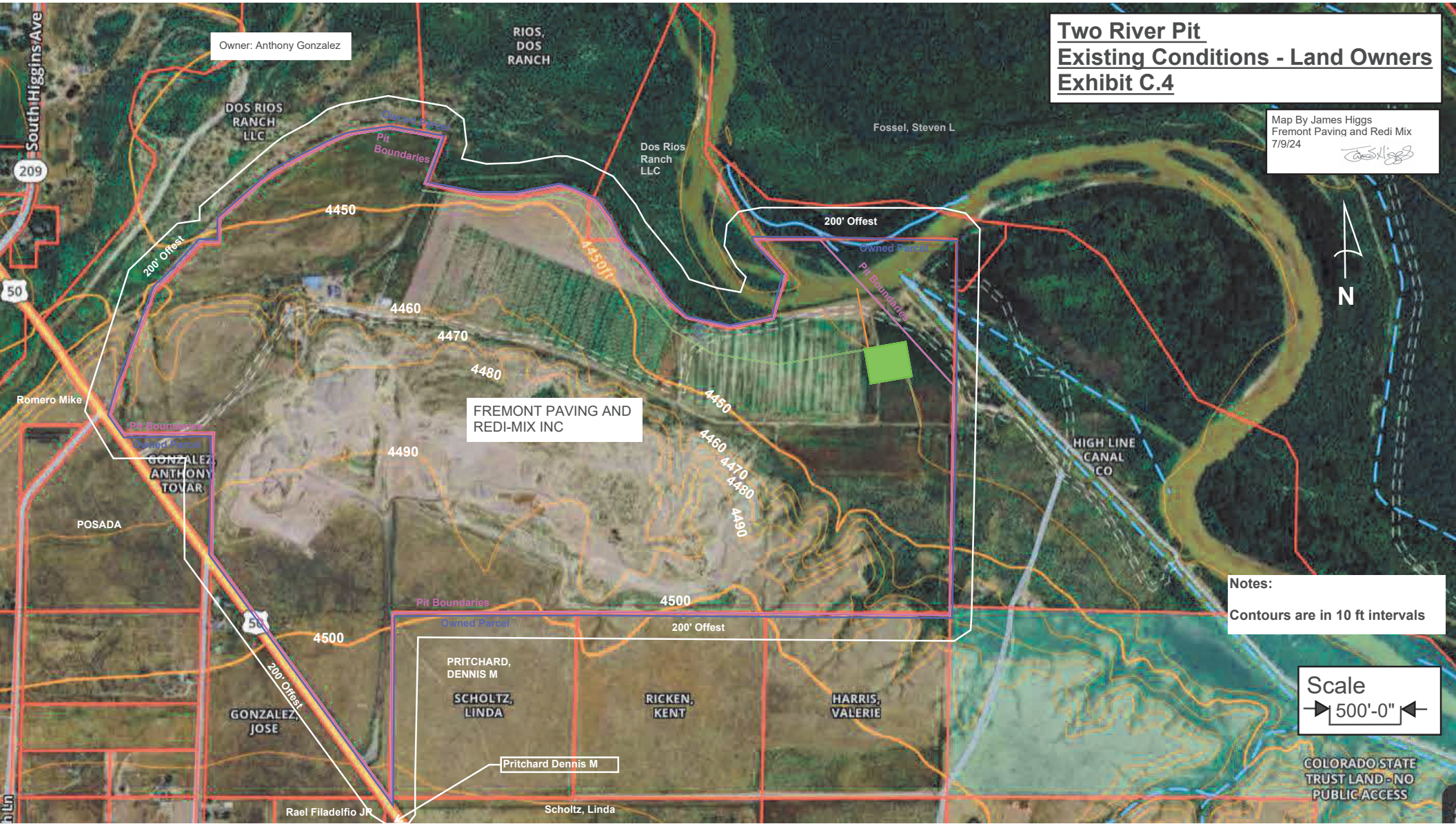
Map By James Higgs
Fremont Paving and Redi Mix
7/9/24

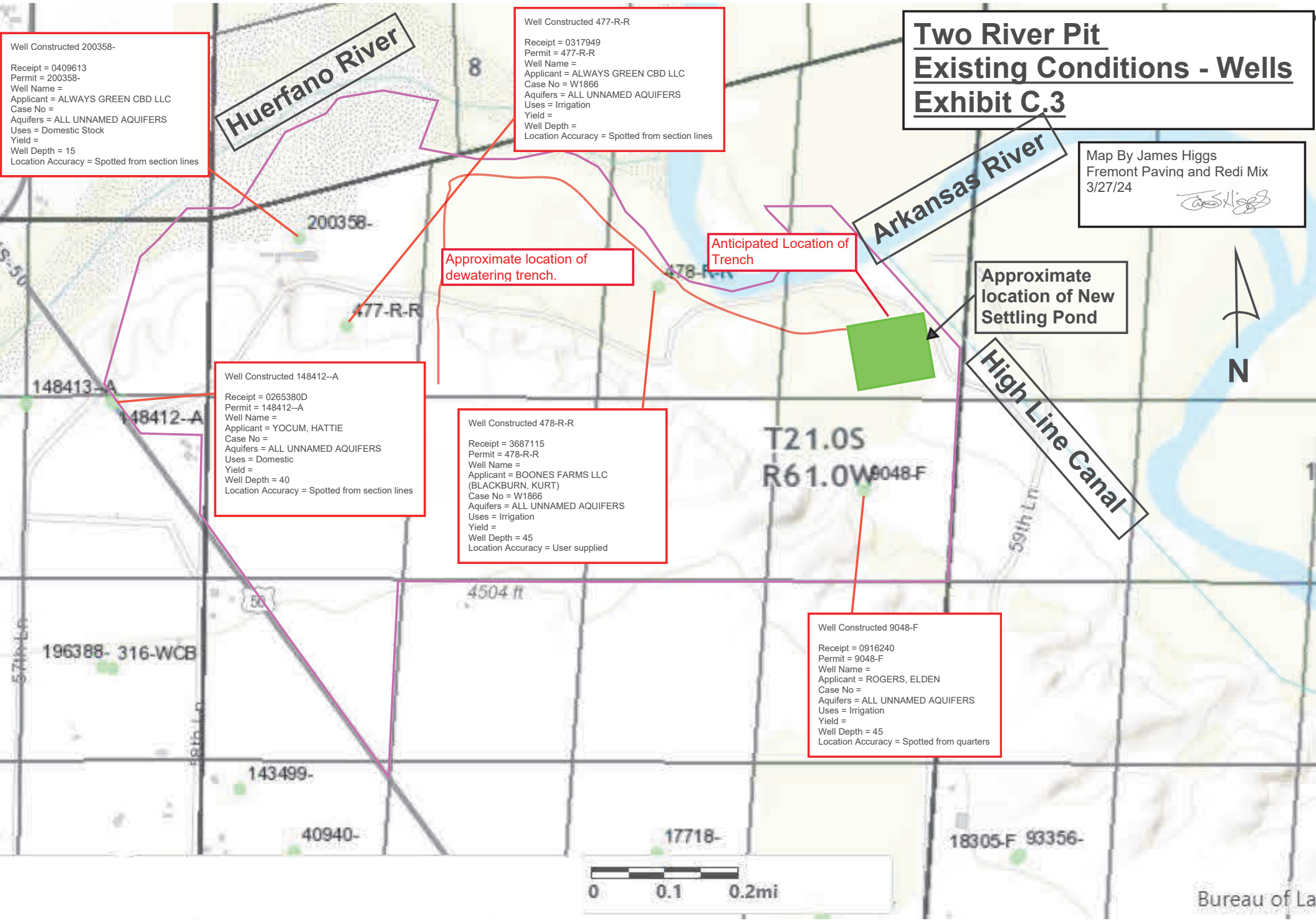


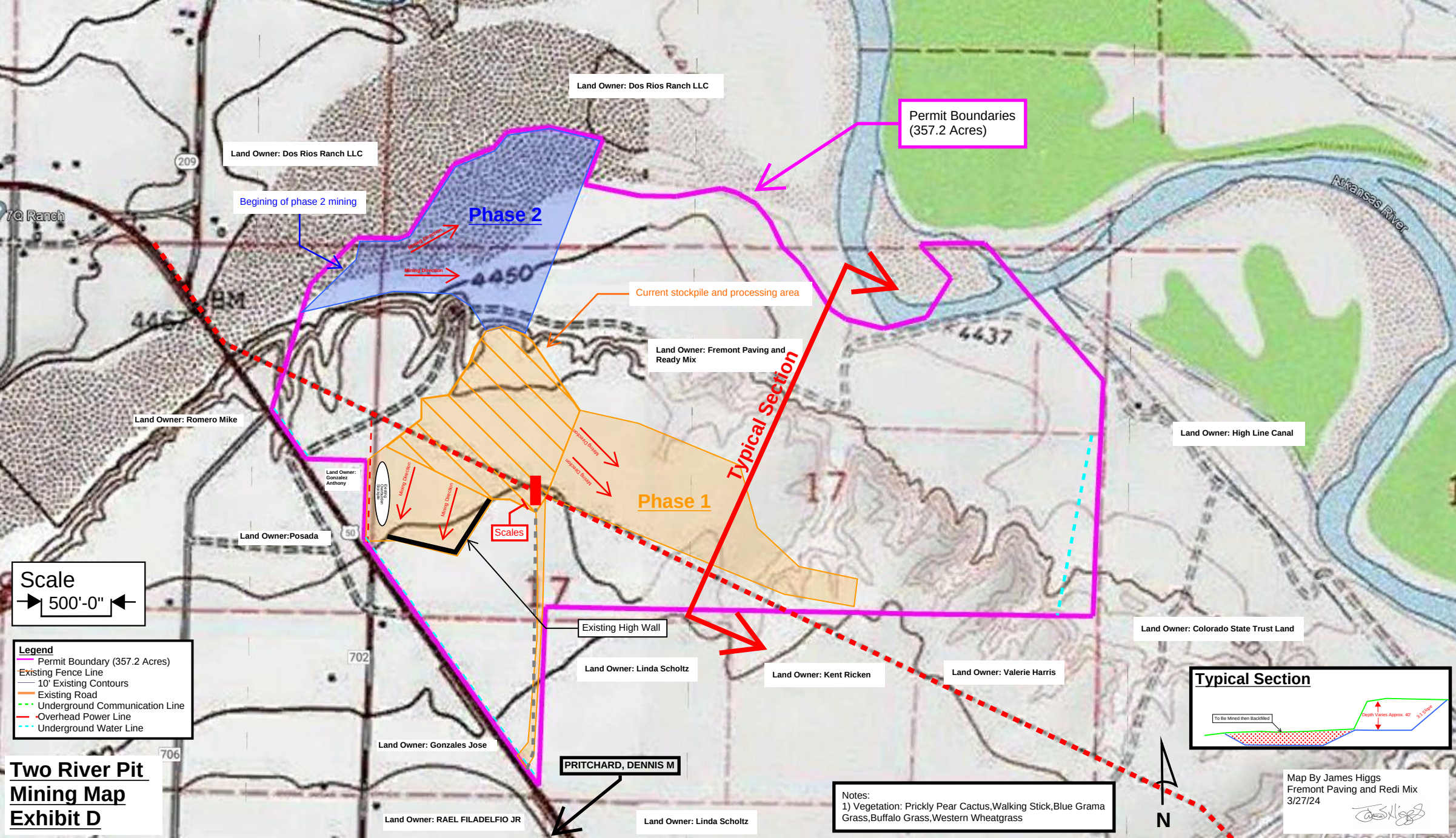
N

Notes:
1) Final use of land will be agricultural.

AGTEK
0 500 1000


Two River Pit
Existing Conditions - Land Owners
Exhibit C.4
Map By James Higgs
Fremont Paving and Redi Mix
7/9/24
Owner: Anthony Gonzalez
RIOS, DOS RANCH
DOS RIOS RANCH LLC
Dos Rios Ranch LLC
Fossel, Steven L
South Higgins Ave
209
50
Owned Parcel
Pit Boundaries
200' Offest
4450
4460
4470
4480
4490
4500
FREMONT PAVING AND REDI-MIX INC
Romero Mike
GONZALEZ, ANTHONY TOVAR
POSADA
HIGH LINE CANAL CO
PRITCHARD, DENNIS M
SCHOLTZ, LINDA
RICKEN, KENT
HARRIS, VALERIE
GONZALEZ, JOSE
Pritchard Dennis M
Rael Filadelfio JR
Scholtz, Linda
COLORADO STATE TRUST LAND - NO PUBLIC ACCESS
N
Notes:
Contours are in 10 ft intervals
Scale
500'-0"


Two River Pit
Existing Conditions - Wells
Exhibit C.3
Map By James Higgs
Fremont Paving and Redi Mix
3/27/24
Huerfano River
Arkansas River
High Line Canal
Well Constructed 200358-
Receipt = 0409613
Permit = 200358-
Well Name =
Applicant = ALWAYS GREEN CBD LLC
Case No =
Aquifers = ALL UNNAMED AQUIFERS
Uses = Domestic Stock
Yield =
Well Depth = 15
Location Accuracy = Spotted from section lines
Well Constructed 477-R-R
Receipt = 0317949
Permit = 477-R-R
Well Name =
Applicant = ALWAYS GREEN CBD LLC
Case No = W1866
Aquifers = ALL UNNAMED AQUIFERS
Uses = Irrigation
Yield =
Well Depth =
Location Accuracy = Spotted from section lines
Approximate location of dewatering trench.
Anticipated Location of Trench
Approximate location of New Settling Pond
Well Constructed 148412--A
Receipt = 0265380D
Permit = 148412--A
Well Name =
Applicant = YOCUM, HATTIE
Case No =
Aquifers = ALL UNNAMED AQUIFERS
Uses = Domestic
Yield =
Well Depth = 40
Location Accuracy = Spotted from section lines
Well Constructed 478-R-R
Receipt = 3687115
Permit = 478-R-R
Well Name =
Applicant = BOONES FARMS LLC
(BLACKBURN, KURT)
Case No = W1866
Aquifers = ALL UNNAMED AQUIFERS
Uses = Irrigation
Yield =
Well Depth = 45
Location Accuracy = User supplied
Well Constructed 9048-F
Receipt = 0916240
Permit = 9048-F
Well Name =
Applicant = ROGERS, ELDEN
Case No =
Aquifers = ALL UNNAMED AQUIFERS
Uses = Irrigation
Yield =
Well Depth = 45
Location Accuracy = Spotted from quarters
T21.0S
R61.0W
N
0
0.1
0.2mi
8
200358-
477-R-R
148413--A
148412--A
4504 ft
196388-
316-WCB
143499-
40940-
17718-
18305-F
93356-
59th Ln
57th Ln
58th Ln



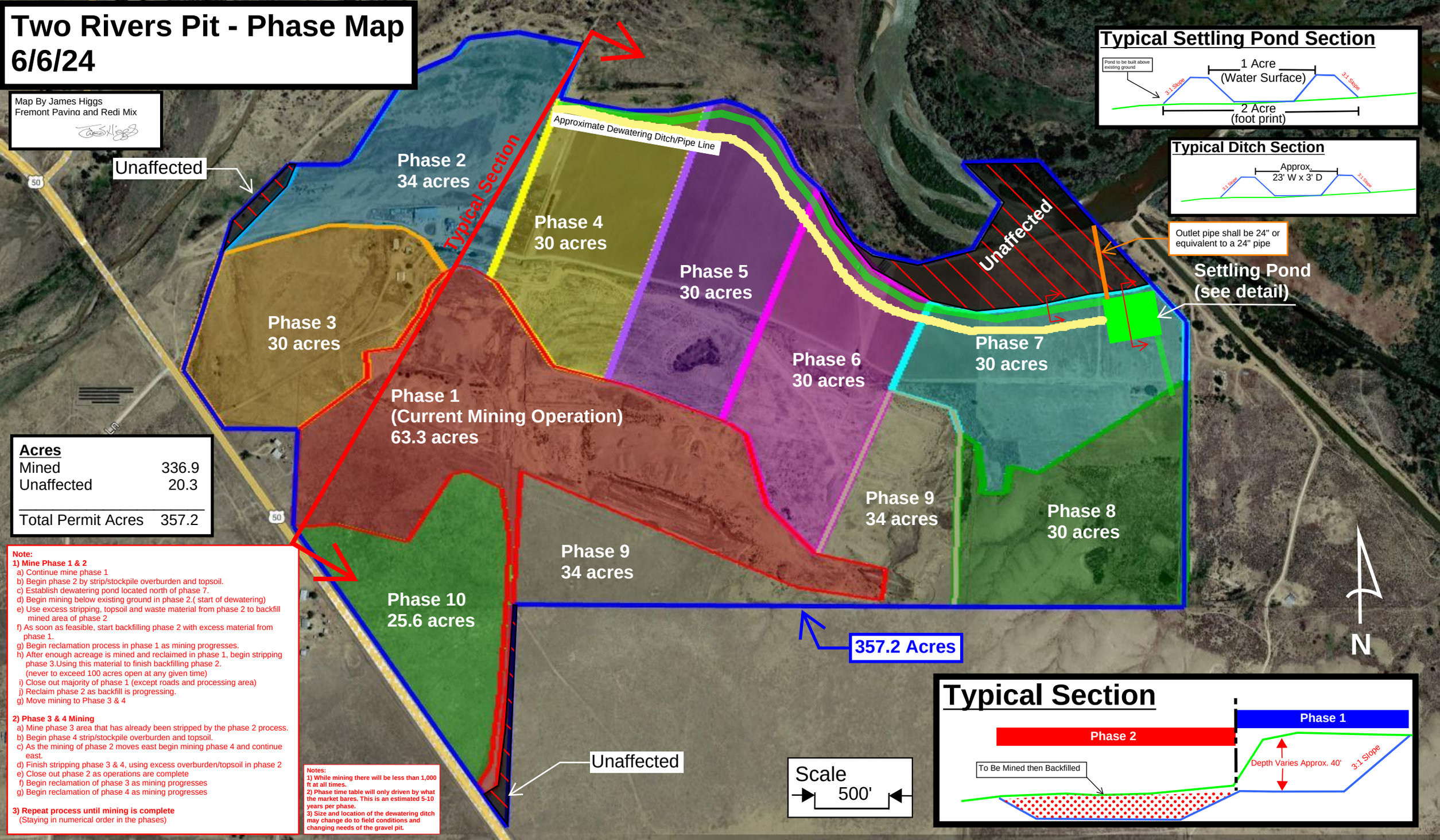
Two River Pit Mining Map Exhibit D

Notes:
1) Vegetation: Prickly Pear Cactus,Walking Stick,Blue Grama Grass,Buffalo Grass,Western Wheatgrass

Map By James Higgs
Fremont Paving and Redi Mix
3/27/24

Two Rivers Pit - Phase Map 6/6/24

Map By James Higgs
Fremont Paving and Redi Mix



Typical Settling Pond Section

Typical Ditch Section

Acres	
Mined	336.9
Unaffected	20.3
Total Permit Acres	357.2

Note:

1) Mine Phase 1 & 2
- a) Continue mine phase 1
- b) Begin phase 2 by strip/stockpile overburden and topsoil.
- c) Establish dewatering pond located north of phase 7.
- d) Begin mining below existing ground in phase 2.(start of dewatering)
- e) Use excess stripping, topsoil and waste material from phase 2 to backfill mined area of phase 2
- f) As soon as feasible, start backfilling phase 2 with excess material from phase 1.
- g) Begin reclamation process in phase 1 as mining progresses.
- h) After enough acreage is mined and reclaimed in phase 1, begin stripping phase 3.Using this material to finish backfilling phase 2. (never to exceed 100 acres open at any given time)
- i) Close out majority of phase 1 (except roads and processing area)
- j) Reclaim phase 2 as backfill is progressing.
- g) Move mining to Phase 3 & 4

2) Phase 3 & 4 Mining
- a) Mine phase 3 area that has already been stripped by the phase 2 process.
- b) Begin phase 4 strip/stockpile overburden and topsoil.
- c) As the mining of phase 2 moves east begin mining phase 4 and continue east.
- d) Finish stripping phase 3 & 4, using excess overburden/topsoil in phase 2
- e) Close out phase 2 as operations are complete
- f) Begin reclamation of phase 3 as mining progresses
- g) Begin reclamation of phase 4 as mining progresses

3) Repeat process until mining is complete
(Staying in numerical order in the phases)

Notes:
1) While mining there will be less than 1,000 ft at all times.
2) Phase time table will only driven by what the market bares. This is an estimated 5-10 years per phase.
3) Size and location of the dewatering ditch may change do to field conditions and changing needs of the gravel pit.

Scale
500'

Typical Section

ARY CORPORATION

July 26, 2024

Colorado Division of Reclamation, Mining and Safety
Attn: Jocelyn Carter, Environmental Specialist
1313 Sherman Street, Room 215
Denver, CO 80203

RE: Two Rivers Pit M1998-038, Amendment 1, Third Adequacy Review Response

Jocelyn,

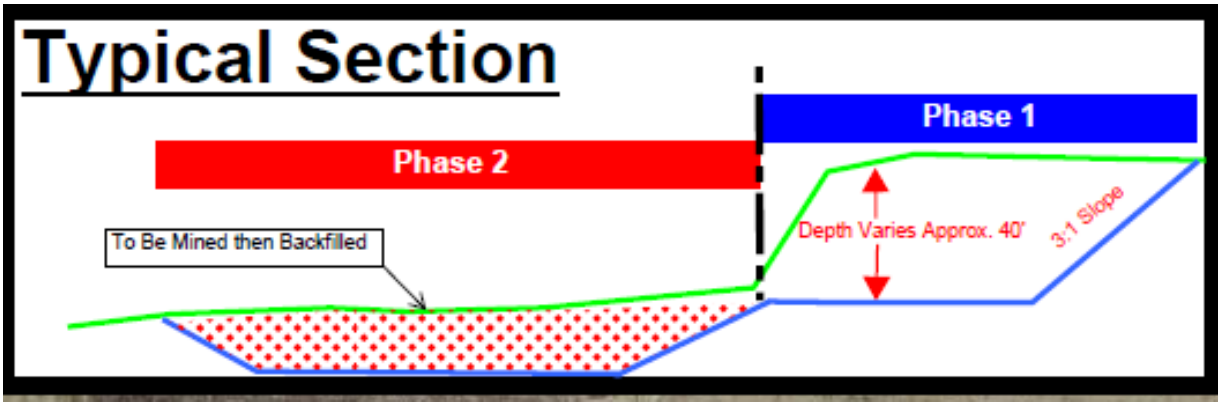
Please see the responses to the Third Adequacy Review.

1-5. The updated maps are enclosed.

6. This is confirmation that all property labeled "Unaffected" is within the permit boundary but will have no disturbance of the soil. This remains true for the aboveground pipe that will be used to move water from the settling pond to the Arkansas if needed based upon the CDPHE guidance in our Stormwater Discharge Permit. As there is no disturbance of the ground, Fremont maintains that the area is unaffected as labeled.

7. Please see the updated Mining Plan stating that at no time will there be greater than 112 acres disturbed at any one time.

8. The Typical Section in the Phase Map shows the current surface level in green. The mining depth is to the blue which also shows the 3:1 slope on the Phase 1 Upper-Level area, and the red dotted area in Phase II shows the backfill. The backfill of the lower phase then matches the grade of the mined-out level of the Phase I Upper-Level phase while maintaining historic stormwater flows.



ARY CORPORATION

A&S Construction Co.
Fremont Paving and Redi-Mix, Inc.
Ary Brothers Trucking, Inc.
All-Rite Paving & Redi-Mix, Inc.
Hard Rock Paving and Redi-Mix, Inc.

839 Mackenzie Ave.
Cañon City, CO 81212
719.275.3264

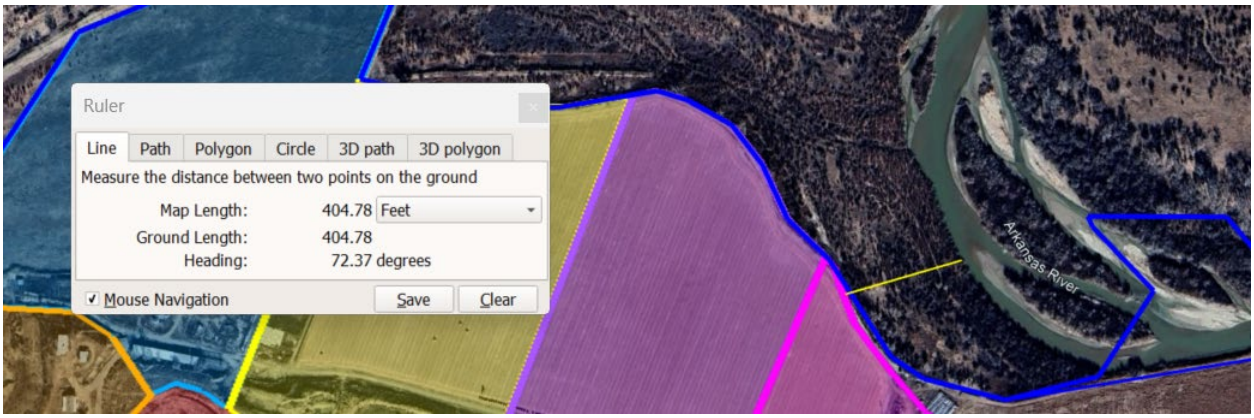
The conversion from tons to cubic yards is 1.3, thus the quantity of available material is 5,000,000 cubic yards and the quantity need for backfill would then be 3,750,000 cubic yards.

Please see the Schnabel Engineering Groundwater Monitoring Plan for detailed groundwater information.

Fremont intends to mine to a depth of approximately 45 feet. Fremont calculated 33 feet of backfill. That anticipates encountering water at 14 feet and backfilling 2 feet above static water. As stated in the Mining Plan, water will not be encountered until mining occurs on the lower portions of this permit boundary nearest the Arkansas (Phases 2, 4, 5, 6, 7). Overburden material from the upper portion of this permit boundary (Phases 1, 3, 8, 9, 10) will be used for backfill. Reclamation will occur concurrent to mining with any excess material from a phase being used as backfill in the previous phase. Fremont's calculations show that there is an excess of 1,250,000 cubic yards of overburden that will be onsite after reclamation that would sufficiently cover any exposed groundwater.

9. Please see the enclosed, updated Groundwater Monitoring Plan.

10. Phases 5-7 are not within 400 feet of the Arkansas River and thus do not meet the requirements for Floodplain Protection Standards. Fremont designed the Unaffected Area to ensure that this standard would not be necessary at this time.



ARY CORPORATION

A&S Construction Co.
Fremont Paving and Redi-Mix, Inc.
Ary Brothers Trucking, Inc.
All-Rite Paving & Redi-Mix, Inc.
Hard Rock Paving and Redi-Mix, Inc.

839 Mackenzie Ave.
Cañon City, CO 81212
719.275.3264

11. Please see the attached updated map.

12. MAGUA water will be used for 100% of onsite dust suppression and aggregate production. AGRA water will be used for 100% augmentation of exposed water.

Thank you,

Jodi Schreiber

Jodi Schreiber
jodi@arycorp.com
719-529-0916

6.4.1 Exhibit A

Legal Description

The Two Rivers Pit is located 38.21761°, -104.253492°. The pit will be accessed from Colorado Highway 50 approximately 5.25 miles east of Avondale and 1.65 miles south of Boone in Pueblo County. The site is approximately 357.2 acres and is described by the following legal description:

S ½ of Section 8, the E ½ of the NE ¼ of Section 18 and a portion of Section 17 All in Township 21 South, Range 61 West of the Sixth Principal Meridian.

Entrance: 38.21761°, -104.253492°

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 Two Rivers Pit is an existing site that encompasses 357.2 acres. Of this acreage, 336.9 acres will be mined/disturbed while 20.3 acres will remain unaffected. 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 Otero dry sandy loam, Cascajo very gravelly sandy loam, Gelberg-Haversid complex. The target gravel source is located beneath limited topsoil of 18 inches and overburden of an additional 2-10 feet. Topsoil and overburden will be saved for reclamation of the mine site. The stratum beneath the deposit is presumed to be blue shale. 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 over 50 years.

Mining had previously begun with the original operator of the site. Fremont intends to continue to mine out what will be referred to as Phase One, which is the original mine area, and then move into Phase Two. A dewatering pond will be located on the north side of Phase Seven and will be established early on in this new mine plan. It is anticipated that water will be intercepted during the mining of Phase Two. This water will be directed through a trench to the dewatering pond. Reclamation will occur concurrent to mining with any excess material from a phase being used as backfill in the previous phase. At no time will greater than 112 acres be open for active mining or reclamation. Once one phase has been backfilled and top soil has been applied, Fremont will then proceed to open a new phase of mining using that phase's waste material to create slopes of 3H:1V in the previous phase. This process will continue throughout the site following the phase numbering noted on the Phase Map.

Mining will occur to a depth of approximately 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 1 acre. This water will be pumped from the mine area through a ditch to the dewatering pond. 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. The dewatering pond will be located greater than 400 feet from the Arkansas River and within Phase Seven. A trench will be dug through the unaffected area from the dewatering pond to the Arkansas for release.

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. The highwall will be no greater than 1000' in length.

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 pumped from the onsite well adjudicated for this type of activity.

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.

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 mining operation consists of an access road from the southern end of the site. The access road is 40' wide and will remain following reclamation. The Colorado Department of Transportation has granted an Access Permit for this site and there is an accel/decel lane on Highway 50 at this entrance. 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 up to 50 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. 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. The active mine face will have a highwall that is no greater than 1000 feet in length. 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.

Fremont Paving and Redi Mix, Inc. will use winter wheat, millet or sorghum to seed the property. The seed will be decided on by the site conditions at the time of reclamation. Any of the three would do well in this soil type and climate.

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 owner's 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. Fremont Paving and Redi Mix, Inc. will implement appropriate methods to manage weed growth and will work with the Pueblo County Weed Control Program for recommendations in the event noxious weeds develop.

The Two Rivers Pit was traditionally a dry mine that did not expose groundwater. The well associated with the Two Rivers pit could be used for dust suppression, washing, and other mining operations at the site. These would all be covered under the MAGUA plan as well. Exposing groundwater at the Two Rivers Pit would be a new use that wasn't previously included in the decree. This use could be added as new well to the augmentation plan. Exposed groundwater in gravel pits are often administered the same/similar to a well, so we would need to add this new "well" as a new structure in the decree. There's a process described in the

decree for accomplishing this. In this case, Two Rivers would then have two wells in the plan. The existing one for industrial uses and new one that accounts for groundwater evaporation for an open pit.

There are 10 phases within this permit application. An estimated timetable will take into account aggregate quality and local economic conditions. These are unknown at this time, so a timetable is only a rough estimation. With this knowledge, Fremont believes that each phase would take approximately 5-10 years to mine completely. Reclamation will occur concurrent to mining with any excess material from a phase being used as backfill in the previous phase. At no time will greater than 100 acres be open for active mining or reclamation. Once one phase has been backfilled and top soil has been applied, Fremont will then proceed to open a new phase of mining using that phase's waste material to create slopes of 3H:1V in the previous phase. This process will continue throughout the site following the phase numbering noted on the Phase Map. Fertilizer will not be used for reclamation purposes.

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 as needed. Any exposed water will be covered by existing MAGUA water shares available on the property. Prior to any water being exposed, Fremont will ensure a Substitute Water Supply Plan is in place. As this exposure is not anticipated to occur for several years, Fremont will not pursue the SWSP at this time. It is anticipated that 20-acre feet of water will be needed per year, all of which will come from MAGUA shares.

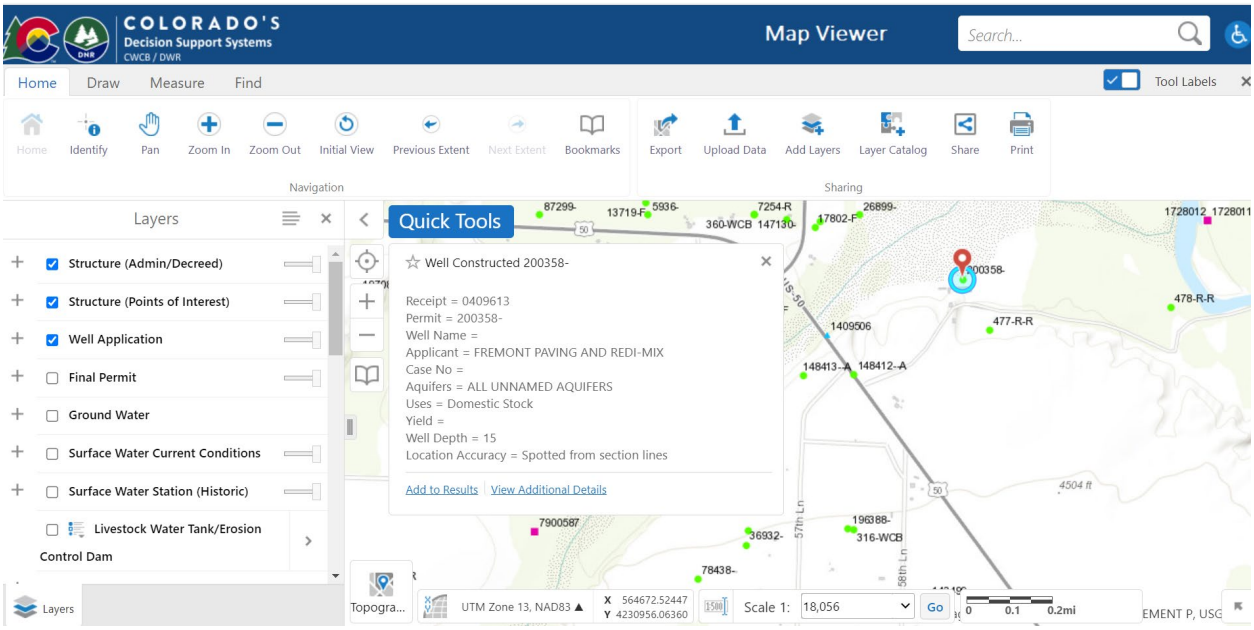
Stormwater will not leave the site, as earthen berms will contain the drainage. The site will not discharge stormwater or process water drainage.

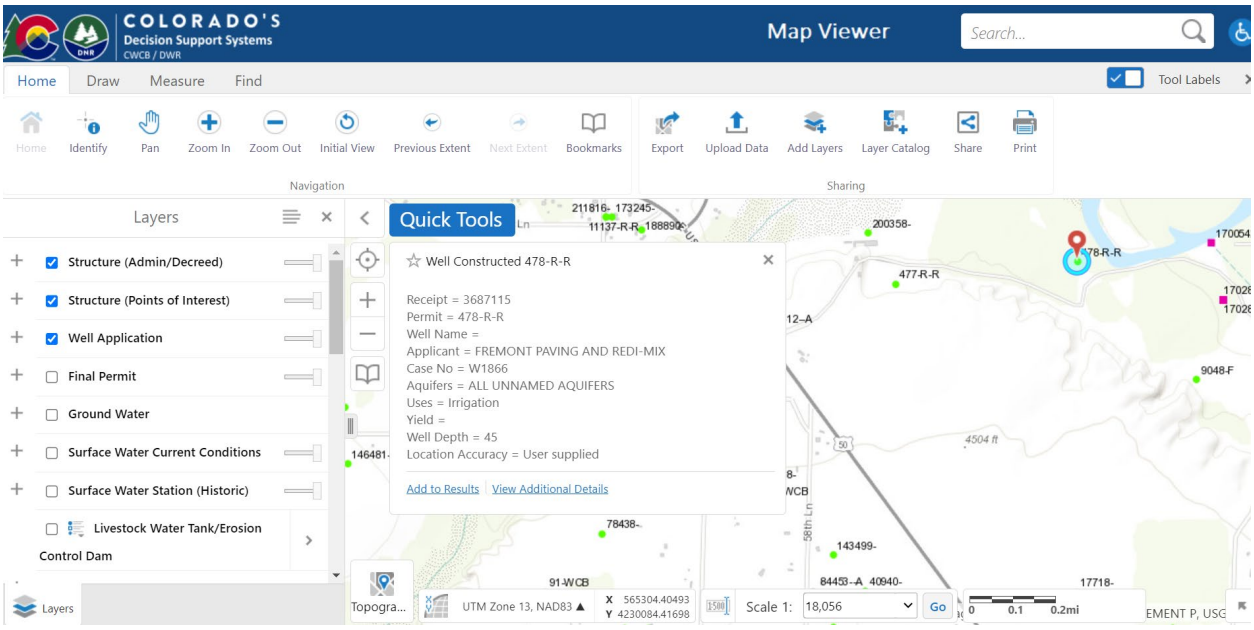
According to the Division of Water Resources HydroBase Data Viewer, groundwater near the site is anticipated to be approximately 15-45 feet in depth (see below). The mining operation will mine to a depth of approximately 45 feet.

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.


COLORADO'S
Decision Support Systems
CWCB / DWR
Map Viewer
Search...
Home
Draw
Measure
Find
Tool Labels
Home
Identify
Pan
Zoom In
Zoom Out
Initial View
Previous Extent
Next Extent
Bookmarks
Export
Upload Data
Add Layers
Layer Catalog
Share
Print
Navigation
Sharing
Layers
Structure (Admin/Decreed)
Structure (Points of Interest)
Well Application
Final Permit
Ground Water
Surface Water Current Conditions
Surface Water Station (Historic)
Livestock Water Tank/Erosion Control Dam
Quick Tools
Well Constructed 200358-
Receipt = 0409613
Permit = 200358-
Well Name =
Applicant = FREMONT PAVING AND REDI-MIX
Case No =
Aquifers = ALL UNNAMED AQUIFERS
Uses = Domestic Stock
Yield =
Well Depth = 15
Location Accuracy = Spotted from section lines
Add to Results
View Additional Details
Topogra...
UTM Zone 13, NAD83
X 564672.52447
Y 4230956.06360
Scale 1: 18,056
Go
0 0.1 0.2mi


COLORADO'S
Decision Support Systems
CWCB / DWR
Map Viewer
Search...
Home
Draw
Measure
Find
Tool Labels
Home
Identify
Pan
Zoom In
Zoom Out
Initial View
Previous Extent
Next Extent
Bookmarks
Export
Upload Data
Add Layers
Layer Catalog
Share
Print
Navigation
Sharing
Layers
Structure (Admin/Decreed)
Structure (Points of Interest)
Well Application
Final Permit
Ground Water
Surface Water Current Conditions
Surface Water Station (Historic)
Livestock Water Tank/Erosion Control Dam
Quick Tools
Well Constructed 478-R-R
Receipt = 3687115
Permit = 478-R-R
Well Name =
Applicant = FREMONT PAVING AND REDI-MIX
Case No = W1866
Aquifers = ALL UNNAMED AQUIFERS
Uses = Irrigation
Yield =
Well Depth = 45
Location Accuracy = User supplied
Add to Results
View Additional Details
Topogra...
UTM Zone 13, NAD83
X 565304.40493
Y 4230084.41698
Scale 1: 18,056
Go
0 0.1 0.2mi

6.4.8 Exhibit H

Wildlife Information

The property is used for farming and will be returned to agricultural uses during reclamation. For the original permit, 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 reseeding all mined areas with a diverse and native agricultural/cropland seed mix, as is the current vegetation onsite.

Farming activities allow for more cover for local wildlife. Deer, pronghorn, pheasant and other seasonal game can easily move through the site and find adequate cover and forage, as only 100 acres will be in various phases of mining, while the remaining portions of the site will be available for farming activities. There are no known endangered or threatened species on the property. No migratory paths will be negatively impacted, as a majority of this site will be returned back to original uses throughout the mine life.

6.4.9 Exhibit I

Soils Information

A Custom Soil Resource Report for Pueblo County, specific to this site, is attached for review. The site is made up of mostly Otero dry sandy loam, Cascajo very gravelly sandy loam, Gelberg-Haversid complex.

The Otero Series consists of very deep and well/excessively drained soils. This soil type is found on hills, plains, ridges, and fans. Slopes are 0 to 20 percent. This soil is used for native rangeland or for dry and irrigated cropland. Native vegetation consists of tall and short grass associations with some sand sage.

Topsoil is found to a depth of approximately 18 inches onsite, with overburden accounting for the next 2-10 feet. Mineable aggregate is then found up to a depth of 45 feet. The topsoil onsite is currently able to maintain the crops being grown onsite. There is no reason that this same topsoil will not continue to be used for the establishment and maintenance of plant growth as it is currently doing.

6.4.10 Exhibit J

Vegetation Information

The Two Rivers Pit is characterized by agricultural/crop land. The site is composed of two areas, one where current mining operations are occurring on the southern portion of the site and one with farming operations on the northern portion of the site. Native vegetation includes Prickly Pear Cactus, Walking Stick, Blue Grama Grass, Buffalo Grass and Western Wheatgrass.

Crop land vegetation is dependent on many factors and can change from year to year. Millet can yield up to 36 bushels per acre with a planting rate of 15-25 pounds per acre. Colorado grows over half of the millet in the United States, so this is a perfect reclamation vegetation for the site, as well as for cropland use. It is anticipated that the estimated cover is 75% during the first planting and the height is 1-4 feet.

6.4.11 Exhibit K

Climate

Climate data was pulled from the US Climate Data website for the Pueblo County area. The data is attached for review.

	Jan	Feb	Mar	Apr	May	Jun
Average high in °F	48	50	59	67	77	87
Average low in °F	18	20	29	36	46	56
Av. precipitation in inch	0.34	0.30	0.92	1.47	1.66	1.39
Av. snowfall in inch	4	3	3	1	0	0

	Jul	Aug	Sep	Oct	Nov	Dec
Average high in °F	93	90	82	70	57	47
Average low in °F	62	60	51	38	27	19
Av. precipitation in inch	2.01	2.41	0.85	0.73	0.57	0.37
Av. snowfall in inch	0	0	0	1	3	4

Pueblo Climate Graph - Colorado Climate Chart

6.4.12 Exhibit L

Reclamation Costs

Reclamation cost estimates were recently calculated on a per acre basis when Fremont Paving and Redi Mix, Inc. submitted the Succession of Operator application in April 2023. Fremont requests that this estimate continue to be used for this amendment application:

PROJECT IDENTIFICATION

Task #: 000 State: Colorado Abbreviation: None
Date: 4/11/2023 County: Pueblo Filename: M038-000
User: ANM

Agency or organization name: DRMS

TASK LIST (DIRECT COSTS)

Task	Description	Form Used	Fleet Size	Task Hours	Cost
001	Grade Highwalls to 3H:1V Pushdown	DOZER	1	52.57	$11,697
002	Reclaim Highwall in the 200' buffer zone	LOADER	2	60.84	$14,603
003	Spread 6 inches of topsoil over 99 acres	SCRAPER1	1	62.12	$136,975
004	Revegetation of 99 acres	REVEGE	1	99.00	$186,464
005	Mob	MOBILIZE	1	8.88	$22,340
		SUBTOTALS:		**283.41**	**$372,079**

INDIRECT COSTS

OVERHEAD AND PROFIT:

Liability insurance:	2.02	Total =	$7,516
Performance bond:	1.05	Total =	$3,907
Job superintendent:	141.70	Total =	$10,646
Profit:	10.00	Total =	$37,208
		TOTAL O & P =	$59,277
		CONTRACT AMOUNT (direct + O & P) =	$431,356

LEGAL - ENGINEERING - PROJECT MANAGEMENT:

Financial warranty processing (legal/related costs):	$500	Total =	$500
Engineering work and/or contract/bid preparation:	6.59	Total =	$28,426
Reclamation management and/or administration:	4.89		$21,093
CONTINGENCY:	0.00	Total =	$0
		TOTAL INDIRECT COST =	$109,296
		TOTAL BOND AMOUNT (direct + indirect) =	**$481,375**

Direct Tasks	Unit	Quantity	Cost	Total Cost
Grading/Ripping Stockpile & Processing	Hours	300	$145.00	$43,500.00
Placing Topsoil/Fines				
Bull Dozer	Hours	200	$145.00	$29,000.00
Loader	Hours	200	$145.00	$29,000.00
Seeding				
Broadcasting	Hours	10	$300.00	$3,000.00
Seed Mix	Acre	100	$350.00	$35,000.00
Mulch	Acre	10	$187.50	$1,875.00
Tracking seed/mulch				
Dozer	Hours	10	$154.00	1,540.00
Area Reclaimed	Acre	20.5		
Mobilization Fee	Hours	5	$5,000.00	$25,000.00
				$167,915.00
Indirect Tasks				
Liability Insurance			0.0155	$2,600.00
Performance Bond			0.015	$2,500.00
Profit			0.1	$16,800.00
Job Superintendent	Hours	200	$88.00	$17,600.00
Miscellaneous Indirect			0.0925	$15,532.00
Total Bond				$222,947.00

6.4.13 Exhibit M

Other Permits and Licenses

- Pueblo County Special Use Permit 98-06
- 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 (prior to water exposure onsite)

6.4.14 Exhibit N

Source of Legal Right to Enter

Attached is the deed for this site.

6.4.15 Exhibit O

Owner of Record of Affected Land

Surface Area and Substance to be Mined

Fremont Paving and Redi Mix, Inc.

6.4.16 Exhibit P

Municipalities Within Two Miles

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

Boone Municipal Building

PO Box 13

Boone, CO 81025

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

All structure owners within 200 feet of the permit boundary were contacted by letter delivered via FedEx or United States Postal Service Certified Mail. Many owners replied to the request for a structure agreement. Those are attached for review. For those structure owners that could not be reached, an engineering analysis was performed for each structure. That report is attached for review.

Schnabel ENGINEERING
T 303.651.1468 / F 303.651.1469
600 S. Airport Road, Suite A-205 / Longmont, CO 80503 schnabel-eng.com

July 30, 2024

Jodi Schreiber
Ary Corporation
839 Mackenzie Avenue
Canon City, CO 81212

Subject: **Ary Corporation Two Rivers Pit DRMS Permit Groundwater Monitoring Plan**
Pre-Baseline Analysis and Proposed Baseline Monitoring
Two River Pit, Pueblo, Colorado
Schnabel Project No. 21C26002.000

Dear Ms. Schreiber:

SCHNABEL ENGINEERING, LLC is pleased to provide this initial analysis and proposed scope of work for baseline monitoring to satisfy the requirement of a groundwater monitoring plan for Fremont Paving & Redi-Mix, Inc. (Fremont) at the Two Rivers Pit located near Boone, Colorado. The groundwater monitoring plan is in support of the amended application to Colorado Division of Reclamation and Mining Safety (DRMS) for permit M1998038 allowing ongoing mining of construction materials at the site.

The groundwater monitoring plan described herein includes:

- A description of the site,
- An inventory of existing wells,
- A pre-baseline groundwater characterization,
- A discussion of the impact of proposed mining operations on groundwater quality and quantity,
- Proposed monitoring well locations and points of compliance, and
- Proposed monitoring methodologies.

Upon conclusion of the analyses presented herein to establish the baseline conditions, a technical revision to the groundwater monitoring plan describing the findings and any necessary revisions to proposed points of compliance or monitoring efforts at the Two Rivers Pit site will be provided to allow for continued operation of the site and to ensure groundwater quality and quantity are not adversely affected.

INTRODUCTION

The Groundwater Monitoring: Sampling and Analysis Plan Guidance, Construction Materials and Hard Rock Sites, published in September 2023, by DRMS (“The DRMS Guidance”) provides the necessary documentation to support a standard groundwater sampling plan for a site that could impact water quality or quantity during mining. Because future phases of mining at the Two Rivers Pit will require dewatering,

a groundwater monitoring plan is required by DRMS to ensure compliance. This document presents a detailed description of the site, provides a pre-baseline groundwater characterization, proposes monitoring well locations and points of compliance, and proposes methodology for establishing a pre-mining baseline at Fremont's Two Rivers Pit.

BACKGROUND INFORMATION

The Two Rivers Pit is positioned near the intersection of Highway 50 and Highway 209 between the Huerfano River and the Arkansas River in parts of Sections 8, 17, and 18 of Township 21 South, Range 61 West of the 6th P.M. in Pueblo County, Colorado (**Figure 1**). The site has two main sections: a northern section located within the Arkansas River floodplain and a higher southern section positioned on a terrace above the floodplain. Mining operations to date have exclusively focused on the southern portion of the site and have not encountered groundwater. In future mining phases where the northern part of the site is mined, groundwater in the alluvial aquifer will be encountered. Mining operations in the northern area will therefore require dewatering.

Historically, the site operated under Colorado Department of Public Health and Environment (CDPHE) Certification Number COG501830 authorizing Kirkland Construction, LLLP to perform mining operations. The certification specified the discharge outfall as stormwater runoff from the site and the receiving stream to be the Huerfano River. This permit expired on December 31, 2021.

The site construction permit, M1998038, is currently undergoing an amendment process with DRMS. As part of this amendment, DRMS is requiring that a groundwater monitoring plan be supplied with the amended application. Schnabel Engineering provided an initial scope of work for a groundwater monitoring plan dated June 6, 2024. DRMS requested the scope of work be expanded to serve as a groundwater monitoring plan with the understanding that pre-mining baseline results and final points of compliance will be incorporated through a technical revision to the groundwater monitoring plan. The most recent correspondence from DRMS regarding the permit extended the deadline for re-submitting the permit application to August 5, 2024, to allow time to revise the groundwater monitoring plan.

SITE DESCRIPTION

In advance of pre-mining baseline monitoring, relevant publicly available information and information from the M1998038 application were compiled to understand and describe the current site conditions.

Description and Land Use

The Two Rivers Pit permit boundary covers 357.2 acres (**Figure 1**). The northern edge of the area is bounded by the Arkansas River, the western edge is bounded by the Huerfano River, the southern edge abuts Highway 50, and the eastern edge is partially bounded by the Rocky Ford Highline Canal.

The document entitled, *Two Rivers Amendment Adequacy Response #1*, dated May 2, 2024, provided by Ary Corporation details in Section *6.4.10 Exhibit J: Vegetation Information* that agricultural/crop land is the main type of land use at the site. The native vegetation is described as including Buffalo Grass, Western Wheatgrass, Prickly Pear Cactus, Walking Stick, and Blue Grama Grass. The southern terraced portion of the area had been mined previously by Kirkland Construction. The northern floodplain portion of the area is actively farmed, as evidenced in the 2023 aerial imagery shown in **Figure 1**.

There are four collections of structures within or immediately adjacent to the permit extent (**Figure 1**). Structures 1 and 2, located on the southern edge of the property, are outside of the permit boundary and will not be impacted by mining operations, per Section *6.4.14 Exhibit S: Permanent Man-made Structures*. Structures 3 and 4 are located in the northern floodplain portion of the permit area.

Site Topography

The topography of the permit area is shown in **Figure 2**. The elevation of the northern floodplain portion ranges from 4440 feet to 4460 feet. The elevation of the terraced southern portion is between 4480 feet and 4500 feet.

Site Geology

Site-specific soil information was obtained from existing well logs. In general, the northern part of the proposed mine in the floodplain has approximately 5 to 10 feet of silty clay flood deposits, referred to herein as overburden, overlying 35 to 40 feet of alluvial sand and gravel deposited by the Arkansas River. The terrace forming the southern part of the site is also composed of alluvial sand and gravel deposits that have been mined in the past. Underlying the alluvial sand and gravel deposits is the near surface bedrock, named the Pierre Shale. The Pierre Shale is a Cretaceous age rock formation that is weak to moderately strong, and has very low permeability. The Pierre Shale prevents the downward migration of alluvial groundwater, thus forming the lower boundary of the alluvial aquifer.

Existing Site Wells

Per the Colorado Decision Support System (CDSS) map viewer, there are four drilled wells within the permit boundary, and one drilled well immediately adjacent to the permit boundary as shown in **Figure 1**. Well information for existing site wells obtained from CDSS are included in **Attachment 1**.

Permit Number 148412-A

Well Permit Number 148412-A is located immediately adjacent to the DRMS permit extent. The well was drilled May 23, 1987. The drilling log indicates that the overburden thickness is 6 feet thick and that the alluvial sand and gravel is 19 feet thick. Shale bedrock was encountered at a depth of 25 feet and observed to the total depth of the boring at 40 feet deep. Plain steel casing, size 6-5/8” was installed from 2 to 16 feet and perforated casing was installed from 16 to 25 feet deep.

Permit Number 477 R-R

Well Permit Number 477-R-R was acquired by Fremont Paving on February 16, 2023. The well is permitted for irrigation. No well log was identified to confirm well placement or construction.

Permit Number 478-R-R

Well Permit Number 478-R-R (aka Harpman Well No. 2, Well Structure ID 1405119) was acquired on February 20, 2023, by Fremont Paving and Redi-Mix. The 36-inch diameter well was drilled on January 24, 2019, to a depth of 45 feet. Shale bedrock was reached at a depth of 44 feet. The well was constructed with perforated casing (0.075 inch screen slot size, PVC) from 20 to 45 feet.

Permit Number 200358

Well 200358 is a domestic stock well. CDSS specifies a depth of 15 feet, although no well log was identified to confirm this information.

Permit Number 20229-R-R

Wayt Well No. 20229 (aka WDID 1405120 with associated permits 9048-F, 92198-VE, and 20229-R-R) is an irrigation well decreed in Case No. W1866. The well was re-constructed on July 20, 1992, and the previous borehole (permit 9048-F) was abandoned. The July 1992, construction log states that shale bedrock was reached at 41 feet and the total depth of the well is 45 feet. Groundwater was encountered at 10 feet deep. The well was constructed with 24-inch diameter perforated PVC casing with 0.25 inch screen slot size from 20 to 45 feet.

Surrounding Wells

Figure 3 shows both water level wells and the constructed wells per CDSS within a one mile buffer of the permit site.

Proposed Mining Operations

The proposed mining operations as presented in the May 2, 2024, Two Rivers Pit M1998038 Application, were reviewed to inform our understanding of potential impacts to groundwater due to mining operations.

The Two Rivers Pit is an active gravel mine with a total permit boundary of 357.2 acres, of which 336.9 acres will be either mined or disturbed in the process of mining (**Figure 1**). Mining is to develop the sand and gravel deposits in the alluvial aquifer below the overburden, between 5 and 10 feet, and above bedrock, approximately 45 feet deep. The life of the proposed mine based on current operations is up to fifty years, which would result in 70,000 tons per year and around six acres per year of mining.

Mining operations are currently in Phase 1, which comprises the southern terraced portion of the permit site (**Figure 1**). Mining Phases 1, 3, 8, 9, and 10, are also located in the southern terraced portion and therefore interception of groundwater during these mining phases is not anticipated. Parts of Phases 2, 4, 5, 6, and 7 are located in the northern portion of the permit area. These phases are located in the floodplain and interception of groundwater is anticipated.

Two structures (3 and 4, as shown in **Figure 1**) are located in the northern floodplain portion of the permit area. The house and outbuildings will be removed during mining activities. Additional structure details can be found in the M1998038 permit application section *6.4.14 Exhibit S: Permanent Man-made Structures*.

Water from an adjudicated and augmented well near the site will be used on-site for use in a sand wash plant. There will be two wash ponds constructed and water will be recirculated for use and re-use. The wash ponds are anticipated to consume 20 acre-feet per year.

The currently proposed mining operations at the floodplain site include the following:

- A dewatering pond will be established early in Phase 2, the first phase taking place in the floodplain, in the northeast corner of the site. The approximate location of the proposed dewatering pond is shown in **Figure 1**. Once water reaches the dewatering pond, water will be

discharged from the pond to the Arkansas River through an above-ground dewatering pipeline to avoid disturbing the soil (approximate location shown in **Figure 1**) at a rate equal to the sump pump at the bottom of the mined pit.

- Groundwater intercepted during Phases 2, 4, 5, 6, and 7 will be routed to a trench on the north side of the permit area which will convey water to the dewatering pond. The approximate location of the trench is shown in **Figure 1**.
- Exposed groundwater on-site will not exceed 1 acre.
- If water quality tests on the discharged water demonstrate that additional settling is required to satisfy a discharge permit, a settling pond will be constructed in the same area as the dewatering pond. The trench/ditch from the current active phase would be re-routed to supply water to the settling pond before the water is moved to the dewatering pond.

GROUNDWATER CHARACTERIZATION

Pre-baseline Groundwater Characterization

The groundwater to be encountered on-site is solely within the Arkansas River Valley-Fill alluvial aquifer that exists above a shale confining layer. To characterize the current groundwater conditions in advance of the baseline analysis, monitoring well logs and associated well construction logs were reviewed. Information regarding depth to groundwater is presented in **Table 1** and well locations are shown in **Figure 4**. Historical water depth records are presented in **Attachment 2**. The wells are all located in the floodplain with four locations being located within the permit boundaries and an additional two wells located immediately to the west (up-gradient) from the permit boundary. Four water monitoring wells with water level data between July 1, 1962, and March 12, 1981, showed average depths to groundwater between 3 feet and 12 feet deep. The construction logs of the additional two decreed wells, one constructed in 1992 and one constructed in 2019, indicate groundwater levels of 10 feet and 15 feet deep, respectively.

The drilling logs of two decreed wells, 478-R-R and 20299-R-R, located on the down-gradient eastern portion of the site, are presented in **Table 2**. The construction logs specify overburden to a depth of five to eight feet deep above sand, gravel with mud lenses extending to the shale bedrock at around 40 feet deep.

The extent of the alluvial aquifer obtained from *Hydrogeologic Characteristics of the Valley-Fill Aquifer in the Arkansas River Valley, Pueblo County, Colorado by G. A. Nelson, R. T. Hurr, and J. E. Moore (1989)*. is shown in **Figure 3**. Based on this mapping, the groundwater in the alluvial aquifer generally flows from west to east across the property.

Potential Impacts of Mining on Groundwater Quantity

The Arkansas River, the Huerfano River, and the Rocky Ford Highline Canal are assumed to serve as hydraulic boundaries, and the pumping of groundwater from the alluvial aquifer within the permit area is not anticipated to cross these hydrologic features. According to the mapping of the alluvial aquifer shown in **Figure 3**, the terrace portion of the permit area is located on the edge of the alluvial aquifer. Based on this understanding of the hydrogeology, the only known on or offsite permitted wells within the alluvial aquifer south of the Arkansas River and east of the Huerfano River that might be impacted by mining

operations are the five wells shown in **Figure 1**. Well 477-R-R, Well 200358, and Well 478-R-R are owned by Fremont. During mining operations, the wells are going to be maintained to allow for re-use as agricultural wells after the mining is completed. Well 148412-A and Well 20229-R-R are not owned by Fremont. Use of the wells by the current owners is anticipated to continue throughout mining operations. Well 148412-A is located in the southern terrace and is not expected to be impacted by mining operations. Well 20229-R-R may be impacted by mining operations as the phases reach closer to the well. Water is currently pumped to a site south of the mining operations to be used for irrigation. Dewatering operations will convey pumped groundwater back to the Arkansas River such that water quantity is not adversely affected, and no nearby water rights are injured.

Potential Impacts of Mining on Groundwater Quality

Mining operations are not anticipated to adversely affect groundwater quality. The M1998-038 permit Section *6.4.4 Exhibit D: Mining Plan* states that bulk storage of fuels and lubricants will be contained in a lined pit with an earthen berm with a capacity of 110% of the containers being housed. Explosives will not be used during mining and acids or other toxic materials are not anticipated to be exposed. Dewatering operations are assumed to convey the pumped groundwater back to the Arkansas River without contamination.

Proposed Monitoring Wells

To establish baseline groundwater conditions, DRMS requires establishing at least three monitoring wells representing sampling locations both upgradient and downgradient of proposed mining operations and within the DRMS permit area. Proposed monitoring well locations are shown in **Figure 4**.

Existing wells are considered to be appropriate for monitoring well purposes if the location, top of casing, total depth, screened intervals, and date of establishment are known and considered sufficient to accurately represent groundwater quality and groundwater water levels. Upon review of the existing site wells, Well Permit Number 478-R-R and Well Permit Number 20229-R-R fit all criteria. Permit and construction information for the wells are enclosed in **Attachment 1**. Proposed Monitoring Well #1 is located above-gradient of mining operations based on the site topography in that area. Proposed Monitoring Well #2 (Well Permit Number 478-R-R) is located in the western portion of the property. Proposed Monitoring Well #3 (Well Permit Number 9048-F) is located in the eastern portion of the mine operating site.

Proposed Points of Compliance

During future operations, water depths will be measured and water quality samples will be collected from points of compliance. Points of compliance are defined as the locations where groundwater classification and quality will be evaluated by the WQCC throughout the duration of the groundwater monitoring plan, with DRMS having the authority to approve the proposed compliance points.

Based on the pre-baseline groundwater characterization, **Figure 4** shows the two proposed points of compliance. The proposed points of compliance are located in areas that will not be disturbed by mining and within the DRMS permit extent. Point of Compliance #1 is the same borehole as proposed for Monitoring Well #1 and is located hydraulically above-gradient of future proposed mining operations. Point of Compliance #2 is the same borehole as used for Monitoring Well #3 and is located hydraulically down-gradient of the proposed mining to monitoring impacts of mining.

PROPOSED BASELINE GROUNDWATER CHARACTERIZATION

Task 1 - Baseline Groundwater Characterization

Characterizing groundwater prior to mining requires measuring current water quality and water levels. Baseline data for groundwater quality and quantity prior to proposed mining operations must be comparable to groundwater quality and quantity during future mining operations to demonstrate impacts, or lack thereof, to groundwater due to mining. Establishing baseline groundwater conditions will include sampling from the three proposed monitoring well locations, or points of compliance. Samples will be taken at quarterly intervals to collect five quarters worth of data to understand seasonal variability.

Task 1.1 – Well Drilling

One proposed monitoring well will be drilled to meet the required number of monitoring well sites used as points of compliance. As described above, additional monitoring will be accomplished through use of existing wells. The well will be permitted through the Division of Water Resources in the State Engineer's Office. Construction will follow the standards outlined in *Rules and Regulations for Water Well Construction, Pump Installation, Cistern Installation, and Monitoring and Observation Hole/Well Construction (2 CCR 402-2)*. Exact placement and construction specifics will be approved by a licensed Professional Engineer or Professional Geologist prior to drilling. A licensed contractor will install all wells. The water depths in Monitoring Wells #2 and #3 were 15 feet and 6 feet deep, respectively. The anticipated top of perforated casing for Monitoring Well #1 is anticipated to be between 6 and 15 feet. The proposed monitoring well will be screened upon reaching groundwater until shale is encountered, anticipated between 40 and 45 feet deep. The plain well casing will be Schedule 40 PVC pipe and the perforated casing will be slotted PVC. The upper portion will have a gravel filter pack and a bentonite or grout seal, and there will be a 3-foot riser. The screened interval will be filled with 10/20 silica sand as the filter to two feet above the screen. The bentonite or grout seal will then be installed above the filter sand to the surface.

Task 1.2 – Establishing Baseline Groundwater Levels

Groundwater levels will be collected from each monitoring well during each sampling event. To measure water depth, a depth gauge will be used from the top of the casing to the point where water is encountered in each well during each sampling event. Measured water levels will contribute to quantifying the site hydrogeology to establish pre-mining conditions.

Task 1.3 – Establishing Baseline Groundwater Quality

Table 3 shows the proposed list of water quality parameters to be tested during each sampling event to establish baseline water quality. The analytes proposed in the table include all variables presented in *Appendix A*, *Full parameter list for Construction Materials Sites from Regulation 41, Tables 1-4* in *Groundwater Monitoring: Sampling and Analysis Plan Guidance Construction Materials and Hard Rock Sites, September 2023.* Analytes are classified as either being field measurements or laboratory measurements. To establish baseline groundwater quality, water quality samples will be collected quarterly from the monitoring wells for five quarters, or a total of five times. Water quality samples will be collected from each monitoring well and delivered to Eurofins Denver for testing. **Table 3** includes the proposed lab for testing each parameter. **Attachment 3** includes documentation from the laboratory,

including a summary of the approach used for each test and laboratory provided documentation regarding testing protocol.

Task 1.4 – Sampling Methods

Following well development and water level observation, Schnabel will purge the wells and collect groundwater samples for laboratory analysis. Purging and sampling will be completed using low flow methods and an appropriate groundwater sampling pump. Groundwater gauging and stabilization parameters (pH, temperature, conductivity, and turbidity) will be measured using a flow through cell. A summary of field calibration procedures and bump test results will be provided to document full calibration and instrument accuracy before and after evaluation and will include the type(s) of calibration standards and expiration date. Each instrument will be field calibrated prior to use.

Sampling methods include the baseline sampling recommendations provided below:

- Samples will be collected from all monitoring wells during each quarterly site visit.
- Samples from the wells located above gradient will be collected before the below gradient wells are sampled.
- Prior to collecting water samples, the depth of the water will be measured. Water will be measured from the ground surface.
- Wells will be purged (one casing volume) a minimum of three times before water samples are collected. Between each purging, temperature, pH, conductivity, and dissolved oxygen will be measured.
- If between the second and third purging, the measured parameters vary more than 10%, subsequent purges will be performed (up to six times total) until measured parameters are within 10% of the previous values.
- All testing equipment will be removed from the site between each sampling event.
- Sample collection and storage will follow the requirements provided by the lab testing the samples.
- Samples will be delivered to the testing laboratory within the lab-provided recommended time following sample collection.
- Each sampling event will include documentation describing the field work.
- Water samples will be filtered at the time of collection.

Task 2 - Groundwater Monitoring Plan Technical Revision

Based on the results of the Data Review and the Groundwater Characterization tasks described in Task 1.1 through 1.4, a technical revision to the groundwater monitoring plan will be prepared to present the baseline groundwater conditions and predicted impacts of mining to the hydrologic balance. This will be accomplished by quantifying the baseline water quality and quantity conditions and simulating proposed mining operations to evaluate potential impacts to water quality and quantity.

Task 2.1 – Baseline Conditions

In the technical revision, baseline groundwater levels will be presented. Water levels as measured from the monitoring wells during the baseline groundwater characterization will be provided in tabular and graphical format in addition to providing a narrative about the data collection process. The groundwater monitoring plan will include a table of baseline groundwater quality conditions and measured groundwater levels from each sampling event, in addition to a summary of the site visits.

Task 2.2 – Future Operations

Using the baseline conditions, results will be compiled to allow an analysis of an estimated duration of time that groundwater quantity and quality will be impacted during mining operations. Such an analysis can also inform the impacts of mining operations on water quality including anticipated spatial and temporal extents.

Task 2.3 – Monitoring

The report will compile the results from the baseline analyses and the simulated impacts and propose any necessary revisions to the monitoring plan and frequency of sampling based on the results.

Water quality testing will be performed on a quarterly basis and water depth will be collected and provided to DRMS on a monthly basis. Sampling methods will be consistent with those described in ***Task 1.4 – Sampling Methods*** and laboratory-specific details described in **Attachment 3**. **Table 4** and **Table 5** includes the proposed list of variables to test for during mining operations.

Sampling methods during site operations will be consistent with ***Task 4 – Sampling Methods***. Currently, it is proposed that during operations water levels will be taken once a month and water quality samples will be taken at each POC once a quarter. This sampling interval may be revisited in the future should baseline monitoring or other changes provide a basis for more of less frequent monitoring.

Finally, the proposed methodology will discuss the regularity with which the data will be provided to DRMS and what data will be provided, such as comparing predicted and actual changes to water quality and quantity. DRMS has the authority to enforce Water Quality Control Commission (WQCC) water quality standards. **Table 4** lists the proposed parameter list to be tested for during ongoing site operations.

Task 2.4 – Groundwater Points of Compliance

The current proposed points of compliance are based on pre-baseline groundwater characterization at the site to meet DRMS requirements for final permit approval. The establishment of baseline groundwater conditions from the Groundwater Characterization task (Task 1) may inform more appropriate placement of points of compliance. Changes to proposed points of compliance will be included in the technical revision to the groundwater monitoring plan if required.

CONCLUSION

Schnabel is available immediately to support Ary Corporation with the Scope of Work described herein. We appreciate the opportunity to be of service for this project. Please call with any questions or comments you may have.

Sincerely,

SCHNABEL ENGINEERING, LLC

Nathan D. Phelps, PE
Associate Engineer

Victor G. deWolfe III, PE, PG
Senior Associate Engineer

NDP:VDW:EB:em

Attachments

O:\LONGMONT\2021\21C26002.00 ARY CORP\03_SE_PRODUCTS\08-TWO RIVERS PIT\03-REPORTS\01-DRAFT\GROUNDWATER MONITORING PLAN 2024\REVISION 1\GROUNDWATER MONITORING PLAN SCOPE OF WORK_REVISED 07.30.24.DOCX

TABLES

Table 1: Pre-Baseline Groundwater Depth Information

Name	Well Elevation (DEM)	Well Depth	Depth to Groundwater						
			Date(s) of Data Collection	Count	Avg Depth to GW	Min		Max	
						Value	Date	Value	Date
SC02106117BBB[1]	4446.22	30	07/01/1962 - 10/06/1967	10	5.0	1.4	11/17/1965	8.1	7/27/1962
SC02106117ABD[1]	4442.38	32	07/01/1962 - 10/06/1967	5	12.4	10.0	7/1/1962	13.3	3/20/1965
SC02106117ADA[1]	4440.22	45	03/20/1965 - 03/12/1981	19	12.2	11.1	3/11/1971	15.1	3/23/1966
SC02106107AAB2[1]	4449.94	40	07/01/1962 - 07/15/1969	79	3.0	-0.1[2]	7/30/1965	5.2	3/24/1969
478-R-R[3]	4444.13	45	1/24/2019	1	15.0	-	-	-	-
20299-R-R[3]	4438.65	45	7/20/1992	1	10.0	-	-	-	-

Notes: [1]: Data obtained from CDSS tabulation of existing water level monitoring wells
[2]: Data flagged (water surface elevation greater than well elevation).
[3]: Data obtained from well driller logs.

Table 2: Pre-Baseline Sub-Surface Information

Well ID	478-R-R		20229-R-R	
DEM Surface Elevation	**4444.1**		**4438.6**	
Drilling Log Description	***Depth***	***Bottom Elevation***	***Depth***	***Bottom Elevation***
Earth	8	4436.1	5	4433.6
Clay/silt or Fine Sand	13	4431.1	28	4410.6
Gravel or Sand & some gravel			35	4403.6
Blue Mud			38	4400.6
Gravel	44	4400.1	41	4397.6
Shale	45	4399.1	45	4393.6

Table 3: Monitoring Well Details

Name	Location (UTM coordinates)	Land Surface Elevation[1]	Depth to Top of Perforated Casing (Elevation) [1]	Total Depth
Monitoring Well #1 [1]	564,891.59 m, 4,231,157.53 m	4449.9 feet	20 feet (est.)	45 feet (est.)
Monitoring Well #2 (Well Permit 478-R-R)	566,016.06 m, 4,231,155.93 m	4444.1 feet	20 feet (4424.1 feet)	45 feet
Monitoring Well #3 (Well Permit 9048-F)	566,586.00 m, 4,230,906.00 m	4438.6 feet	20 feet (4418.6 feet)	45 feet

Notes: [1]: *Elevations based on the DEM elevations of the mapped CDSS coordinates for each well*
[2]: *Monitoring Well #1 information is estimated based on pre-well drilling understanding of the area and the pre-baseline groundwater characterization*

Table 4: Proposed Parameters Tested for during Baseline Monitoring, Field

Variable	Table Value Standard (mg/L, unless other units given)	Reg. 41 Table Reference (1-4)	Sampling Specifications	
			Method	Description
Temperature			Field	
pH	6.50 – 8.50	2 and 3	Field	
Conductivity			Field	
Dissolved Oxygen			Field	

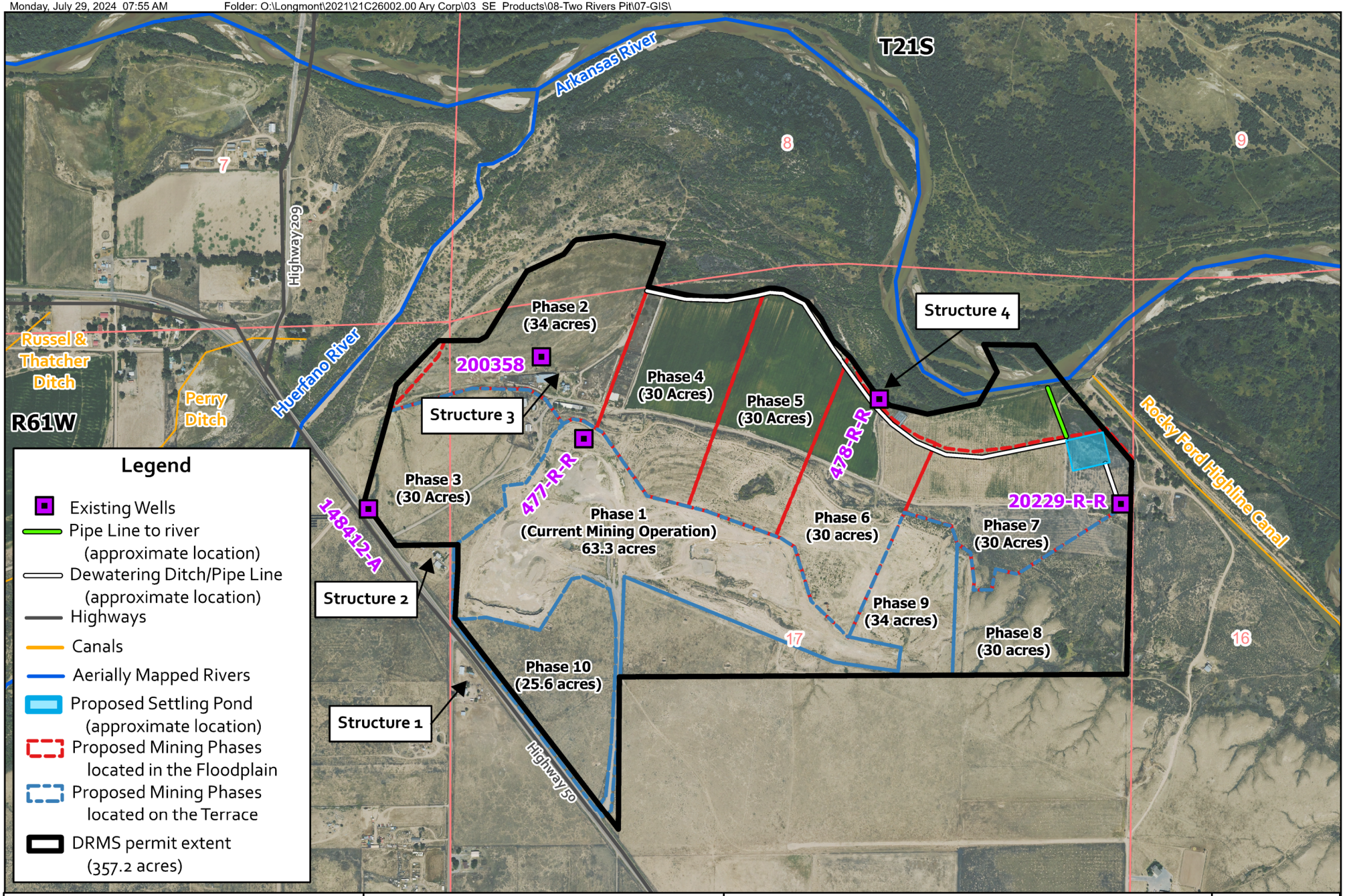
Table 5: Proposed Parameters Tested for during Baseline Monitoring, Laboratory

Variable	Table Value Standard (mg/L, unless other units given)	Reg. 41 Table Reference (1-4)	Sampling Specifications	
			Method	Description
Aluminum - Dissolved	5	3	6010D	Dissolved metals, Client List (21) - via Field Filtration
Antimony – Dissolved	0.006	1	6010D	Dissolved metals, Client List (21) - via Field filtration
Arsenic – Dissolved	0.01	1	6010D	Dissolved metals, Client List (21) - via Field filtration
Barium – Dissolved	2	1	6010D	Dissolved metals, Client List (21) - via Field filtration
Beryllium – Dissolved	0.004	1	6010D	Dissolved metals, Client List (21) - via Field filtration
Boron – Dissolved	0.75	3	6010D	Dissolved metals, Client List (21) - via Field filtration
Cadmium – Dissolved	0.005	1	6010D	Dissolved metals, Client List (21) - via Field filtration
Chloride – Dissolved	250	2	300.0	Dissolved Chloride, Fluoride, Sulfate - via Field Filtration
Chromium – Dissolved	0.1	1 and 3	6010D	Dissolved metals, Client List (21) - via Field filtration
Cobalt – Dissolved	0.05	3	6010D	Dissolved metals, Client List (21) - via Field filtration
Copper – Dissolved	0.2	3	6010D	Dissolved metals, Client List (21) - via Field filtration
Fluoride – Dissolved	2	3	300.0	Dissolved Chloride, Fluoride, Sulfate - via Field Filtration
Iron – Dissolved	0.3	2	6010D	Dissolved metals, Client List (21) - via Field filtration
Lead – Dissolved	0.05	1	6010D	Dissolved metals, Client List (21) - via Field filtration
Lithium – Dissolved	2.5	3	6010D	Dissolved metals, Client List (21) - via Field filtration
Manganese – Dissolved	0.05	2	6010D	Dissolved metals, Client List (21) - via Field filtration
Mercury – Dissolved	0.002	1	7470A	Dissolved Mercury - via Field Filtration
Molybdenum – Dissolved	0.21	1	6010D	Dissolved metals, Client List (21) - via Field filtration
Nickel – Dissolved	0.1	1	6010D	Dissolved metals, Client List (21) - via Field filtration
Nitrate (NO3)	10	1	300.0	Nitrate, Nitrite, and Combined Calculation
Nitrite (NO2)	1	1	300.0	Nitrate, Nitrite, and Combined Calculation
Nitrite + Nitrate as Nitrogen	10	1	300.0	Nitrate, Nitrite, and Combined Calculation
Selenium – Dissolved	0.02	3	6010D	Dissolved metals, Client List (21) - via Field filtration
Silver – Dissolved	0.05	1	6010D	Dissolved metals, Client List (21) - via Field filtration
Sulfate – Dissolved	250	2	300.0	Dissolved Chloride, Fluoride, Sulfate - via Field Filtration
TDS	400 mg/L, or 1.25X	4	SM 2540C	Solids, Total Dissolved
Thallium – Dissolved	0.002	1	6010D	Dissolved metals, Client List (21) - via Field filtration
Uranium – Dissolved	0.0168 to 0.03	1	6020B	Dissolved Uranium - via Field Filtration
Vanadium – Dissolved	0.1	3	6010D	Dissolved metals, Client List (21) - via Field filtration
Zinc – Dissolved	2	3	6010D	Dissolved metals, Client List (21) - via Field filtration

Notes: *Sampling specifications, including method and descriptions, summarized from Eurofins Denver Quote 28026995-0 received on July 11, 2024*

FIGURES

Monday, July 29, 2024 07:55 AM Folder: O:\Longmont\2021\21C26002.00 Ary Corp\03 SE Products\08-Two Rivers Pit\07-GIS\



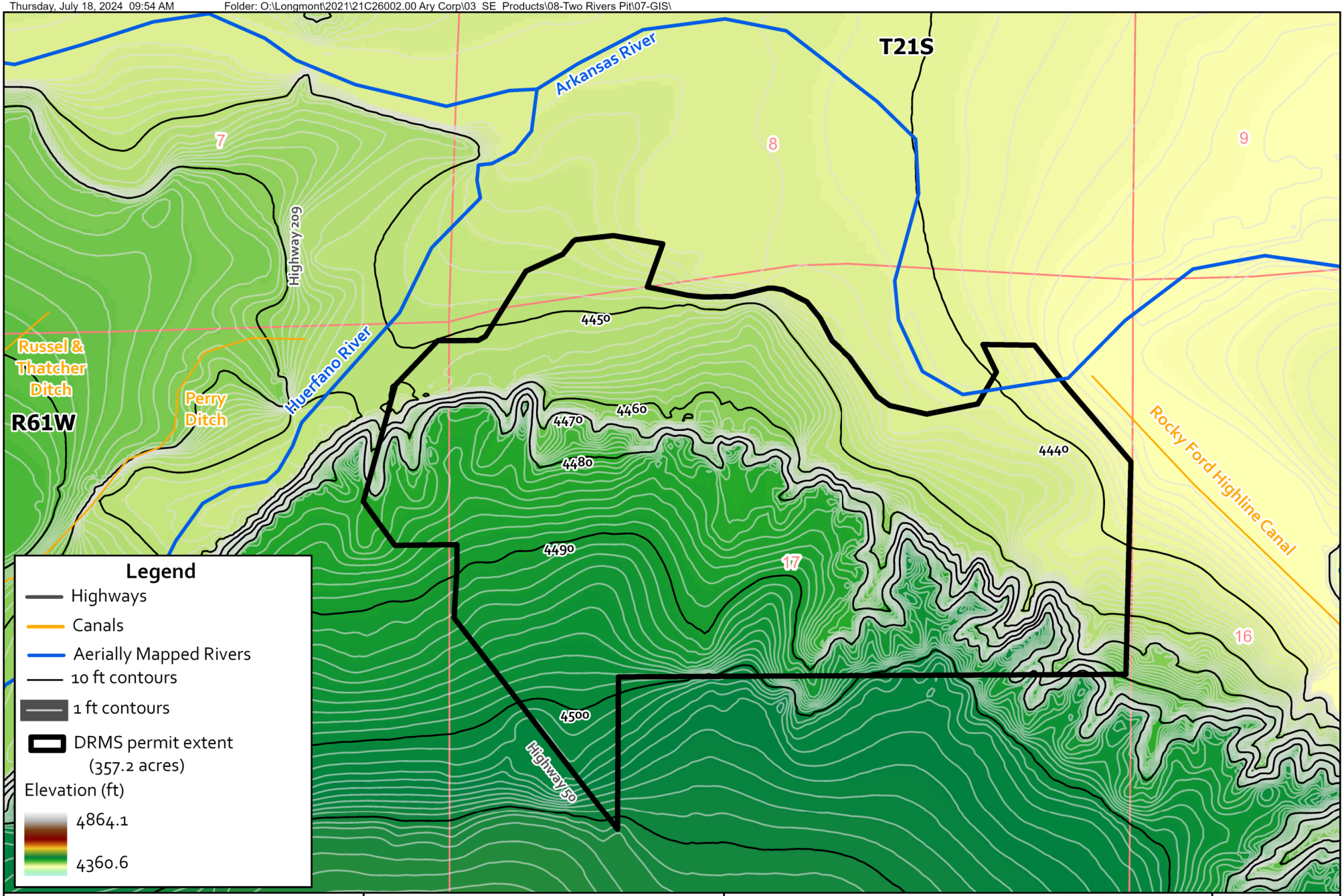
Schnabel ENGINEERING

TWO RIVERS PIT GENERAL LOCATION
Site Overview

JOB NO: 21C26002.000, Task 08 SCALE: 1 inch = 1,000 feet

FIGURE NO. 1

Thursday, July 18, 2024 09:54 AM Folder: O:\Longmont\2021\21C26002.00 Ary Corp\03 SE Products\08-Two Rivers Pit\07-GIS\

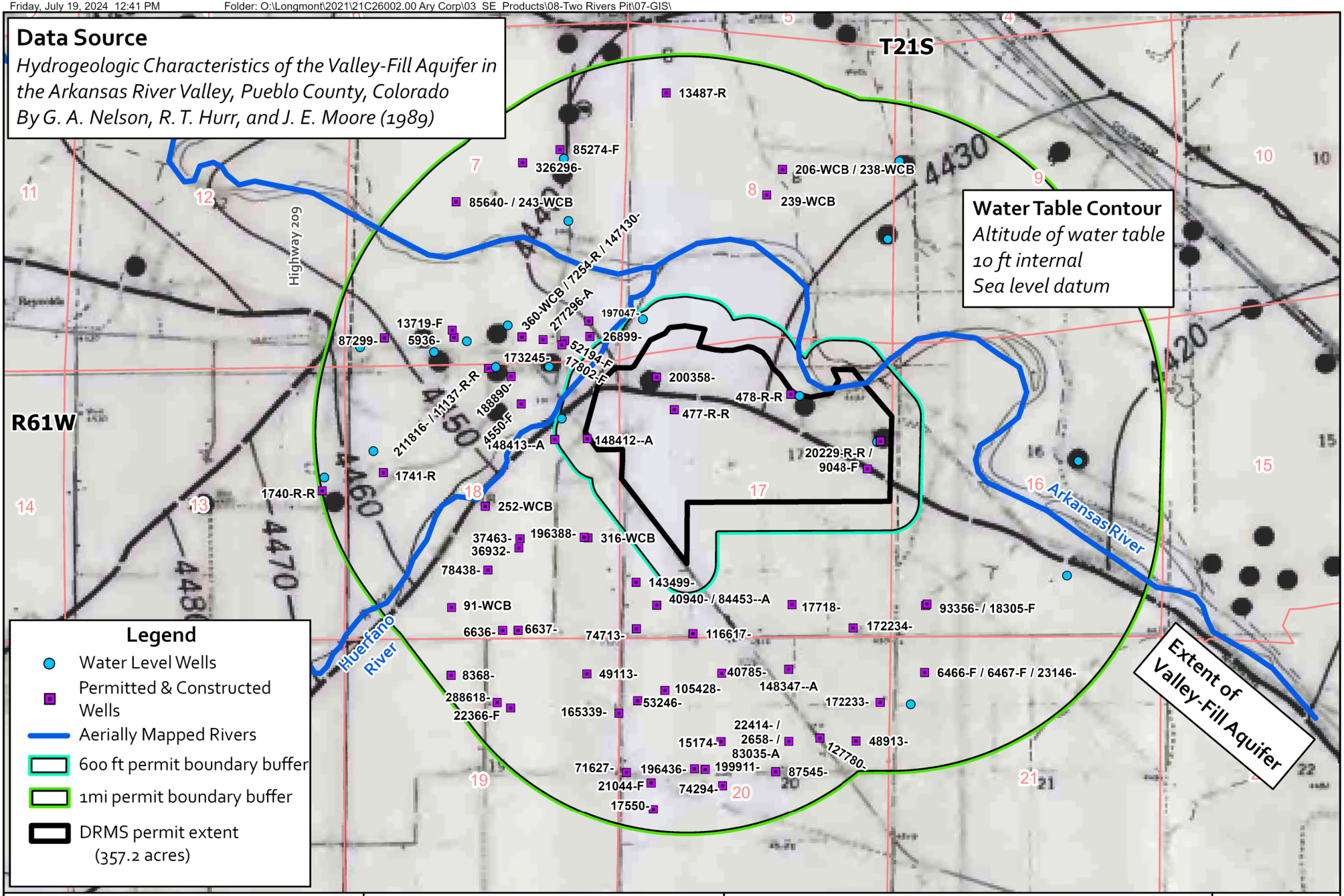


Schnabel ENGINEERING

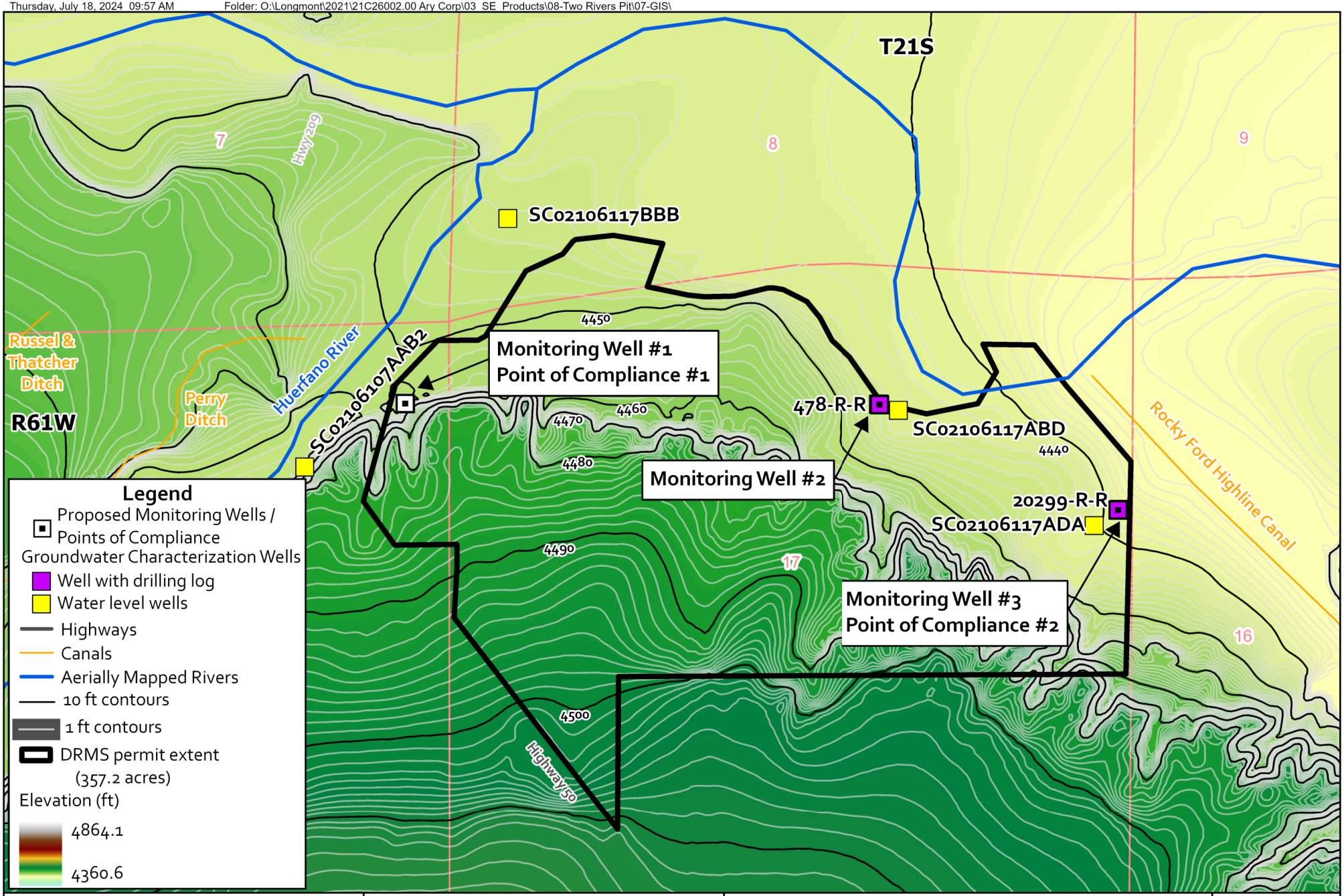
TWO RIVERS PIT GENERAL LOCATION
Site Topography

JOB NO: 21C26002.000, Task 08 SCALE: 1 inch = 1,000 feet

FIGURE NO. 2


Data Source
Hydrogeologic Characteristics of the Valley-Fill Aquifer in the Arkansas River Valley, Pueblo County, Colorado
By G. A. Nelson, R. T. Hurr, and J. E. Moore (1989)
T21S
R61W
Water Table Contour
Altitude of water table
10 ft internal
Sea level datum
Legend
Water Level Wells
Permitted & Constructed Wells
Aerially Mapped Rivers
600 ft permit boundary buffer
1mi permit boundary buffer
DRMS permit extent (357.2 acres)
Arkansas River
Huerfano River
Highway 209
Extent of Valley-Fill Aquifer
13487-R
85274-F
326296-
206-WCB / 238-WCB
239-WCB
85640- / 243-WCB
360-WCB / 7254-R / 147130-
277296-A
197047-
26899-
13719-F
87299-
5936-
173245-
52194-F
17802-R
200358-
478-R-R
477-R-R
188890-
4550-F
211816- / 11137-R-R
148413--A
148412--A
20229-R-R / 9048-F
1741-R
1740-R-R
252-WCB
37463-
36932-
196388-
316-WCB
78438-
143499-
40940- / 84453--A
17718-
93356- / 18305-F
91-WCB
6636-
6637-
74713-
116617-
172234-
8368-
49113-
40785-
6466-F / 6467-F / 23146-
288618-
22366-F
105428-
148347--A
53246-
165339-
172233-
22414- /
2658- /
83035-A
15174-
48913-
127780-
71627-
196436-
199911-
87545-
21044-F
74294-
17550-
4430
4440
4450
4460
4470
4420
0
2,500
5,000
Feet
Aerial Imagery: Pueblo County 2023 NAIP
Schnabel ENGINEERING
TWO RIVERS PIT GENERAL LOCATION
Alluvial Aquifer and Surrounding Wells
JOB NO: 21C26002.000, Task 08
SCALE: 1 inch = 2,500 feet
FIGURE NO.
3

Thursday, July 18, 2024 09:57 AM Folder: O:\Longmont\2021\21C26002.00 Ary Corp\03 SE Products\08-Two Rivers Pit\07-GIS\



ATTACHMENT 1

EXISTING WELLS DATA

WRJ-26-72

WA AD

6/26/87

COLORADO DIVISION OF WATER RESOURCES

300 Columbine Bldg., 1845 Sherman St.
Denver, Colorado 80203

THIS FORM MUST BE SUBMITTED WITHIN 60 DAYS OF COMPLETION OF THE WORK DESCRIBED HEREON. TYPE OR PRINT IN BLACK INK.

WELL COMPLETION AND PUMP INSTALLATION REPORT

PERMIT NUMBER 148412-A

RECEIVED
AUG 10 1987
WATER RESOURCES
STATE ENGINEER

WELL OWNER Hattie Yochum

ADDRESS Gen. Del Boone, CO 81025

DATE COMPLETED May 23, 1987

SE ¼ of the NE ¼ of Sec. 18,

T. 21 S, R. 61 W, 6 P.M.

WELL LOG

From	To	Type and Color of Material	Water Loc.
0	6	Topsoil, Brown	
6	10	Course Gravel, Grey	
10	22	Sand and Gravel, Grey	17
22	25	Clay, Yellow	
25	40	Shale, Grey	

TOTAL DEPTH 40 ft.

Use additional pages necessary to complete log.

HOLE DIAMETER

10 in. from 0 to 13 ft.

6 in. from 13 to 40 ft.

____ in. from ____ to ____ ft.

DRILLING METHOD ____

CASING RECORD:

Plain Casing

Size 6 5/8 & kind Steel from +2 to 16 ft.

Size ____ & kind ____ from ____ to ____ ft.

Size ____ & kind ____ from ____ to ____ ft.

Perforated Casing

Size 6 5/8 & kind Steel from 16 to 25 ft.

Size ____ & kind Open Hole from 25 to 40 ft.

Size ____ & kind ____ from ____ to ____ ft.

GROUTING RECORD

Material Cement

Intervals 13 ft. to Surface

Placement Method Pour

GRAVEL PACK: Size ____

Interval ____

TEST DATA

Date Tested 23 May, 19 87

Static Water Level Prior to Test 14 ft.

Type of Test Pump Bailer

Length of Test 2 hr.

Sustained Yield (Metered) 5 gpm

Final Pumping Water Level 25 ft.

PUMP INSTALLATION REPORT

Pump Make _____

Type _____

Powered by _____ HP _____

Pump Serial No. _____

Motor Serial No. _____

Date Installed _____

Pump Intake Depth _____

Remarks _____

_____

WELL TEST DATA WITH PERMANENT PUMP

Date Tested _____

Static Water Level Prior to Test _____

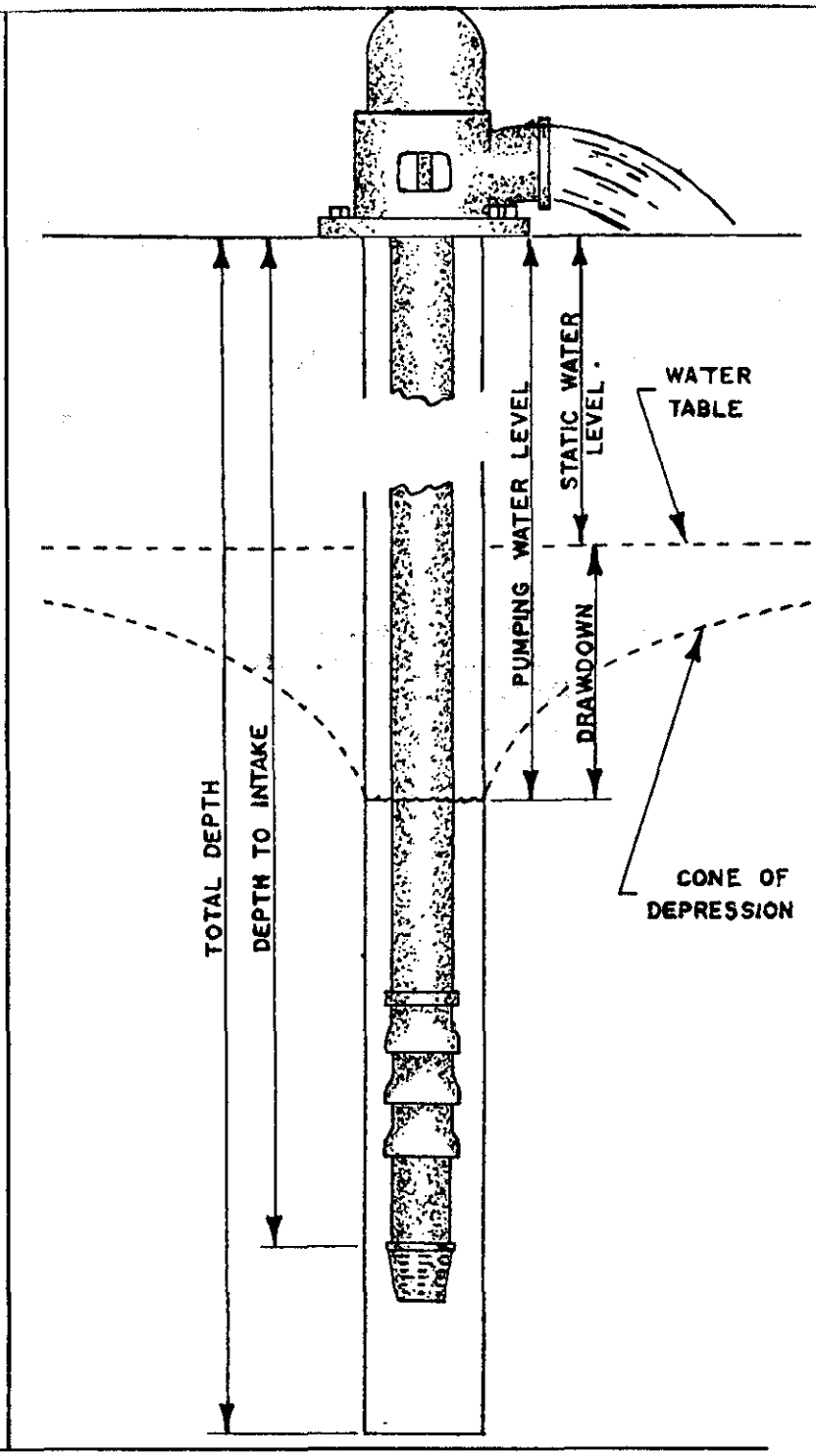
Length of Test _____ Hours

Sustained yield (Metered) _____ GPM

Pumping Water Level _____

Remarks _____

_____



CONTRACTORS STATEMENT

The undersigned, being duly sworn upon oath, deposes and says that he is the contractor of the well or pump installation described hereon; that he has read the statement made hereon; knows the content thereof, and that the same is true of his own knowledge.

Signature Helen Young License No. 997

State of Colorado, County of Fremont SS

Subscribed and sworn to before me this 4 day of August, 19 87.

My Commission expires: December 8, 19 88.

Notary Public Geraldine J. White

FORM TO BE MADE OUT IN QUADRUPLICATE: WHITE FORM must be an original copy on both sides and signed. WHITE AND GREEN copies must be filed with the State Engineer. PINK COPY is for the Owner and YELLOW COPY is for the Driller.

WRJ-5-Rev. 76

COLORADO DIVISION OF WATER RESOURCES
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203

RECEIVED
JUN - 3 1986
WATER RESOURCES
STATE - ENGINEER
COLO.

PERMIT APPLICATION FORM

Application must be complete where applicable. Type or print in BLACK INK. No overstrikes or erasures unless initialed.

RECEIVED
MAY 18 1987
WATER RESOURCES
STATE - ENGINEER
COLO.

FOR: (X) A PERMIT TO USE GROUND WATER
(X) A PERMIT TO CONSTRUCT A WELL
(X) A PERMIT TO INSTALL A PUMP
( ) REPLACEMENT FOR NO. _____
( ) OTHER _____
WATER COURT CASE NO. _____

(1) APPLICANT - mailing address

NAME Hattie Yochum

STREET Gen. Del.

CITY Boone CO (State) 81025 (Zip)

TELEPHONE NO. 947-3551

(2) LOCATION OF PROPOSED WELL

County Pueblo

SE ¼ of the NE¼ ¼, Section 18

Twp. 21 S (N,S), Rng. 61 W (E,W), 6 P.M.

(3) WATER USE AND WELL DATA

Proposed maximum pumping rate (gpm) 15

Average annual amount of ground water to be appropriated (acre-feet): 1.5

Number of acres to be irrigated: 10,000 Sq. Ft.

Proposed total depth (feet): 60

Aquifer ground water is to be obtained from:

Owner's well designation _____

GROUND WATER TO BE USED FOR:

( ) HOUSEHOLD USE ONLY - no irrigation (0)
(X) DOMESTIC (1)
( ) LIVESTOCK (2)
( ) COMMERCIAL (4)
( ) INDUSTRIAL (5)
( ) IRRIGATION (6)
( ) MUNICIPAL (8)
( ) OTHER (9) _____

DETAIL THE USE ON BACK IN (11)

(4) DRILLER

Name Baski Drilling, Inc.

Street 33490 Hwy. 50 East

City Pueblo CO (State) (Zip)

Telephone No. 948-2201 Lic. No. _____

FOR OFFICE USE ONLY: DO NOT WRITE IN THIS COLUMN

Receipt No. 65380 D

Basin _____ Dist. _____

CONDITIONS OF APPROVAL

This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.

1) APPROVED PURSUANT TO C.R.S. 37-90-602(3)(c) FOR THE RELOCATION OF EXISTING WELL PERMIT NO. 148412. THE EXISTING WELL MUST BE PLUGGED AND ABANDONED ACCORDING TO THE RULES AND REGULATIONS FOR WATER WELL AND PUMP INSTALLATION CONTRACTORS WITHIN NINETY (90) DAYS OF COMPLETION OF THE NEW WELL. THE ENCLOSED AFFIDAVIT FORM MUST BE COMPLETED AND SUBMITTED AFFIRMING THAT THE OLD WELL WAS PLUGGED AND ABANDONED.
2) THE USE OF GROUND WATER FROM THIS WELL IS LIMITED TO FIRE PROTECTION, ORDINARY HOUSEHOLD PURPOSES INSIDE 1 SINGLE FAMILY DWELLING(S), THE IRRIGATION OF NOT MORE THAN 10,000 SQ. FT. OF HOME GARDENS AND LAWNS, AND THE WATERING OF DOMESTIC ANIMALS. 6/25/87

APPLICATION APPROVED

PERMIT NUMBER 148412-A

DATE ISSUED JUN 26 1987

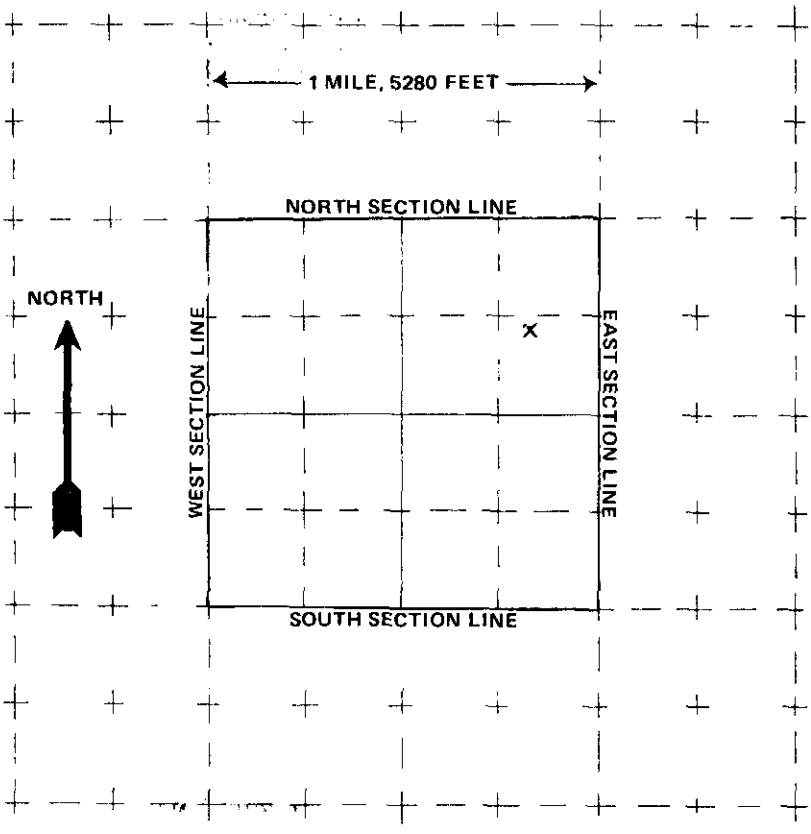
EXPIRATION DATE JUN 26 1989

Jeris A. Danielson
(STATE ENGINEER)

BY _____

I.D. 2-14 COUNTY 51

(5) THE LOCATION OF THE PROPOSED WELL and the area on which the water will be used must be indicated on the diagram below. Use the CENTER SECTION (1 section, 640 acres) for the well location.



The scale of the diagram is 2 inches = 1 mile
Each small square represents 40 acres.

WATER EQUIVALENTS TABLE (Rounded Figures)
An acre-foot covers 1 acre of land 1 foot deep
1 cubic foot per second (cfs) . . . 449 gallons per minute (gpm)
A family of 5 will require approximately 1 acre-foot of water per year.
1 acre-foot . . . 43,560 cubic feet . . . 325,900 gallons.
1,000 gpm pumped continuously for one day produces 4.42 acre-feet.

(6) THE WELL MUST BE LOCATED BELOW by distances from section lines.

1340 ft. from north (north or south) sec. line

690 ft. from east (east or west) sec. line

LOT _____ BLOCK _____ FILING # _____

SUBDIVISION _____

(7) TRACT ON WHICH WELL WILL BE LOCATED Owner: Hattie Yockum

No. of acres 30 . Will this be the only well on this tract? no

(8) PROPOSED CASING PROGRAM

Plain Casing

6 in. from 0 ft. to 40 ft.

6 in. from 40 ft. to 60 ft.

Perforated casing

_____ in. from _____ ft. to _____ ft.

_____ in. from _____ ft. to _____ ft.

(9) FOR REPLACEMENT WELLS give distance and direction from old well and plans for plugging it:

10 ft. from old well
Old well plugged according to rules and regulations

(10) LAND ON WHICH GROUND WATER WILL BE USED:

Owner(s): Hattie Yockum No. of acres: 30

Legal description: SE¼NE¼, Sec. 18, T. 21 S., R. 61 W., 6 P.M.

(11) DETAILED DESCRIPTION of the use of ground water: **Household use and domestic wells must indicate type of disposal system to be used.**

Domestic Septic tank installed 1983

(12) OTHER WATER RIGHTS used on this land, including wells. Give Registration and Water Court Case Numbers.

Type or right	Used for (purpose)	Description of land on which used
Well	Domestic	SE¼NE¼, Sec. 18, T. 21 S., R. 61 W., 6 P.M.

(13) THE APPLICANT(S) STATE(S) THAT THE INFORMATION SET FORTH HEREON IS TRUE TO THE BEST OF HIS KNOWLEDGE.

Hattie Yockum
SIGNATURE OF APPLICANT(S)

Use additional sheets of paper if more space is required.

COLORADO
Division of Water Resources
Department of Natural Resources

WELL PERMIT NUMBER 477-R-R
RECEIPT NUMBER 0317949

ORIGINAL PERMIT APPLICANT(S)

ALWAYS GREEN CBD LLC

APPROVED WELL LOCATION

Water Division: 2 Water District: 14
Designated Basin: N/A
Management District: N/A
County: PUEBLO
Parcel Name: N/A
Physical Address: N/A

NW 1/4 NW 1/4 Section 17 Township 21.0 S Range 61.0 W Sixth P.M.

UTM COORDINATES (Meters, Zone:13, NAD83)

Easting: 565320.8 Northing: 4231059.5

See the original well permit file for permit conditions of approval and additional details. The original permit file can be viewed using the Well Permit Search Tool at https://dwr.colorado.gov/

See Original Permit

Issued By

Date Issued: 11/2/1990
Expiration Date: 11/2/1991

PERMIT HISTORY

02-16-2023	CHANGE IN OWNER NAME/MAILING ADDRESS. CHANGED TO FREMONT PAVING AND REDI-MIX
03-04-2016	CHANGE IN OWNER NAME/MAILING ADDRESS

FORM NO. GWS-11 07/93

STATE OF COLORADO
OFFICE OF THE STATE ENGINEER
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581

For Office Use only
RECEIVED
JUN 27 1995
DIVISION ENGINEER
PUEBLO, COLORADO

PRIOR TO COMPLETING FORM, SEE INSTRUCTIONS ON REVERSE SIDE

CHANGE IN OWNERSHIP/ADDRESS / LOCATION

WELL PERMIT, LIVESTOCK TANK OR EROSION CONTROL DAM

RECEIVED
JUN 28 '95
WATER RESOURCES
STATE ENGINEER
COLO

1. NEW OWNER
NAME(S) CARL PANTALEO
Mailing Address 57935 HWY 50 E
City, St. Zip Boone Co 81025
Phone (719) 947 3033

2. THIS CHANGE IS FOR ONE OF THE FOLLOWING:
☐ WELL PERMIT NUMBER 0477R W 1866
☐ LIVESTOCK WATER TANK NUMBER
☐ EROSION CONTROL DAM NUMBER

3. WELL LOCATION: COUNTY PUEBLO OWNER'S WELL DESIGNATION WELL #2
(Address) (City) (State) (Zip)
NW 1/4 of the NW 1/4, Sec. 17 Twp. 21 ☐ N. or ☒ S., Range 61 ☐ E. or ☒ W. 6 P.M.
Distances from Section Lines 1000 Ft. from ☒ N. or ☐ S. Line, 1000 Ft. from ☐ E. or ☒ W. Line.
Subdivision Lot Block Filing (Unit)

4. LIVESTOCK TANK OR EROSION CONTROL DAM LOCATION: COUNTY
1/4, Sec. Twp. ☐ N. or ☐ S., Range ☐ E. or ☐ W. P.M.

5. The above listed owner(s) say(s) that he (they) own the structure described herein.
The existing record is being amended for the following reason(s):
☒ Change in name of owner. ☐ Change in mailing address. ☐ Correction of location.

6. I (we) have read the statements made herein, know the contents thereof, and state that they are true to my (our) knowledge.
[Pursuant to Section 24-4-104 (13)(a) C.R.S., the making of false statements herein constitutes perjury in the second degree and is punishable as a class 1 misdemeanor.]

Name/Title (Please type or print)	Signature	Date
CARL PANTALEO	Carl Pantaleo	6-26-95

FOR OFFICE USE ONLY

ACCEPTED AS A CHANGE IN OWNERSHIP AND/OR MAILING ADDRESS.

Hal D. Simpson
State Engineer

By

JUL 19 1995
Date

Court Case No. Div. 2 Co. 51 WD 14 Basin MD Use

FORM NO. GWS-11 10/89

STATE OF COLORADO
OFFICE OF THE STATE ENGINEER
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581

For Office Use only

RECEIVED
JAN 28 '91
WATER RESOURCES
STATE ENGINEER
COLO.

PRIOR TO COMPLETING FORM, SEE INSTRUCTIONS ON REVERSE SIDE

CHANGE IN OWNERSHIP / ADDRESS

WELL PERMIT, LIVESTOCK TANK OR EROSION CONTROL DAM

1. NEW OWNER

NAME(S) O. W. Carruth
Mailing Address 3009 Country Club Dr.
City, St. Zip Pueblo, Co. 81008
Phone (719) 542-3371

2. THIS CHANGE IS FOR ONE OF THE FOLLOWING:

[X] WELL PERMIT NUMBER 0477 RR

[ ] LIVESTOCK WATER TANK NUMBER _____

[ ] EROSION CONTROL DAM NUMBER _____

3. WELL LOCATION: COUNTY Pueblo OWNER'S WELL DESIGNATION Irrigation & Livestock (corrected)

57935 Hwy. 50 E. (Address) Boone, (City) Co. (State) 81025 (Zip)

NW 1/4 of the NW 1/4, Sec. 17 Twp. 21 [ ] N. or [X] S., Range 61 [ ] E. or [X] W. 6th P.M.

Distances from Section Lines _____ Ft. from [ ] N. or [ ] S. Line, _____ Ft. from [ ] E. or [ ] W. Line.

Subdivision _____ Lot _____ Block _____ Filing (Unit) _____

4. LIVESTOCK TANK OR EROSION CONTROL DAM LOCATION: COUNTY _____

_____ 1/4, Sec. _____ Twp. _____ [ ] N. or [ ] S., Range _____ [ ] E. or [ ] W. _____ P.M.

5. The above listed owner(s) say(s) that he (they) own the structure described herein.
The existing record is being amended for the following reason(s):

[X] Change in name of owner. [ ] Change in mailing address.

6. I (we) have read the statements made herein, know the contents thereof, and state that they are true to my (our) knowledge.
[Pursuant to Section 24-4-104 (13)(a) C.R.S., the making of false statements herein constitutes perjury in the second degree and is punishable as a class 1 misdemeanor.]

Name/Title (Please type or print)	Signature	Date
O. W. Carruth, Owner		1-23-91

FOR OFFICE USE ONLY

State Engineer _____ By _____ Date _____

Court Case No. _____ Div. 2 Co. 51 WD 14 Basin _____ MD _____ Use 1

[redacted]

FORM NO. GWS-11 10/89

STATE OF COLORADO
OFFICE OF THE STATE ENGINEER
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581

For Office Use only

RECEIVED
FEB 27 '91
WATER RESOURCES
STATE ENGINEER
COLO.

321753 CHEQUE $16.00

PRIOR TO COMPLETING FORM, SEE INSTRUCTIONS ON REVERSE SIDE

CHANGE IN OWNERSHIP / ADDRESS

WELL PERMIT, LIVESTOCK TANK OR EROSION CONTROL DAM

1. NEW OWNER

NAME(S) O. W. Carruth
Mailing Address 3009 Country Club Dr.
City, St. Zip Pueblo, Co. 81008
Phone (719) 542-3371

2. THIS CHANGE IS FOR ONE OF THE FOLLOWING:

[x] WELL PERMIT NUMBER [redacted]
[ ] LIVESTOCK WATER TANK NUMBER ______
[ ] EROSION CONTROL DAM NUMBER ______

3. WELL LOCATION: COUNTY Pueblo OWNER'S WELL DESIGNATION Irrigation

57935 Hwy. 50 E (Address) Boone (City) CO. (State) 81025 (Zip)

NW 1/4 of the NW 1/4, Sec. 17 Twp. 21 [ ] N. or [x] S., Range 61 [ ] E. or [x] W. 6th P.M.

Distances from Section Lines ______ Ft. from [ ] N. or [ ] S. Line, ______ Ft. from [ ] E. or [ ] W. Line.

Subdivision ______ Lot ______ Block ______ Filing (Unit) ______

4. LIVESTOCK TANK OR EROSION CONTROL DAM LOCATION: COUNTY ______

______ 1/4, Sec. ______ Twp. ______ [ ] N. or [ ] S., Range ______ [ ] E. or [ ] W. ______ P.M.

5. The above listed owner(s) say(s) that he (they) own the structure described herein.
The existing record is being amended for the following reason(s):

[x] Change in name of owner. [ ] Change in mailing address.

6. I (we) have read the statements made herein, know the contents thereof, and state that they are true to my (our) knowledge.
[Pursuant to Section 24-4-104 (13)(a) C.R.S., the making of false statements herein constitutes perjury in the second degree and is punishable as a class 1 misdemeanor.]

Name/Title (Please type or print)	Signature	Date
O. W. Carruth, Owner	(signature)	1-23-91

FOR OFFICE USE ONLY

(signature) State Engineer — M. Ottli By — FEB 28 1991 Date

Court Case No. ______ Div. 2 Co. 51 WD 14 Basin ______ MD ______ Use 1

11-2-90

FORM NO. GWS-10 10/88

STATE OF COLORADO
OFFICE OF THE STATE ENGINEER
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581

RECEIVED
JUL 29'91
WATER RESOURCES
STATE ENGINEER
COLO

For Office Use only
SP&mo

FOR INSTRUCTIONS, SEE REVERSE SIDE

STATEMENT OF BENEFICIAL USE

WELL PERMIT NUMBER 477 R.R

1. WELL OWNER

NAME(S) O. W. Carruth

Mailing Address 3009 Country Club Dr.

City, St. Zip Pueblo, CO 81008

Phone (719) 542-3371

10-9-91

2. WELL LOCATION: COUNTY Pueblo OWNER'S WELL DESIGNATION Irrigation

Boone, CO 81025
(Address) (City) (State) (Zip)

NW 1/4 of the NW 1/4, Sec. 17 Twp. 21 ☐ N. or ☒ S., Range 61 ☐ E. or ☒ W. 6th P.M.

Distances from Section Lines 700 Ft. from ☒ N. or ☐ S. Line, 700 Ft. from ☐ E. or ☒ W. Line.

3. The well is being used for the following purpose(s): Irrigation

4. Water from the well was first used beneficially for the above purpose(s) on Dec. 1, 1990

5. The pumping rate claimed is 325.8 gallons per minute.

6. The average annual amount of water diverted is 230 acre feet.

7. The land area irrigated (watered) by water from this well is: 90 (Number) ☒ Acres or ☐ Square feet,

described as: N½ of Sec. 17 & NE¼ of Sec. 18, Twp. 21 South, Rng. 61 West, 6th P.M.
(Legal Description)

or as _____ Subdivision Lot(s)_____ Block_____ Filing/Unit _____

8. Well drilled by: B & B Drilling Lic. No: 72

Pump installed by: B & B Drilling Lic. No: 72

9. Meter Mfg. by Badger Serial No.: SN 90888882 Date Installed: Dec. 1, 1990

I (we) have read the statements made herein, know the contents thereof, and state that they are true to my (our) knowledge. [Pursuant to Section 24-4-104 (13)(a) C.R.S., the making of false statements herein constitutes perjury in the second degree and is punishable as a Class 1 misdemeanor.]

10. Name/Title (Please type or print)	Signature	Date
O. W. Carruth		7-26-91

FOR OFFICE USE ONLY

State Engineer
Court Case No. Div. 2 By Co. 51 WD 14 Basin MD Date Use 1

Form No. GWS-25

OFFICE OF THE STATE ENGINEER
COLORADO DIVISION OF WATER RESOURCES

818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581

X 12-14-90

72

WELL PERMIT NUMBER 477 - R - R

DIV. 2 CNTY. 51 WD 14 DES. BASIN ___ MD ___

APPLICANT

O W CARRUTH
3009 COUNTRY CLUB
PUEBLO, CO 81008

APPROVED WELL LOCATION

COUNTY PUEBLO

NW 1/4 NW 1/4 Section 17

Twp 21 S , Range 61 W S P.M.

DISTANCES FROM SECTION LINES

700 Ft. from North Section Line

700 Ft. from West Section Line

PERMIT TO CONSTRUCT A WELL

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT

CONDITIONS OF APPROVAL

1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.

2) Approved pursuant to CRS 37-90-137(2) for the replacement of an existing well, permit no. 477-R (decreed by the Division 2 Water Court as well no. 1, case no. W-1866). The old well (Battery of two wells) must be plugged and abandoned according to the Water Well Construction and Pump Installation Rules. An abandonment report must be submitted within sixty (60) days after construction of the new well, affirming that the old well was plugged and abandoned.

3) The maximum pumping rate shall not exceed 325.8 GPM. (.72 CFS).

4) The average annual amount of ground water to be appropriated shall not exceed 230 acre-feet.

5) Approval of this replacement permit shall not result in an expanded use of ground water. The use of ground water from this well combined with well no. 478-R is restricted to the irrigation of 90 acres in parts of N 1/2 of Sec. 17 and NE 1/4 of Sec. 18, Twp. 21 South, Rng. 61 West, 6th P.M.

6) A totalizing flow meter must be installed on the well and maintained in good working order. Permanent records of all diversions must be maintained by the well owner (recorded at least annually) and submitted to the Division Engineer upon request.

7) The owner shall mark the well in a conspicuous place with well permit number(s), name of the aquifer, and court case number(s) as appropriate. He shall take necessary means and precautions to preserve these markings.

8) This well shall be constructed at least 600 feet from any existing well.

9) This well is subject to administration by the Division Engineer in accordance with applicable decrees, statutes, rules, and regulations. KBM 11/1/90.

APPROVED: KBM

Jim A. Davidson
State Engineer

Bruce E. DeBrine
By

Receipt No. 0317949

DATE ISSUED NOV 02 1990

EXPIRATION DATE NOV 02 1991

80-K

WR 1.5 Rev. 76

RECEIVED

SEP 18 '90

WATER RESOURCES
STATE ENGINEER
COLO.

COLORADO DIVISION OF WATER RESOURCES

818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203

PERMIT APPLICATION FORM

Application must be complete where applicable. Type or print in BLACK INK. No overstrikes or erasures unless initialed.

FOR: ( ) A PERMIT TO USE GROUND WATER
( ) A PERMIT TO CONSTRUCT A WELL
( ) A PERMIT TO INSTALL A PUMP
(X) REPLACEMENT FOR NO. 0477
( ) OTHER
WATER COURT CASE NO. W1866

09-18-90 2:57 P
032472 60.00
RNXODE P0017
TTL 60.00
CHEQUE 60.00
CHG 0.00

(1) APPLICANT - mailing address

NAME O. W. Carruth

STREET 3009 Country Club

CITY Pueblo, Co. 81008 (State) (Zip)

TELEPHONE NO. 542-3371 (719)

(2) LOCATION OF PROPOSED WELL

County Pueblo

NW ¼ of the NW ¼, Section 17

Twp. 21S (N,S), Rng. 61W (E,W), 6 P.M.

(3) WATER USE AND WELL DATA

Proposed maximum pumping rate (gpm) 600

Average annual amount of ground water to be appropriated (acre-feet): 230 AF

Number of acres to be irrigated: ~~100~~ 92

Proposed total depth (feet): 48

Aquifer ground water is to be obtained from:

Surface

Owner's well designation 0477

GROUND WATER TO BE USED FOR:

( ) HOUSEHOLD USE ONLY - no irrigation (0)
( ) DOMESTIC (1)
(X) LIVESTOCK (2)
( ) COMMERCIAL (4)
( ) INDUSTRIAL (5)
(X) IRRIGATION (6)
( ) MUNICIPAL (8)
( ) OTHER (9)

DETAIL THE USE ON BACK IN (11)

(4) DRILLER

Name B. B. Drilling

Street 4639 Zion

City Greeley Co. (State) 80634 (Zip)

Telephone No. _____ Lic. No. 72

FOR OFFICE USE ONLY: DO NOT WRITE IN THIS COLUMN
CL-1 1A7949

Receipt No. 317949 /

Basin _____ Dist. _____

CONDITIONS OF APPROVAL

This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.

APPLICATION APPROVED

PERMIT NUMBER _____

DATE ISSUED _____

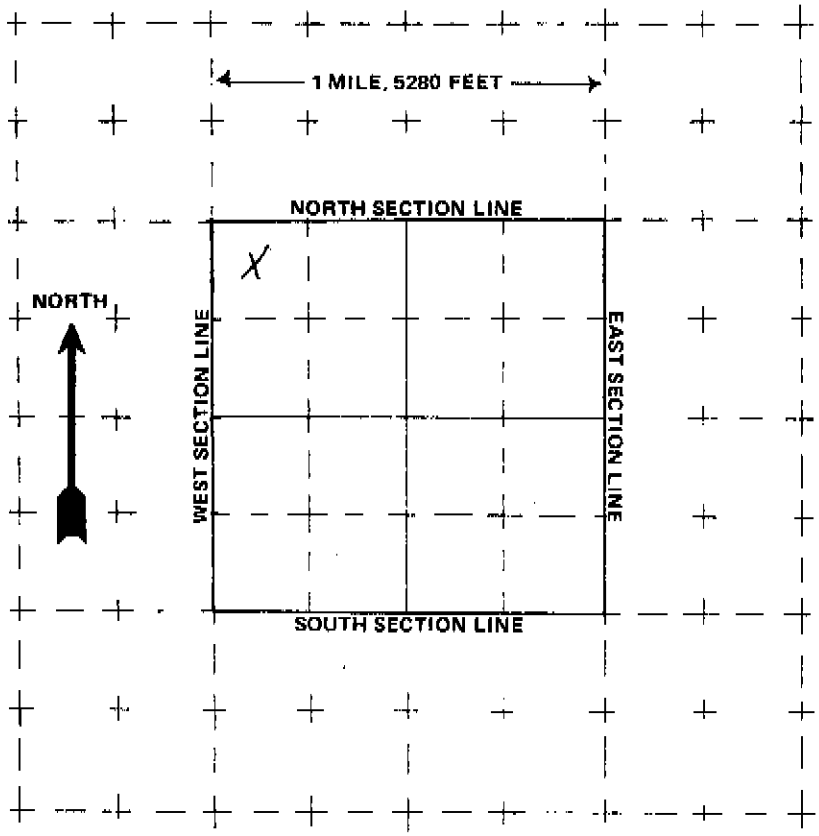
EXPIRATION DATE _____

(STATE ENGINEER)

BY _____

I.D. 2 COUNTY 51 14

(5) THE LOCATION OF THE PROPOSED WELL and the area on which the water will be used must be indicated on the diagram below. Use the CENTER SECTION (1 section, 640 acres) for the well location.



The scale of the diagram is 2 inches - 1 mile
Each small square represents 40 acres.

WATER EQUIVALENTS TABLE (Rounded Figures)
An acre-foot covers 1 acre of land 1 foot deep
1 cubic foot per second (cfs) . . . 449 gallons per minute (gpm)
A family of 5 will require approximately 1 acre-foot of water per year.
1 acre-foot . . . 43,560 cubic feet . . . 325,900 gallons.
1,000 gpm pumped continuously for one day produces 4.42 acre-feet.

(6) THE WELL MUST BE LOCATED BELOW by distances from section lines.

700 ft. from North (north or south) sec. line

700 ft. from West (east or west) sec. line

LOT _____ BLOCK _____ FILING # _____

SUBDIVISION _____

(7) TRACT ON WHICH WELL WILL BE LOCATED Owner: O. W. Carruth

No. of acres 90 . Will this be the only well on this tract? No

(8) PROPOSED CASING PROGRAM

Plain Casing

24 in. from 0 ft. to 20 ft.

_____ in. from _____ ft. to _____ ft.

Perforated casing

24 in. from 25 ft. to 45 ft.

_____ in. from _____ ft. to _____ ft.

(9) FOR REPLACEMENT WELLS give distance and direction from old well and plans for plugging it:

40' N

According to Rules & Reg.

(10) LAND ON WHICH GROUND WATER WILL BE USED:

Owner(s): O. W. Carruth No. of acres: 90

Legal description: Same As Above

(11) DETAILED DESCRIPTION of the use of ground water: **Household use and domestic wells must indicate type of disposal system to be used.**

Irrigation of 90 acres Decreed in W 1866

(12) OTHER WATER RIGHTS used on this land, including wells. Give Registration and Water Court Case Numbers.

Type or right	Used for (purpose)	Description of land on which used
Well	Irrigation	Land Decreed in W 1866 # 478

(13) THE APPLICANT(S) STATE(S) THAT THE INFORMATION SET FORTH HEREON IS TRUE TO THE BEST OF HIS KNOWLEDGE.

SIGNATURE OF APPLICANT(S)

Use additional sheets of paper if more space is required.

STATE OF COLORADO

OFFICE OF THE STATE ENGINEER
Division of Water Resources
Department of Natural Resources
1313 Sherman Street, Room 818
Denver, Colorado 80203
Phone (303) 866-3581
FAX (303) 866-3589

September 22, 1995

Dean Bechtold
B & B Drilling
4639 Zion
Greeley, CO 80634

RE: Construction and Pump Installation of Well Permit Nos. 477-R-R and 478-R-R.

Dear Mr. Bechtold:

Information has been received that your firm constructed the wells and/or installed pumping equipment under the subject well permit numbers on or about December 1990. A copy of the well permits are enclosed.

X The records show that a well construction and test report has not been received.

X The records show that a pump installation and test report has not been received.

The requested information is necessary to complete our well file records. Your timely response to this request is appreciated. If you have any questions, contact this office.

Sincerely

Richard Bell
Water Resource Geologist

wells were Bailed out some old pumps
Back in wells at that time

Dean Bechtold

STATE OF COLORADO

OFFICE OF THE STATE ENGINEER
Division of Water Resources
Department of Natural Resources
1313 Sherman Street, Room 818
Denver, Colorado 80203
Phone (303) 866-3581
FAX (303) 866-3589

September 22, 1995

Dean Bechtold
B & B Drilling
4639 Zion
Greeley, CO 80634

RE: Construction and Pump Installation of Well Permit Nos. 477-R-R and 478-R-R.

Dear Mr. Bechtold:

Information has been received that your firm constructed the wells and/or installed pumping equipment under the subject well permit numbers on or about December 1990. A copy of the well permits are enclosed.

X The records show that a well construction and test report has not been received.

X The records show that a pump installation and test report has not been received.

The requested information is necessary to complete our well file records. Your timely response to this request is appreciated. If you have any questions, contact this office.

Sincerely

Richard Bell
Water Resource Geologist

ROY ROMER
Governor

JERIS A. DANIELSON
State Engineer

OFFICE OF THE STATE ENGINEER
DIVISION OF WATER RESOURCES

1313 Sherman Street-Room 818
Denver, Colorado 80203
(303) 866-3581

October 9, 1991

B+B Drilling Sales + Service
4639 E Lon D Drive
Greeley, Co. 80634

RE: Construction of Well Permit No. 477-RR.

Dear Mr. Beckstead:

On July 29, 1991, this office received information in the form of a Statement of Beneficial Use that your firm constructed a well under the subject well permit number on or about December 1, 1990. A copy of the well permit is enclosed.

Our records do not show that a well completion report was received. As a result the permit was expired. If this information is correct, a work report must be submitted.

The requested information is required under the Rules and Regulations and is necessary to complete our well file records. Your timely response to this request is appreciated. If you have any questions, contact this office.

Sandy Johnson

COLORADO
Division of Water Resources
Department of Natural Resources

WELL PERMIT NUMBER 478-R-R
RECEIPT NUMBER 3687115

ORIGINAL PERMIT APPLICANT(S)

LORENZO RODRIGUEZ

APPROVED WELL LOCATION

Water Division: 2 Water District: 14
Designated Basin: N/A
Management District: N/A
County: PUEBLO
Parcel Name: N/A
Physical Address: N/A

NW 1/4 NE 1/4 Section 17 Township 21.0 S Range 61.0 W Sixth P.M.

UTM COORDINATES (Meters, Zone:13, NAD83)

Easting: 566023.0 Northing: 4231125.0

PERMIT TO REPLACE EXISTING WELL

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT

CONDITIONS OF APPROVAL

1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not ensure that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.

2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.

3) Approved pursuant to CRS 37-90-137(2), for the replacement of an existing well, permit no. 478-R-R (known as Well No. 2 in Division 2 Water Court case no. W-1866). Upon completion of the new well, the old well must be plugged and sealed according to the Water Well Construction Rules within ninety (90) days of completion of the new well. A Well Abandonment Report form must be completed and submitted to affirm that the old well was properly plugged and sealed.

4) Approved on the condition that this well is operated in accordance with the Amended Rules and Regulations Governing the Diversion and Use of Tributary Ground Water in the Arkansas River Basin, Colorado.

5) Approval of this replacement permit shall not result in an expanded use of ground water. The use of ground water from this well is limited to the irrigation of 90 acres (per W-1866) in a portion of the NE 1/4 of Section 17, Twp. 21 South, Rng. 61 West, 6th P.M. (per 478-R-R dated May 9, 1990).

6) The pumping rate of this well shall not exceed 550.9 GPM, per W-1866.

7) The annual withdrawal of ground water from this well shall not exceed 385 acre-feet, per W-1866.

8) The owner shall mark the well in a conspicuous place with well permit number(s), name of the aquifer, and court case number (s) as appropriate. The owner shall take necessary means and precautions to preserve these markings.

9) A metering method must be established for this well pursuant to the Amended Rules Governing the Measurement of Tributary Ground Water Diversions Located in the Arkansas River Basin.

10) This well shall be constructed not more than 200 feet from the location specified on this permit, and within the NW 1/4 of the NE 1/4 of Section 17, Twp. 21 South, Rng. 61 West, 6th P.M., as decreed.

11) This replacement well shall not be constructed any closer to any other existing well than the well it is replacing, if such other well is within 600 feet of the replacement, is completed in the same aquifer, and is not owned by the applicant.

12) This well is subject to administration by the Division Engineer in accordance with applicable decrees, statutes, rules, and regulations.

NOTE: The well structure I.D. # is 1405119, and is also known as Harpman Well No. 2.

NOTE: This permit will expire on the expiration date unless the well is constructed and a pump is installed by that date. A Well Construction and Yield Estimate Report (GWS-31) and Pump Installation and Production Equipment Test Report (GWS-32) must be submitted to the Division of Water Resources to verify the well has been constructed and the pump has been installed. A one-time extension of the expiration date may be available. Contact the DWR for additional information or refer to the extension request form (GWS-64) available at: http://www.water.state.co.us

WELL PERMIT NUMBER 478-R-R **RECEIPT NUMBER 3687115**

NOTE: Parcel Identification Number (PIN): 1117000020.

Issued By JOHN GABERT

Date Issued: 7/3/2018

Expiration Date: 7/3/2019

PERMIT HISTORY

02-16-2023	CHANGE IN OWNER NAME/MAILING ADDRESS. CHANGED TO FREMONT PAVING AND REDI-MIX
06-20-2019	CHANGE IN OWNER NAME/MAILING ADDRESS. CHANGED TO BOONES FARMS LLC (KURT BLACKBURN)

Form No. GWS-31
02/2017

WELL CONSTRUCTION AND YIELD ESTIMATE REPORT

State of Colorado, Office of the State Engineer
1313 Sherman St., Room 821, Denver, CO 80203 303.866.3581
www.water.state.co.us and dwrpermitsonline@state.co.us

For Office Use Only
RECEIVED
MAR 14 2019
WATER RESOURCES
STATE ENGINEER
COLO

1. **Well Permit Number:** 478-R-R **Receipt Number:** 3687115
2. **Owner's Well Designation:** 1405119 HARPMAN WELL NO. 2
3. **Well Owner Name:** LORENZO RODRIGUEZ
4. **Well Location Street Address:**
5. **As Built GPS Well Location (required):** ☐ Zone 12 ☒ Zone 13 Easting: 566011.0 Northing: 4231151
6. **Legal Well Location:** NW 1/4, NE 1/4, Sec., 17 Twp. 21 ☐ N or S ☒, Range 61 ☐ E or W ☒, 6TH P.M.
   County: PUEBLO
   Subdivision: _____, Lot ____, Block _____, Filing (Unit) _____
7. **Ground Surface Elevation:** 4470 feet **Date Completed:** 01/24/2019 **Drilling Method:** MUD ROTARY
8. **Completed Aquifer Name :** ALLUVIAL **Total Depth:** 45 feet **Depth Completed:** 45 feet
9. **Advance Notification:** Was Notification Required Prior to Construction? ☐ Yes ☒ No, Date Notification Given: _____
10. **Aquifer Type:** (Check one) ☐ Type I (One Confining Layer) ☐ Type I (Multiple Confining Layers) ☐ Laramie-Fox Hills ☐ Type II (Not overlain by Type III) ☐ Type II (Overlain by Type III) ☒ Type III (alluvial/colluvial)

11. **Geologic Log:**

Depth	Type	Grain Size	Color	Water Loc.
0-8	EARTH			
8-13	CLAY/SILT			
13-44	GRAVEL	FINE TO +6"	MULTI	YES
44-45	SHALE		BLUE	

12. **Hole Diameter (in.)**

	From (ft)	To (ft)
36	0	45

13. **Plain Casing**

OD (in)	Kind	Wall Size (in)	From (ft)	To (ft)
24	STEEL	.5	+2	20
16	PVC	SCH 40	+2	20

Perforated Casing Screen Slot Size (in): .075

OD (in)	Kind	Wall Size (in)	From (ft)	To (ft)
16	PVC	SCH 40	20	45

14. **Filter Pack:** Material GRAVEL, Size 3/4, Interval _____

15. **Packer Placement:** Type _____, Depth _____

16. **Grouting Record**

Material	Amount	Density	Interval	Method
CEMENT	2 1/2 YARD	3500	0-10	POURED

Remarks:

17. **Disinfection:** Type HTH Amt. Used 1#

18. **Well Yield Estimate Data:** ☐ Check box if Test Data is submitted on Form Number GWS-39, Well Yield Test Report
    Well Yield Estimate Method: PUMPED
    Static Level: 15
    Date/Time measured: 01/24/2019 3PM
    Estimated Yield (gpm) 600
    Estimate Length (hrs) 2

Remarks:

19. I have read the statements made herein and know the contents thereof, and they are true to my knowledge. This document is signed (or name entered if filing online) and certified in accordance with Rule 17.4 of the Water Well Construction Rules, 2 CCR 402 2. The filing of a document that contains false statements is a violation of section 37 91 108(1)(e), C.R.S., and is punishable by fines up to $1,000 and/or revocation of the contracting license. If filing online the State Engineer considers the entry of the licensed contractor's name to be compliance with Rule 17.4.

Company Name:	Email:	Phone w/area code:	License Number:
BROCE WELL SERVICE	frankbroce@outlook.com	(719) 469-9355	1204

Mailing Address: P.O. BOX 101 CHERAW, COLORADO 81030

Sign (or enter name if filing online)	Print Name and Title	Date:
FRANK BROCE	FRANK BROCE/DRILER	03/12/2019

FORM NO. GWS-9 7/89

STATE OF COLORADO
OFFICE OF THE STATE ENGINEER
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581

For Office Use only

RECEIVED

NOV 09 '92

WATER RESOURCES STATE ENGINEER COLO.

TYPE OR PRINT IN BLACK INK

WELL ABANDONMENT REPORT

ABANDONED WELL NUMBER IF REGISTERED 20229R

1. **INDIVIDUAL/COMPANY RESPONSIBLE FOR PLUGGING**

NAME(S) O. W. Carruth
Mailing Address 3009 Country Club Dr.
City, St. Zip Pueblo, CO 81008
Phone (719) 542-3371

2. **ACTUAL WELL LOCATION:** COUNTY Pueblo

PROPERTY ADDRESS 2087 (Address) 59th Lane Pueblo (City) CO (State) 81025 (Zip)

SE 1/4 NE 1/4, Sec. 17 Twp. 21 ☐ N. ☒ S., Range 61 ☐ E. ☒ W. 6th P.M.

Distances from Section Lines 1350 Ft. from ☒ N. ☐ S. Line, 50 Ft. from ☒ E. or ☐ W. Line.

3. I (we), report that an existing well was plugged and abandoned for the following reason(s):

☒ The well was plugged and abandoned as required under the conditions of approval of Well Permit No. 20229-R-R.

☐ The well was not in use and was abandoned.

☐ Other (please explain) _____

4. The well was plugged and abandoned according to the Water Well Construction and Pump Installation Rules on 9-15, 19 92.

5. The well was plugged with the following materials placed at the indicated intervals:

AMOUNT AND TYPE OF MATERIAL	METHOD OF PLACEMENT	INTERVAL
Existing sand & gravel to 5 foot	backfilled &	from 40 feet to 5 feet
from top, then poured concrete	concrete	from ____ feet to ____ feet
		from ____ feet to ____ feet
		from ____ feet to ____ feet
INTERVALS OF CASING REMOVED/RIPPED IN FEET		from ____ feet to ____ feet
		from ____ feet to ____ feet

6. I (we) have read the statements made herein and know the contents thereof, and that they are true to my (our) knowledge. [Pursuant to Section 24-4-104 (13)(a) C.R.S., the making of false statements herein constitutes perjury in the second degree and is punishable as a class 1 misdemeanor.]

Name/Title (Please type or print)	Signature	Date
O. W. Carruth	O. W. Carruth by Ann Carruth P.R.	11-6-92

–INFORMATION– It is the responsibility of the well owner to have the well properly plugged and abandoned. The well construction contractor is responsible for notifying the well owner of the plugging and abandonment requirement. This form may be reproduced by photocopy or word processing means.

Form No.
GWS-25

OFFICE OF THE STATE ENGINEER
COLORADO DIVISION OF WATER RESOURCES

818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581

72

WELL PERMIT NUMBER [redacted] 20229 R R

DIV. 2 CNTY. 51 WD 14 DES. BASIN ___ MD ___

Lot: Block: Filing: Subdiv:

APPLICANT

O. W. CARRUTH
3009 COUNTRY CLUB DR
PUEBLO CO 81008

719/545-2189

APPROVED WELL LOCATION

COUNTY PUEBLO

SE 1/4 NE 1/4 Section 17

Twp 21 S, Range 61 W 6th P.M.

DISTANCES FROM SECTION LINES

1350 Ft. from North Section Line

50 Ft. from East Section Line

PERMIT TO CONSTRUCT A WELL

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT

CONDITIONS OF APPROVAL

1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.

2) The construction of this well shall be in compliance with the Water Well Construction and Pump Installation Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 17.

3) Approved pursuant to CRS 37-90-137(2) for the replacement of an existing well, permit no. 20229-R (decreed by the Division 2 Water Court as well no. 20229, case no. W-2146-77). The old well must be plugged and abandoned according to the Water Well Construction and Pump Installation Rules. An abandonment report must be submitted within sixty (60) days after construction of the new well, affirming that the old well was plugged and abandoned.

4) The maximum pumping rate shall not exceed 832 GPM.

5) The average annual amount of ground water to be appropriated shall not exceed 590 acre-feet.

6) Approval of this replacement permit shall not result in an expanded use of ground water. The use of ground water from this well is restricted to the irrigation of 160 acres in the E 1/2 of the NE 1/4, part of the SE 1/4 and NW 1/4, Sec. 20, Twp. 21 South, Rng. 61 West, 6th P.M.

7) A totalizing flow meter must be installed on the well and maintained in good working order. Permanent records of all diversions must be maintained by the well owner (recorded at least annually) and submitted to the Division Engineer upon request.

8) The owner shall mark the well in a conspicuous place with well permit number(s), name of the aquifer, and court case number(s) as appropriate. The owner shall take necessary means and precautions to preserve these markings.

9) This well shall be constructed not more than 200 feet from the location decreed for well no. 20229-R in case no. W-2146-77.

10) This well is subject to administration by the Division Engineer in accordance with applicable decrees, statutes, rules, and regulations.

11) Verbal Approval No. 92VE198 was given on June 12, 1992 for construction of this well. HF 6-25-92

APPROVED: HCF Hal D. Simpson
State Engineer (Acting)

By Bruce E. DeBruine

Receipt No. 0339959A DATE ISSUED JUN 26 1992 EXPIRATION DATE JUN 26 1993

6-26-92

FORM NO. GWS-31 11/90

WELL CONSTRUCTION AND TEST REPORT
STATE OF COLORADO, OFFICE OF THE STATE ENGINEER

For Office Use Only
RECEIVED
SEP 11 '92
WATER RESOURCES STATE ENGINEER COLO.

1. WELL PERMIT NUMBER 92 VE 198 20229 R R

2. OWNER NAME(S) O.W CARRUTH
Mailing Address 3009 COUNTRY CLUB DR
City, St. Zip PUEBLO CO 81008
Phone (719) 545-2189

3. WELL LOCATION AS DRILLED: SE 1/4 NE 1/4, Sec. 17 Twp. 21 S, Range 64 W
DISTANCES FROM SEC. LINES:
1350 ft. from N (north or south) Sec. line, and 50 ft. from E (east or west) Sec. line, OR
SUBDIVISION: LOT BLOCK FILING(UNIT)
STREET ADDRESS AT WELL LOCATION:

4. GROUND SURFACE ELEVATION ft. DRILLING METHOD AUG
DATE COMPLETED JULY 20/92 TOTAL DEPTH 45 ft. DEPTH COMPLETED 45 ft.

5. GEOLOGIC LOG:

Depth	Description of Material (Type, Size, Color, Water Location)
EARTH	0 - 5
fine sand	5 - 28'
sand some gravel	28 - 33'
BLUE MUD	33' - 38'
gravel	38 - 41'
shale	41 - 45'
WATER LEVEL 10'	

REMARKS:

6. HOLE DIAM. (in.) / From (ft) / To (ft)
48" / 0 / 45

7. PLAIN CASING

OD (in)	Kind	Wall Size	From(ft)	To(ft)
24"	S	20	+2	20

PERF. CASING: Screen Slot Size: 40"

24	PLASTIC	5 80	20	45

8. FILTER PACK:
Material 3/4 GRAVEL
Size
Interval 20' - 45'

9. PACKER PLACEMENT:
Type
Depth

10. GROUTING RECORD:

Material	Amount	Density	Interval	Placement
CEMENT	5 YRD	3500	0-10	PUMPED

11. DISINFECTION: Type HTH Amt. Used 2 LBS

12. WELL TEST DATA: ☐ Check box if Test Data is submitted on Supplemental Form.
TESTING METHOD TURB
Static Level 10 ft. Date/Time measured July 14 8:00 AM, Production Rate 1500 gpm.
Pumping level 25 ft. Date/Time measured July 14 2 PM, Test length (hrs.) 12
Remarks

13. I have read the statements made herein and know the contents thereof, and that they are true to my knowledge. [Pursuant to Section 24-4-104 (13)(a) C.R.S., the making of false statements herein constitutes perjury in the second degree and is punishable as a class 1 misdemeanor.]

CONTRACTOR B&D DRLG Phone (719) 336-2332 Lic. No. 72
Mailing Address 4639 ZUNI DR GREELEY CO 80

Name/Title (Please type or print)	Signature	Date
DEAN BECHTOLD	Dean Bechtold	July 29/92

ATTACHMENT 2

HISTORICAL WATER DEPTH RECORDS

Well Name: SC02106117BBB

Data Source: https://dwr.state.co.us/Tools/Groundwater/WaterLevels/9033

Mimumum Depth to Water: 1.4 **Date:** 11/17/1965

Maximum Depth to Water: 8.1 **Date:** 7/27/1962

Average Depth to Water: 5.0 **Date:** 07/01/1962 - 10/06/1967

Well ID	Well Name	Date	Depth to Water (ft)	Measure Point Above Land Surface	WI Depth Calc	Elevation of Water (ft)	Water Level Change (ft)	Meas By	Publication Name	Modified
9033	SC02106117BBB	7/1/1962	8	0	8	4442.56		USGS	Yes	02/17/2005 14:06
9033	SC02106117BBB	7/27/1962	8.1	0	8.1	4442.46	-0.1	USGS	Yes	02/17/2005 14:06
9033	SC02106117BBB	10/4/1963	6.57	0	6.57	4443.99	1.53	USGS	Yes	02/17/2005 14:06
9033	SC02106117BBB	10/8/1964	7.35	0	7.35	4443.21	-0.78	USGS	Yes	02/17/2005 14:06
9033	SC02106117BBB	3/20/1965	3.99	0	3.99	4446.57	3.36	USGS	Yes	02/17/2005 14:06
9033	SC02106117BBB	7/21/1965	3.39	0	3.39	4447.17	0.6	USGS	Yes	02/17/2005 14:06
9033	SC02106117BBB	11/17/1965	1.35	0	1.35	4449.21	2.04	USGS	Yes	02/17/2005 14:06
9033	SC02106117BBB	3/23/1966	2.14	0	2.14	4448.42	-0.79	USGS	Yes	02/17/2005 14:06
9033	SC02106117BBB	3/20/1967	4.11	0	4.11	4446.45	-1.97	USGS	Yes	02/17/2005 14:06
9033	SC02106117BBB	10/6/1967	5.06	0	5.06	4445.5	-0.95	USGS	Yes	02/17/2005 14:06

Well Name: SC02106117ABD

Data Source: SC02106117ABD (state.co.us)

Mimumum Depth to Water: 10.0 **Date:** 7/1/1962

Maximum Depth to Water: 13.3 **Date:** 3/20/1967

Average Depth to Water: 12.4 **Date:** 07/01/1962 - 10/06/1967

Well ID	Well Name	Date	Depth to Water (ft)	Measure Point Above Land Surface (ft)	WI Depth Calc	Elevation of Water (ft)	Water Level Change (ft)	Meas By	Publication Name	Modified
10512	SC02106117ABD	7/1/1962	10	0	10	4432.56		USGS	Yes	02/17/2005 14:06
10512	SC02106117ABD	3/20/1965	12.8	0	12.8	4429.76	-2.8	USGS	Yes	02/17/2005 14:06
10512	SC02106117ABD	3/23/1966	13.08	0	13.08	4429.48	-0.28	USGS	Yes	02/17/2005 14:06
10512	SC02106117ABD	3/20/1967	13.26	0	13.26	4429.3	-0.18	USGS	Yes	02/17/2005 14:06
10512	SC02106117ABD	10/6/1967	13.05	0	13.05	4429.51	0.21	USGS	Yes	02/17/2005 14:06

Well Name: SC02106117ADA

Data Source: https://dwr.state.co.us/Tools/Groundwater/WaterLevels/10515

Mimumum Depth to Water: 11.1 **Date:** 3/11/1971

Maximum Depth to Water: 15.1 **Date:** 3/23/1966

Average Depth to Water: 12.2 **Date:** 03/20/1965 - 03/12/1981

Well ID	Well Name	Date	Depth to Water (ft)	Measure Point Above Land Surface (ft)	WI Depth Calc	Elevation of Water (ft)	Water Level Change (ft)	Meas By	Publication Name	Modified
10515	SC02106117ADA	3/20/1965	12.42	0	12.42	4428.14		USGS	Yes	02/17/2005 14:06
10515	SC02106117ADA	3/23/1966	15.08	0	15.08	4425.48	-2.66	USGS	Yes	02/17/2005 14:06
10515	SC02106117ADA	10/1/1966	13	0	13	4427.56	2.08	USGS	Yes	02/17/2005 14:06
10515	SC02106117ADA	10/5/1966	13.37	0	13.37	4427.19	-0.37	USGS	Yes	02/17/2005 14:06
10515	SC02106117ADA	3/20/1967	12.81	0	12.81	4427.75	0.56	USGS	Yes	02/17/2005 14:06
10515	SC02106117ADA	10/6/1967	12.22	0	12.22	4428.34	0.59	USGS	Yes	02/17/2005 14:06
10515	SC02106117ADA	10/8/1968	13.38	0	13.38	4427.18	-1.16	USGS	Yes	02/17/2005 14:06
10515	SC02106117ADA	11/1/1969	11.22	0	11.22	4429.34	2.16	USGS	Yes	02/17/2005 14:06
10515	SC02106117ADA	3/3/1970	11.26	0	11.26	4429.3	-0.04	USGS	Yes	02/17/2005 14:06
10515	SC02106117ADA	3/11/1971	11.06	0	11.06	4429.5	0.2	USGS	Yes	02/17/2005 14:06
10515	SC02106117ADA	2/28/1972	11.64	0	11.64	4428.92	-0.58	USGS	Yes	02/17/2005 14:06
10515	SC02106117ADA	3/1/1973	11.85	0	11.85	4428.71	-0.21	USGS	Yes	02/17/2005 14:06
10515	SC02106117ADA	1/15/1975	12.15	0	12.15	4428.41	-0.3	USGS	Yes	02/17/2005 14:06
10515	SC02106117ADA	12/17/1975	11.51	0	11.51	4429.05	0.64	USGS	Yes	02/17/2005 14:06
10515	SC02106117ADA	3/16/1977	11.99	0	11.99	4428.57	-0.48	USGS	Yes	02/17/2005 14:06
10515	SC02106117ADA	3/7/1978	11.37	0	11.37	4429.19	0.62	USGS	Yes	02/17/2005 14:06
10515	SC02106117ADA	3/6/1979	11.7	0	11.7	4428.86	-0.33	USGS	Yes	02/17/2005 14:06
10515	SC02106117ADA	3/13/1980	11.21	0	11.21	4429.35	0.49	USGS	Yes	02/17/2005 14:06
10515	SC02106117ADA	3/12/1981	11.99	0	11.99	4428.57	-0.78	USGS	Yes	02/17/2005 14:06

Well Name: SC02106107AAB2

Data Source: https://dwr.state.co.us/Tools/Groundwater/WaterLevels/10499

Mimumum Depth to Water: -0.1 **Date:** 7/30/1965

Maximum Depth to Water: 5.2 **Date:** 3/24/1969

Average Depth to Water: 3.0 **Date:** 07/01/1962 - 07/15/1969

Well ID	Well Name	Date	Depth to Water (ft)	Measure Point Above Land Surface (ft)	WI Depth Calc	Elevation of Water (ft)	Water Level Change (ft)	Meas By	Publication Name	Modified
10499	SC02106107AAB2	7/1/1962	4	0	4	4441.59		USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	7/23/1962	3.61	0	3.61	4441.98	0.39	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	8/31/1962	3.83	0	3.83	4441.76	-0.22	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	10/1/1962	4.04	0	4.04	4441.55	-0.21	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	10/30/1962	3.75	0	3.75	4441.84	0.29	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	12/3/1962	3.36	0	3.36	4442.23	0.39	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	1/7/1963	3	0	3	4442.59	0.36	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	2/5/1963	2.8	0	2.8	4442.79	0.2	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	3/11/1963	2.58	0	2.58	4443.01	0.22	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	4/1/1963	2.52	0	2.52	4443.07	0.06	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	5/1/1963	2.43	0	2.43	4443.16	0.09	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	6/3/1963	2.48	0	2.48	4443.11	-0.05	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	7/2/1963	2.47	0	2.47	4443.12	0.01	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	8/5/1963	2.47	0	2.47	4443.12	0	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	9/3/1963	2.38	0	2.38	4443.21	0.09	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	9/30/1963	2.4	0	2.4	4443.19	-0.02	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	11/5/1963	2.27	0	2.27	4443.32	0.13	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	12/2/1963	2.16	0	2.16	4443.43	0.11	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	1/6/1964	2.12	0	2.12	4443.47	0.04	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	2/3/1964	2.05	0	2.05	4443.54	0.07	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	3/2/1964	2.12	0	2.12	4443.47	-0.07	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	4/13/1964	2.07	0	2.07	4443.52	0.05	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	5/7/1964	2.06	0	2.06	4443.53	0.01	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	6/5/1964	2.01	0	2.01	4443.58	0.05	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	7/1/1964	2.12	0	2.12	4443.47	-0.11	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	7/30/1964	2.21	0	2.21	4443.38	-0.09	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	9/2/1964	2.18	0	2.18	4443.41	0.03	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	10/8/1964	2.08	0	2.08	4443.51	0.1	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	11/17/1964	1.96	0	1.96	4443.63	0.12	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	12/10/1964	2.94	0	2.94	4442.65	-0.98	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	1/7/1965	2.9	0	2.9	4442.69	0.04	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	2/4/1965	2.6	0	2.6	4442.99	0.3	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	3/16/1965	2.85	0	2.85	4442.74	-0.25	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	4/13/1965	2.88	0	2.88	4442.71	-0.03	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	5/4/1965	2.88	0	2.88	4442.71	0	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	6/14/1965	2.98	0	2.98	4442.61	-0.1	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	7/30/1965	-0.12	0	-0.12	4445.71	3.1	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	8/31/1965	1.7	0	1.7	4443.89	-1.82	USGS	Yes	02/17/2005 14:06

Well Name: SC02106107AAB2

Data Source: https://dwr.state.co.us/Tools/Groundwater/WaterLevels/10499

Mimumum Depth to Water: -0.1 **Date:** 7/30/1965

Maximum Depth to Water: 5.2 **Date:** 3/24/1969

Average Depth to Water: 3.0 **Date:** 07/01/1962 - 07/15/1969

Well ID	Well Name	Date	Depth to Water (ft)	Measure Point Above Land Surface (ft)	WI Depth Calc	Elevation of Water (ft)	Water Level Change (ft)	Meas By	Publication Name	Modified
10499	SC02106107AAB2	10/4/1965	2.96	0	2.96	4442.63	-1.26	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	11/12/1965	3.02	0	3.02	4442.57	-0.06	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	12/9/1965	3.19	0	3.19	4442.4	-0.17	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	1/6/1966	3.1	0	3.1	4442.49	0.09	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	2/10/1966	3.13	0	3.13	4442.46	-0.03	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	3/10/1966	3.02	0	3.02	4442.57	0.11	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	3/26/1966	3.2	0	3.2	4442.39	-0.18	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	5/12/1966	3.1	0	3.1	4442.49	0.1	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	6/10/1966	3.73	0	3.73	4441.86	-0.63	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	7/14/1966	4.36	0	4.36	4441.23	-0.63	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	8/11/1966	4.11	0	4.11	4441.48	0.25	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	9/15/1966	4.38	0	4.38	4441.21	-0.27	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	10/6/1966	4.39	0	4.39	4441.2	-0.01	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	11/8/1966	3.82	0	3.82	4441.77	0.57	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	12/5/1966	3.48	0	3.48	4442.11	0.34	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	1/9/1967	3.39	0	3.39	4442.2	0.09	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	2/6/1967	3.05	0	3.05	4442.54	0.34	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	3/6/1967	3.04	0	3.04	4442.55	0.01	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	3/23/1967	3.17	0	3.17	4442.42	-0.13	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	4/24/1967	3.71	0	3.71	4441.88	-0.54	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	7/18/1967	2.41	0	2.41	4443.18	1.3	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	8/16/1967	3.38	0	3.38	4442.21	-0.97	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	8/22/1967	3.53	0	3.53	4442.06	-0.15	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	9/18/1967	3.63	0	3.63	4441.96	-0.1	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	10/4/1967	3.6	0	3.6	4441.99	0.03	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	11/15/1967	3.08	0	3.08	4442.51	0.52	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	12/11/1967	2.81	0	2.81	4442.78	0.27	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	1/12/1968	2.7	0	2.7	4442.89	0.11	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	2/12/1968	2.52	0	2.52	4443.07	0.18	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	3/26/1968	2.41	0	2.41	4443.18	0.11	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	4/29/1968	2.64	0	2.64	4442.95	-0.23	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	6/3/1968	2.92	0	2.92	4442.67	-0.28	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	7/8/1968	3.45	0	3.45	4442.14	-0.53	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	7/29/1968	3.44	0	3.44	4442.15	0.01	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	9/4/1968	3.41	0	3.41	4442.18	0.03	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	10/1/1968	3.93	0	3.93	4441.66	-0.52	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	11/6/1968	3.19	0	3.19	4442.4	0.74	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	1/20/1969	2.48	0	2.48	4443.11	0.71	USGS	Yes	02/17/2005 14:06

Well Name: SC02106107AAB2

Data Source: https://dwr.state.co.us/Tools/Groundwater/WaterLevels/10499

Mimumum Depth to Water: -0.1 **Date:** 7/30/1965

Maximum Depth to Water: 5.2 **Date:** 3/24/1969

Average Depth to Water: 3.0 **Date:** 07/01/1962 - 07/15/1969

Well ID	Well Name	Date	Depth to Water (ft)	Measure Point Above Land Surface (ft)	WI Depth Calc	Elevation of Water (ft)	Water Level Change (ft)	Meas By	Publication Name	Modified
10499	SC02106107AAB2	3/24/1969	5.22	0	5.22	4440.37	-2.74	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	5/6/1969	3.12	0	3.12	4442.47	2.1	USGS	Yes	02/17/2005 14:06
10499	SC02106107AAB2	7/15/1969	3.16	0	3.16	4442.43	-0.04	USGS	Yes	02/17/2005 14:06

ATTACHMENT 3

WATER QUALITY TESTING LABORATORY INFORMATION

eurofins | Environment Testing

Eurofins Denver
4955 Yarrow Street
Arvada, CO 80002

Prepared for:
Elizabeth Byron
Schnabel Engineering
600 South Airport Road, Ste A-205
Longmont, CO 80503
ebyron@schnabel-eng.com

Prepared by: Grimaldi, Anthony R
Date: 7/11/2024 Expiration Date: 10/9/2024

Project: Agricultural Monitoring Wells

Quote Number: 28026995 - 0

PROJECT DETAILS

Clarifications and Exceptions

Escalation Rate Note:
Pricing in this quote will be fixed for years 2024/2025.

Sample Receiving/HT/TAT

Sample Receiving Hours
8 AM to 5 PM, Monday - Friday
Samples received at the laboratory after 11 AM are considered received on the following business day (Monday-Friday, no holidays). We will do our best to meet rush samples received after 3 PM, but to ensure success this should be arranged with your PM prior to sample submittal. Eurofins Environment Testing Denver accepts Saturday deliveries via Fed Ex and client drop off every Saturday from 9 AM - 12 PM. If Saturday delivery is not specified with prior to shipment, shipments are held by Fed Ex until Monday. **Please note that samples received on Saturday will not be processed until the next business day.**

Holding Time
Eurofins Environment Testing requests that samples be hand delivered the same day of collection or shipped to the laboratory via overnight priority service on the day of collection. For samples received with less than one half the holding time remaining, Eurofins Environment Testing will make our best effort to extract and analyze these samples within the holding time; however, **Eurofins Environment Testing will not be held responsible for meeting holding times if samples are received with less than one half the holding time remaining.** For methods that require a short holding time (less than 7 days from collection), Eurofins Environment Testing requests prior notification before samples are shipped to the laboratory. **Samples that must be analyzed and/or extracted on an expedited basis to meet hold time will incur a surcharge.**

Turnaround Time

- Quoted Turnaround Time - Data will be delivered at the proposed turnaround time in Business Days from Sample Receipt unless otherwise agreed upon. TAT begins the day the laboratory performing analyses receives the samples (day of lab receipt = day zero).

  Samples received after 11 AM will be considered received the next business day.

- Expedited Turnaround Time: Expedited turnaround times may be available and must be pre-approved by the laboratory. Expedited turnaround delivery is contingent upon meeting the agreed upon delivery date/time and number of samples. Samples received after 11 AM will be considered received the next business day. Results will be provided via web portal by the end of the day, unless another time has been agreed to in advance.

  Expedited turnaround time surcharges for analyses on a standard 10 Business Day TAT are:
  - 5 Business Days TAT = 30%
  - 4 Business Days TAT = 45%
  - 3 Business Days TAT = 60%
  - 2 Business Days TAT = 75%

  Expedited turnaround time surcharges for analyses on a standard 15 Business Day TAT are:
  - 10 Business Days TAT = 20%
  - 7 Business Days TAT = 30%
  - 5 Business Days TAT = 45%
  - 4 Business Days TAT = 60%
  - 3 Business Days TAT = 75%

  Any expediting request that requires a pre-prep such as TCLP, SPLP, ISM, CA WET, etc. would be billed at different expediting rates,

typically 2 days less than requested TAT, based on the above chart. For example, a 5 Business Day rush request for 8270 analysis would incur a 30% surcharge. A 5 Business Day rush request for TCLP 8270 would incur a 60% rush surcharge.

.

Eurofins TestAmerica Business T&Cs

Confidentiality -
This quote has been prepared by Eurofins Environment Testing, solely for the use of the customer to whom it is addressed in evaluating Eurofins Environment Testing's qualifications and capabilities in connection with a particular project. The user of this document agrees by its acceptance to return it to Eurofins Environment Testing upon request and not to reproduce, copy, lend, or otherwise disclose its contents, directly or indirectly, and not to use it for any purpose other than that for which it was specifically provided. The user also agrees that where consultants or other outside parties are involved in the evaluation process, access to this document shall not be given to said parties unless those parties also specifically agree to these conditions. In the absence of signed acceptance, submittal of samples will indicate acceptance of this quotation.

Terms and Conditions -
This quotation is based solely upon Eurofins Environment Testing's standard product (routine QA/QC, detection limits, deliverables, and standard turnaround times) and noted exceptions herein. The discounts incorporated into the pricing are based upon the sample quantity, test method, and schedule quoted. Any deviations may impact pricing and/or the acceptance of work. Final acceptance of this work is contingent upon a mutually agreed Sample Delivery Schedule. All sales are subject to Eurofins Environment Testing's Terms and Conditions **unless alternative terms have been agreed to in writing**. Submittal of samples will indicate acceptance of this quotation.

PROJECT SETUP

Coolers and Sampling Supplies -

- Sampling Supplies: Including in the pricing herein, Eurofins Environment Testing will provide sample containers and coolers to support the sampling of water and soil samples. Eurofins Environment Testing expects that all supplies will be returned to the lab. Coolers not received back by the projected deadline or as agreed with the PM may be charged at $30 per cooler. Similarly, if the sample containers received as samples are less than 90% of the containers provided, the sample containers not received as samples will be charged at a flat rate of $2 per container.

- Supply Shipping: The supplies required for the project are based on pricing which assumes they will be delivered via ground transportation. For sites in the contiguous 48 states, a minimum of **5 business days** advance notice is required in order to achieve shipment by ground transportation. Supply shipments requiring priority delivery due to insufficient lead time for ground transportation shall be charged to the client at markup of Eurofins Environment Testing's cost, plus $30 per cooler. Alternatively, Eurofins Environment Testing can ship the supplies via carrier of choice by the client using the client's shipping account, with only the $30 per cooler fee applied. Projects outside the contiguous 48 states may require additional notice and/or charges.

  Eurofins Environment Testing does not supply wet ice, blue ice, or gel ice for shipments.

QC Limit Disclaimer -
The laboratory's reporting limits, detection limits, and control limits are subject to change as these values are updated periodically to reflect analytical sensitivity and capability.

PROJECT DELIVERABLES
Eurofins Environment Testing will provide two analytical report formats, a final report in PDF format and a standard Eurofins Environment Testing EDD. Both electronic report formats will be delivered via web portal. If additional formats or retroactive deliverables are requested, the costs of report generation will be billable. Charges will be based on labor and materials for the cost of report generation and data retrieval. Please contact your PM to inquire about availability and the price of additional deliverables.

- Report Format: Unless a level III or IV deliverable is specifically listed on the pricing page, this quotation includes delivery of a Level II report. Level III or IV reports are available at an additional charge.

- EDD Format: Eurofins Environment Testing has many EDD formats available to our clients including the most widely used commercial formats. Other EDD formats are available for a cost per format. The development of EDD formats that are not already available, including modification to existing formats to fit client specific needs, can potentially be provided for a fee.

PROJECT SPECIFICATIONS

Cancellation Fee -
A fee will be charged for cancellation of samples/analyses after a project is received in the laboratory. The fee will be based on the status of analysis at the time of cancellation in accordance with the following categories:
- Received - 35%
- Prepped - 70%
- Analyzed - 95%

Changes in Scope and Work Revisions -
Project requirements must be agreed upon prior to sample receipt. Samples will be logged according to the chain of custody received with the samples. Changes after initiation of the project will be subject to additional charges, including labor time required to change the project, communicate changes to laboratory staff, and rework data. Turnaround time will be reset, or rush surcharges will be assessed where applicable. Analyses added with less than 1/2 of the analytical hold time remaining will incur rush turnaround charges. Your project manager will evaluate project specific charges at the time a change order is received.

Held Samples -

Any samples that are planned to be submitted on hold and not analyzed pending other analysis, or that are going to be requested to be extracted and held need to be arranged and have approval prior to submittal. This process is not standard and cannot be guaranteed to be availabe pending numerous factors, including but not limited to: project size, specific methods, lab analytical capacity, and lab storage capacity. Please contact your PM or the Denver Business Unit Manager to discuss these options if your project requires. If this service is available and approved, costs are are follows:

- Held samples not analyzed: Samples submitted on hold will be billed at 35% of the analysis fee (minimum $10/sample). If samples are later analyzed, the handling fee will be waived and only the analysis price will be charged. Samples taken off hold with less than 1/2 of the analytical hold time remaining may incur rush turnaround charges. Samples will be disposed of 30 days after the report for analyzed samples in the same job is issued, unless alternate archival arrangements are made in advance.

- Extracted/Prepped and Held samples: Samples submitted for prep and hold will be billed at 70% of the analysis fee for each prepped sample (minimum $30/sample). Samples taken off hold with less than 1/2 of the analytical hold time remaining may incur rush turnaround charges. Samples will be disposed of 30 days after the report for analyzed samples in the same job is issued, unless alternate archival arrangements are made in advance.

Matrix Spike/Matrix Spike Duplicate (MS/MSD) Samples -
When MS/MSDs are not specifically requested, Eurofins Environment Testing will perform the required QC, but will not report QC results specifically requested. The reporting of client requested MS/MSD results will be charged at applicable unit rates. If client MS/MSDs are specifically requested, client must provide additional sample volume.

Dilutions -
Eurofins Environment Testing strives to analyze samples without dilution or with the minimum dilution required. Samples may require dilution for a variety of reasons, primarily due to matrix and concentration of both target and non-target analytes. Analytical screening runs are not reported. If project specific data quality objectives require additional runs, analyses will be billable unless otherwise noted in this quote. Please contact your PM to inquire about the availability of this service for your project.

Eurofins Denver
4955 Yarrow Street
Arvada, CO 80002

Prepared for:
Elizabeth Byron
Schnabel Engineering
600 South Airport Road, Ste A-205
Longmont, CO 80503
ebyron@schnabel-eng.com

Prepared by: Grimaldi, Anthony R
Date: 7/11/2024 Expiration Date: 10/9/2024

Project: Agricultural Monitoring Wells

Quote Number: 28026995 - 0

Sample Disposal -
Eurofins Environment Testing will dispose of non-hazardous samples, sample extracts and digestates 30 days after the final report is issued. Charges for disposal of non-routine or uniquely hazardous samples will be billed to the client.

Special Sample Handling Fees/Difficult Matrix Surcharge -
Unit prices assume that samples are a single-phase matrix and that analyses can be performed in accordance with the laboratory's standard analytical procedures. A Special Handling/Difficult Matrix Surcharge may be applied if additional chemistry/handling is required to analyze or dispose of a given sample above and beyond routine SOP. The amount will be communicated before any testing is performed, but will vary depending on the specifics needed and the suite of testing required. Examples include (but are not limited to):

- Matrices requiring additional dilutions or special clean up steps
- Multiphasic samples requiring separate preparations and/or analyses
- Particle size reduction or special sub-sampling procedures
- Extra disposal costs for unique waste streams

Trip Blanks -
Eurofins Environment Testing typically provides trip blanks with our sample kits containing volatile analysis. When samples are received at the laboratory with trip blanks, the lab will analyze, report, and charge the unit rate for the analysis. Please add this sample to your chain of custody. If you do not want the trip blank analyzed, please note this on the COC.

Field Parameters -
pH, Temperature, Dissolved Oxygen, Sulfite, and Ferrous Iron analyses, along with any other immediate hold time methods, are properly performed and treated in the field at the time of sample collection. Laboratory analysis will result in a holding time exceedance qualifier.

Network or Subcontract Labs -

- Networking: Eurofins Environment Testing reserves the right to perform the services at any laboratory in the Eurofins Environment Testing America network.

- Subcontracting: Eurofins Environment Testing reserves the right to subcontract services ordered by the Client to another laboratory or laboratories, if, in Eurofins Environment Testing's sole judgment, it is reasonably necessary, appropriate, or advisable to do so. Eurofins Environment Testing will make every effort to notify the client prior to delivering samples to an out-of-network laboratory. Eurofins Environment Testing will in no way be liable for any subcontracted services (outside the Eurofins Environment Testing network).

Surcharge Due To Sample Quantity -
Unless dictated by contract/MSA terms, this quotation is based on the scope of work defined in the quote request. If the volume of samples submitted is less than 70% of the quoted quantity, a surcharge may be assessed.

Taxes -
Where reports are issued in or delivered to a state which assesses sales tax on Eurofins Environment Testing's services, applicable sales taxes will be added to the invoice as required by law, unless an appropriate sales tax exemption form is on file with Eurofins Environment Testing.

Rev: 6/29/2023

eurofins | Environment Testing

Eurofins Denver
4955 Yarrow Street
Arvada, CO 80002

Prepared for:
Elizabeth Byron
Schnabel Engineering
600 South Airport Road, Ste A-205
Longmont, CO 80503
ebyron@schnabel-eng.com

Prepared by: Grimaldi, Anthony R
Date: 7/11/2024 Expiration Date: 10/9/2024

Project: Agricultural Monitoring Wells

Quote Number: 28026995 - 0

Analytical Sample Information

Analysis Method	Matrix	Preservative	Client Sub List Desc Container	Volume Required	Holding Time
Anions, Ion Chromatography			Dissolved Chloride, Fluoride, Sulfate - via Field Filtration		
300.0_28D	Water	None	Plastic 250ml - unpreserved	100 mL	28 Days
Anions, Ion Chromatography			Nitrate, Nitrite, and Combined Calculation		
300_48HR	Water	None	Plastic 250ml - unpreserved	100 mL	48 Hours
Mercury (CVAA)			Dissolved Mercury - via Field Filtration		
7470A	Water	Nitric Acid	Plastic 500ml - with Nitric Acid	150 mL	28 Days
Metals (ICP)			Dissolved Metals, Client List (21) - via Field Filtration		
6010D	Water	Nitric Acid	Plastic 500ml - with Nitric Acid	150 mL	180 Days
Metals (ICP/MS)			Dissolved Uranium - via Field Filtration		
6020B	Water	Nitric Acid	Plastic 500ml - with Nitric Acid	150 mL	180 Days
Solids, Total Dissolved (TDS)			Solids, Total Dissolved		
2540C_Calcd	Water	None	Plastic 1 liter - unpreserved	200 mL	7 Days

Hold Times listed above represent the minimum allotted time between sampling and lab extraction, prep or analysis.

Multiple analyses may be consolidated into fewer containers. Please contact your Project Manager for clarification when requesting sample containers.

Except for some special tests, all samples should be kept cold at 6 degrees C.

eurofins | Environment Testing

TESTAMERICA LABORATORIES, INC.
TERMS AND CONDITIONS OF SALE (Short Form)

When a purchaser ("Client") places an order for laboratory, consulting or sampling services from TestAmerica Laboratories, Inc., d/b/a Eurofins TestAmerica ("ETA"), a Delaware corporation, ETA shall provide the ordered services pursuant to these Terms and Conditions and the related Quotation or Price Schedule, or as agreed in a negotiated contract. In the absence of a written agreement to the contrary, a client order constitutes an acceptance by the Client of ETA's offer to do business under these Terms and Conditions, and an agreement to be bound by these Terms and Conditions. Receipt of a Client's samples at an ETA laboratory constitutes acceptance of these Terms and Conditions (in the absence of any other negotiated contract). No contrary or additional terms and conditions expressed in a Client's document shall be deemed to become a part of the contract created upon acceptance of these Terms and Conditions, unless accepted by ETA in writing.

1. ORDERS AND RECEIPT OF SAMPLES

1.1 A Client may place an order (i.e., specify a Scope of Work) either by submitting a purchase order to ETA in writing or by telephone subsequently confirmed in writing, or by negotiated contract. Whichever option the Client selects for placing an order, the order shall not be valid unless it contains sufficient specification to enable ETA to carry out the Client's requirements. In particular, samples must be accompanied by: a) adequate instruction on type of analysis requested, and b) complete written disclosure of the known or suspected presence of any hazardous substances, as defined by applicable federal or state law. If a Client fails to provide these required disclosures accompanying the submission of samples, and such failure results in an interruption in the lab's ability to process work due to contamination of instruments or work areas, the Client will be responsible for the costs of clean-up and recovery.

1.2 The Client shall provide one week's advance notice of the sample delivery schedule, or any changes to the schedule, whenever possible. Upon timely delivery of samples, ETA will use its best efforts to meet mutually agreed turnaround times. All turnaround times will be calculated from the point in time when ETA has determined that it can proceed with defined work following receipt, inspection of samples, and resolution of any discrepancies in Chain-of-Custody forms and project guidance regarding work to be done (Sample Delivery Acceptance). Rush turnaround times not requested in advance of the delivery of samples and specifically agreed to by the lab are not guaranteed. If the Client changes the sample delivery schedule prior to Sample Delivery Acceptance, ETA reserves its rights to modify its turnaround time commitment, change the date upon which ETA will accept samples, or refuse Sample Delivery Acceptance for the affected samples.

1.3 ETA reserves the right, exercisable at any time, to refuse or revoke Sample Delivery Acceptance for any sample which in the sole judgment of ETA: a) is of unsuitable volume; b) may pose a risk or become unsuitable for handling, transport, or processing for any health, safety, environmental or other reason, whether or not due to the presence of any hazardous substance in the sample and whether or not such presence has been disclosed to ETA by the Client; or
c) holding times cannot be met, due to passage of more than 48 hours from the time of sampling or 1/2 the holding time for the requested test, whichever is less.

1.4 Prior to Sample Delivery Acceptance, the entire risk of loss or damage to samples remains with the Client, except where ETA provides courier services. In no event will ETA have any responsibility or liability for the action or inaction of any carrier shipping or delivering any sample to or from ETA's premises. Client is responsible for assuring that any sample that contains or may contain any hazardous substance to be delivered to ETA's premises is properly packaged, labeled, transported and delivered, all in accordance with applicable laws.

1.5 ETA reserves the right to begin processing samples upon receipt, unless the Client specifically notifies ETA in writing prior to sample receipt that the samples are to be held without preparation or other processing or pending receipt of a purchase order. ETA shall under no circumstances be responsible for missed holding times or turnaround times or for re-sampling costs if samples are released from hold with less than 48 hours or 1/2 the holding time for the requested test remaining, whichever is less.

2. PAYMENT TERMS

2.1 Services performed by ETA will be in accordance with prices quoted and later confirmed in writing or as stated in the Price Schedule. Quoted prices do not include sales tax. Applicable sales tax will be added to invoices where required by law.

2.2 Invoices may be submitted to Client upon completion of any sample delivery group. Billing corrections must be requested within 30 days of invoice date. Payment in advance is required for all clients except those whose credit has been established with ETA. For clients with approved credit, payment terms are net 30 days from the date of invoice by ETA, unless alternative terms have been agreed in a separate written agreement. Payment shall be made without retainage and shall not be contingent upon the receipt of funds from third parties. All overdue payments are subject to an additional interest and service charge of one- and one-half percent (1.5%) (or the maximum rate permissible by law, whichever is less) per month or portion thereof from the due date until the date of payment. All fees are charged or billed directly to the Client. The billing of a third party will not be accepted without a statement, signed by the third party, acknowledging, and accepting payment responsibility in accordance with these payment terms.

2.3 If Client fails to make timely payment of its invoices, ETA reserves the right to pursue all appropriate remedies, including withdrawing certifications, suspending work, and withholding delivery of data under this order without recourse. Client shall be responsible for all reasonable fees, expenses, and costs of collection including but not limited to arbitrator's and attorney's fees. ETA reserves the right to refuse to proceed with work at any time based upon an unfavorable Client credit report.

3. CHANGE ORDERS, TERMINATION

3.1 Changes to the Scope of Work, price, or result delivery date may be initiated by ETA after Sample Delivery Acceptance due to any condition which conflicts with analytical, QA or other protocols warranted in these Terms and Conditions. ETA will not proceed with such changes until an agreement with the Client is reached on the amount of any cost, schedule change or technical change to the Scope of Work, and such agreement is documented in writing.

3.2 Changes to the Scope of Work, including but not limited to increasing or decreasing the work, changing test and analysis specification, or acceleration in the performance of the work may be initiated by the Client after Sample Delivery Acceptance. Such change must be documented in writing and may result in a change in cost and turnaround time commitment. ETA's acceptance of such changes is contingent upon technical feasibility and operational capacity.

3.3 Suspension or termination of all or any part of the work may be initiated by Client upon thirty (30) days written notice to ETA. ETA will be compensated consistent with Section 2 of these Terms and Conditions. ETA will complete all work in progress and be paid in full for all work completed, including all costs incurred and reasonable profit margin, even if ETA does not issue a final or partial report.

4. WARRANTIES AND LIABILITY

4.1 Where applicable, ETA will use appropriate and approved analytical test methods. ETA has referenced these methods in its Laboratory Quality Manuals and has documented them in Standard Operating Procedures. ETA reserves the right based on its reasonable judgment to deviate from these methodologies as necessary or appropriate to the extent required by the nature or composition of the sample, which deviations, if any, will be made on a basis consistent with recognized standards of the industry and/or ETA's Laboratory Quality Manuals. Client may request that ETA perform according to a mutually agreed Quality Assurance Project Plan (QAPP). If samples arrive prior to agreement on a QAPP, ETA will proceed with analyses under its standard Quality Manuals then in effect. ETA will not be responsible for any resampling or other charges if work must be repeated to comply with a subsequently finalized QAPP.

4.2 ETA shall start preparation and/or analysis within holding times provided that Sample Delivery Acceptance occurs within 48 hours of sampling or 1/2 of the holding time for the test, whichever is less,

unless the Client has specifically requested that ETA hold the samples without preparation or other processing or pending receipt of a purchase order. Where resolution of inconsistencies leading to Sample Delivery Acceptance does not occur within this period, ETA will use its best efforts to meet holding times and will proceed with the work provided that, in ETA's judgment, the chain-of-custody or definition of the Scope of Work provide sufficient guidance. Reanalysis of samples to comply with ETA's Quality Manuals will be deemed to have met holding times provided the initial analysis was performed within the applicable holding time. Where reanalysis demonstrates that sample matrix interference is the cause of failure to meet any Quality Manual requirements, the warranty will be deemed to have been met.

4.3 ETA warrants that it possesses and maintains all licenses and certifications that are required to perform services under these Terms and Conditions provided that such requirements are specified in writing to ETA prior to Sample Delivery Acceptance. ETA will notify the Client in writing of any decertification or revocation of any license, or notice of either, that affects work in progress.

4.4 The warranty obligations set forth in Sections 4.1, 4.2 and 4.3 are the sole and exclusive warranties given by ETA in connection with any services performed by ETA or any results generated from such services, and ETA gives and makes NO OTHER REPRESENTATION OR WARRANTY OF ANY KIND, EXPRESS OR IMPLIED. No representative of ETA is authorized to give or make any other representation or warranty or modify this warranty in any way.

4.5 Client's sole and exclusive remedy for breach of warranty in connection with any services performed by ETA will be limited to repeating any services performed, contingent on the Client's providing, at the request of ETA and at the Client's expense, additional sample(s) if necessary. Any reanalysis requested by the Client generating results consistent with the original results will be at the Client's expense. If resampling is necessary, ETA's liability for resampling costs will be limited to actual cost or one hundred and fifty dollars ($150) per sample, whichever is less.

4.6 ETA's liability for any and all causes of action arising hereunder, whether based in contract, tort, warranty, negligence or otherwise, shall be limited to the lesser amount of compensation for the services performed or $100,000. All claims, including those for negligence, shall be deemed waived unless suit thereon is filed within one year after ETA's completion of the services. Under no circumstances, whether arising in contract, tort (including negligence), or otherwise, shall ETA be responsible for loss of use, loss of profits, or for any special, indirect, incidental or consequential damages occasioned by the services performed or by application or use of the reports prepared.

4.7 In no event shall ETA have any responsibility or liability to the Client for any failure or delay in performance by ETA that results, directly or indirectly, in whole or in part, from any cause or circumstance beyond the reasonable control of ETA. Such causes and circumstances include, but are not limited to, acts of God, acts of Client, acts or orders of any governmental authority, strikes or other labor disputes, natural disasters, accidents, wars, civil disturbances, equipment breakdown, matrix interference or unknown highly contaminated samples that impact instrument operation, unavailability of supplies from usual suppliers, difficulties or delays in transportation, mail or delivery services, or any other cause beyond ETA's reasonable control.

5. RESULTS, WORK PRODUCT

5.1 Data or information provided to ETA or generated by services performed under this agreement shall only become the property of the Client upon receipt in full by ETA of payment for the entire order. Ownership of any analytical method, QA/QC protocols, software programs or equipment developed by ETA for performance of work will be retained by ETA. Client shall not disclose such information to any third party without ETA’s express prior consent.

5.2 Data and sample materials provided by Client or at Client’s request, and the result obtained by ETA shall be held in confidence (unless such information is generally available to the public or is in the public domain or Client has failed to pay ETA for all services rendered or is otherwise in breach of these Terms and Conditions), subject to any disclosure required by law or legal process.

5.3 Should the results delivered by ETA be used by the Client or Client's client, even though subsequently determined not to meet the warranties described in these Terms and Conditions, then the compensation will be adjusted based upon mutual agreement. In no case shall the Client unreasonably withhold ETA's right to independently defend its data.

5.4 ETA reserves the right to perform the services at any laboratory in the ETA network. If a Client has requested a particular location for the work, ETA will inform the Client when operational constraints require the work to be performed at another ETA location. In addition, ETA reserves the right to subcontract services ordered by the Client to another laboratory or laboratories, if, in ETA's sole judgment, it is reasonably necessary, appropriate or advisable to do so. ETA will in no way be liable for any subcontracted services (outside the ETA network) except for work performed at laboratories which have been audited and approved by ETA.

5.5 ETA will dispose of non-hazardous samples, sample extracts and digestates 30 days after the final analytical report is issued, unless instructed to store them for an alternate period of time or to return such samples to the Client, in a manner consistent with U.S. Environmental Protection Agency regulations or other applicable federal, state or local requirements. Charges for disposal will be billed to the client. Alternatively, samples can be returned to the client for disposal. Cost of return shipping will be billable to the client. Air samples in Summa canisters and tedlar bags are used and the containers cleaned immediately after testing, such that those samples are not retained. Longer storage periods may be requested and may be accommodated if space allows, and for an additional charge. Any samples for projects that are canceled or not accepted, or for which return was requested, will be returned to the Client at its own expense. ETA reserves the right to return to the Client any sample or unused portion of a sample that is not within ETA's permitted capability or the capabilities of ETA's designated waste disposal vendor(s). ALL DIOXIN, MIXED WASTE, AND RADIOACTIVE SAMPLES WILL BE RETURNED TO THE CLIENT, unless
prior arrangements for disposal are made.

5.6 Unless a different time period is agreed to in an order under these Terms and Conditions, ETA agrees to retain all records for five (5) years.

5.7 If ETA is required to respond to legal process related to services for Client, Client agrees to reimburse ETA for hourly charges for personnel involved in the response and attorney's fees reasonably incurred in obtaining advice concerning the response, preparation to testify, and appearances related to the legal process, travel and all reasonable expenses associated with the litigation. Additional consulting beyond that normally associated with lab reports will be billed at ETA’s current published rates.

6. INSURANCE

6.1 During the performance of services under these Terms and Conditions, ETA shall maintain in force Workers' Compensation and Employer's Liability Insurance in accordance with the laws of the states having jurisdiction over ETA's employees who are engaged in the performance of the work. ETA shall also maintain during such period Comprehensive General and Contractual Liability (limit of $1,000,000 per occurrence; $2,000,000 aggregate), Comprehensive Automobile Liability, owned and hired ($1,000,000 combined single limit), Professional Liability Insurance (limit of $5,000,000 per claim/aggregate), and Pollution Liability Insurance (limit of $1,000,000 per claim/aggregate).

7. MISCELLANEOUS PROVISIONS

7.1 These Terms and Conditions, together with any additions or revisions which may be agreed to in writing by ETA, embody the whole agreement of the parties and provide the only remedies available. There are no promises, terms, conditions, understandings, obligations or

agreements other than those contained herein, and these Terms and Conditions shall supersede all previous communications, representations, or agreements, either verbal or written, between the Client and ETA. These Terms and Conditions, and any transactions or agreements to which they apply, shall be governed both as to interpretation and performance by the laws of the state where ETA's services are performed.

7.2 The invalidity or unenforceability, in whole or in part, of any provision, term or condition hereof shall not affect in any way the validity or enforceability of the remainder of these Terms and Conditions, the intent of the parties being that the provisions be severable. The section headings of these Terms and Conditions are intended solely for convenient reference and shall not define, limit or affect in any way these Terms and Conditions or their interpretations. No waiver by either party of any provision, term or condition hereof or of any obligation of the other party hereunder shall constitute a waiver of any subsequent breach or other obligation.

7.3 The obligations, liabilities, and remedies of the parties, as provided herein, are exclusive and in lieu of any others available at law or in equity. Indemnifications, releases from liability and limitations of liability shall apply, notwithstanding the fault, negligence, or strict liability of the party to be indemnified, released, or whose liability is limited, except to the extent of sole negligence or willful misconduct.

ARY CORPORATION

July 31, 2024

Colorado Division of Reclamation, Mining and Safety
Attn: Jocelyn Carter, Environmental Specialist
1313 Sherman Street, Room 215
Denver, CO 80203

RE: Two Rivers Pit M1998-038, Amendment 1, Third Adequacy Review Response

Jocelyn,

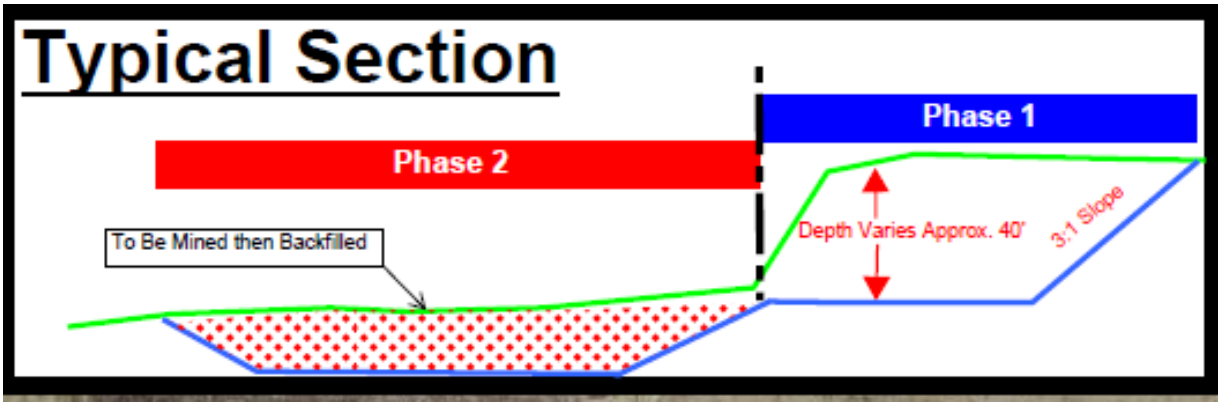
Please see the responses to the Third Adequacy Review.

1-5. The updated maps are enclosed.

6. This is confirmation that all property labeled "Unaffected" is within the permit boundary but will have no disturbance of the soil. This remains true for the aboveground pipe that will be used to move water from the settling pond to the Arkansas if needed based upon the CDPHE guidance in our Stormwater Discharge Permit. As there is no disturbance of the ground, Fremont maintains that the area is unaffected as labeled.

7. Please see the updated Mining Plan stating that at no time will there be greater than 112 acres disturbed at any one time.

8. The Typical Section in the Phase Map shows the current surface level in green. The mining depth is to the blue which also shows the 3:1 slope on the Phase 1 Upper-Level area, and the red dotted area in Phase II shows the backfill. The backfill of the lower phase then matches the grade of the mined-out level of the Phase I Upper-Level phase while maintaining historic stormwater flows.



ARY CORPORATION

A&S Construction Co.
Fremont Paving and Redi-Mix, Inc.
Ary Brothers Trucking, Inc.
All-Rite Paving & Redi-Mix, Inc.
Hard Rock Paving and Redi-Mix, Inc.

839 Mackenzie Ave.
Cañon City, CO 81212
719.275.3264

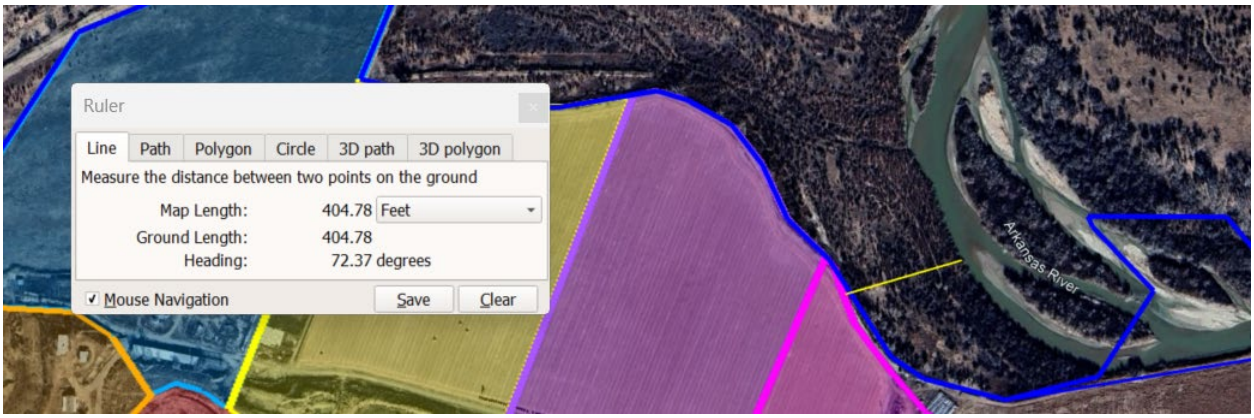
The conversion from tons to cubic yards is 1.3, thus the quantity of available material is 5,000,000 cubic yards and the quantity need for backfill would then be 3,750,000 cubic yards.

Please see the Schnabel Engineering Groundwater Monitoring Plan for detailed groundwater information.

Fremont intends to mine to a depth of approximately 45 feet. Fremont calculated 33 feet of backfill. That anticipates encountering water at 14 feet and backfilling 2 feet above static water. As stated in the Mining Plan, water will not be encountered until mining occurs on the lower portions of this permit boundary nearest the Arkansas (Phases 2, 4, 5, 6, 7). Overburden material from the upper portion of this permit boundary (Phases 1, 3, 8, 9, 10) will be used for backfill. Reclamation will occur concurrent to mining with any excess material from a phase being used as backfill in the previous phase. Fremont's calculations show that there is an excess of 1,250,000 cubic yards of overburden that will be onsite after reclamation that would sufficiently cover any exposed groundwater.

9. Please see the enclosed, updated Groundwater Monitoring Plan.

10. Phases 5-7 are not within 400 feet of the Arkansas River and thus do not meet the requirements for Floodplain Protection Standards. Fremont designed the Unaffected Area to ensure that this standard would not be necessary at this time.



ARY CORPORATION

A&S Construction Co.
Fremont Paving and Redi-Mix, Inc.
Ary Brothers Trucking, Inc.
All-Rite Paving & Redi-Mix, Inc.
Hard Rock Paving and Redi-Mix, Inc.

839 Mackenzie Ave.
Cañon City, CO 81212
719.275.3264

11. Please see the attached updated map.

12. MAGUA water will be used for 100% of onsite dust suppression and aggregate production. AGRA water will be used for 100% augmentation of exposed water.

Thank you,

Jodi Schreiber

Jodi Schreiber
jodi@arycorp.com
719-529-0916