

January 24, 2025

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

RE: M-2024-055
LTS Topsoil Mine
AGPRO Project # 2253-01

Dear Mr. Lennberg,

This letter is to verify the preliminary adequacy review comments dated December 26, 2024 have been adequately addressed for the LTS Performance Horses LLC mining permit (LTS Topsoil Mine), permit no. M-2024-055. Responses to the review comments are indicated in [BLUE](#) below.

EXHIBIT C – Pre-Mining and Mining Plan Map(s) of Affected Lands (Rule 6.4.3):

1. The map does not clearly indicate the proposed permit boundary. The permit boundary needs to be clearly and accurately depicted on the map pursuant to Rules 6.4.3(d) and 6.2.1(2).
[The permit boundary line-type has been added to the legend.](#)
2. In the Notes section it is stated that the Total Area = 133.9 acres. This area does not appear to correspond to the permit area, as the permit area is 132 acres. Please revise this area to clearly state what area the 133.9 acres is referring to. Also, a line item needs to be added for the permit boundary with acreage consistent with the permit application. Note the legend may need to be updated as well.
[The total area has been corrected in the Notes section.](#)
3. Pursuant to Rule 6.2.1(2)(b) the maps must be signed by a registered land surveyor, professional engineer or other qualified person. The Division's review of the Exhibit C map is missing the appropriate signature. Please sign and resubmit the map.
[Exhibit C has been stamped by a Professional Land Surveyor \(PLS\). The entrance location was modified by the PLS and Exhibit A has been updated to match Exhibit C.](#)

4. Please indicate the direction of mining within each mining phase.
[The direction of mining has been added to Exhibit C.](#)

EXHIBIT D – Mining Plan (Rule 6.4.4):

5. How will the operator verify that 3-6-inches of topsoil remain for reclamation?
[Exhibit D has been updated to include this information.](#)
6. Under Mine Phasing please clearly state the direction each phase will be mined.
[The direction of mining has been added to Exhibit D.](#)
7. While it is stated in the Reclamation Plan, Exhibit E, please update the Mining Plan to clearly state that the Staging Area will not be mined?
[Exhibit D has been updated accordingly.](#)
8. The Applicant states that the roadway along the northern portion of the site will be used for the mining activities. However, the roadway will not be improved as it currently supports heavy agriculture equipment. At the west end of this roadway there is a residence that appears to also use this roadway to access their property. Please describe how the applicant will ensure the residents have unrestricted access the structures on the property.
[Exhibit D has been updated to include this information.](#)

EXHIBIT E – Reclamation Plan (Rule 6.4.5):

9. Please clearly state if the roadway along the northern portion of the site will be reclaimed or not. If it will be reclaimed, please describe how this will occur.
[The existing roadway will remain following reclamation activities. Exhibit E has been updated to include this information.](#)
10. Please commit to providing the Division with a copy of the soil sample results identifying any nutrient deficiencies and if any fertilizer or soil amendments (manure) will be needed.
[Exhibit E has been updated to include this commitment.](#)
11. Under the Seeding and Revegetation section it is stated that Phases 1 and 2 will be seeded to establish a diverse, effective and long-lasting vegetative cover. It then is stated, later in the paragraph, that corn will be planted. Planting of corn is neither diverse nor a long-lasting vegetative cover. Please update this section to clarify what is to be planted in the phases. Additionally, please provide the seed type and rate of application in pls/acre of what is to be planted.
[Exhibit E has been updated accordingly.](#)
12. The last paragraph of the Seeding and Revegetation section states that a one-time application of manure/compost mix will be applied in the Staging Area. Please confirm that

this is the only area to receive manure/compost without taking a soil sample. Please state the rate, pounds/acre, that manure will be placed.

Exhibit E has been updated accordingly.

EXHIBIT F – Reclamation Plan Map (Rule 6.4.6):

13. From items #1, #2 and #3 above, the Reclamation Plan Map must also be updated to address these items.

The permit boundary line-type has been added to the legend, the total area has been corrected in the Notes section, and Exhibit F is stamped by a PLS.

14. The text box General Seed Mix needs to be updated to match the description used in the legend for consistency.

Exhibit F has been updated accordingly.

15. The cropland seed mix needs to be added to the General Seed Mix text box.

Exhibit F has been updated accordingly.

EXHIBIT H – Wildlife Information (Rule 6.4.8):

16. Please respond the comments provided by the Colorado Parks and Wildlife sent to you in an email dated December 12, 2024.

CPW's fencing and lighting recommendations have been added to Exhibit D – Mining Plan. As weed management is already covered in Exhibit E – Reclamation Plan, no revisions were made to address CPW's comments regarding weeds. Wildlife escape ramps are not needed for this mining operation as only 10-14 inches of topsoil will be removed and there will not be any steep slopes or pits.

EXHIBIT L – Reclamation Costs (Rule 6.4.12):

17. The cost estimate needs to be updated to reflect the cost of seeding and weed control for mining Phases 1 and 2.

As Exhibit L – Reclamation Costs already accounts for the cost of seeding and weed control for both phases, no changes were made.

EXHIBIT S – Permanent Man-Made Structures (Rule 6.4.19):

18. Please clarify and/or provide a copy of what was sent to the owners of permanent man-made structures within 200 feet of the Affected Land Boundary via Certified Mail.

Copies of the certified letters and attachments sent to the owners of permanent man-made structures within 200-feet of the Affected Land Boundary are enclosed.

19. The Division reviewed the maps and there is a permanent man-made structure, which the Operator needs to obtain structure agreements for, within 200 feet of the affected land

boundary. The structure is Weld County Road 27, along the eastern portion of the site. Pursuant to Rule 6.4.19, Where the affected lands are within two hundred (200) feet of any significant, valuable and permanent man-made structure, the applicant shall:

- a. Provide a notarized agreement between the applicant and the person(s) having an interest in the structure, that the Applicant is to provide compensation for any damage to the structure*; or
- b. Where such an agreement cannot be reached, the applicant shall provide an engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- c. Where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have “no negative effect” on their utility.

* Structure agreements shall be sent by a trackable method, i.e. certified mail. In addition, the individual structure agreements shall be labeled with the certified mail number or other tracking number.

Suncor, North Weld County Water District (NWCWD), and Weld County were the only entities who provided formal responses. A copy of the executed Suncor Development Agreement, NWCWD Letter, and Weld County Road 27 Structure Agreement are enclosed.

20. If the Applicant has attempted to get structure agreements from structure owners within 200 feet of the affected land boundary but have not received signed agreements, then please perform an engineering evaluation for the structures pursuant to Rule 6.4.19(b).
An engineering evaluation was prepared for the permanent man-made structures within 200-feet of the affect land boundary. See enclosed Permanent Structures Memo.

Other:

21. Pursuant to Rule 1.6.2(2), please demonstrate that the Applicant’s response to these adequacy issues have been placed with the application materials previously placed with the County Clerk or Records Office and made available for public review.
The updated and additional documents have been placed on file with the County Clerk and Records Office. Updated Exhibit R - Proof of Filing with County Clerk and Recorder is enclosed.

Per discussions with the landowner following the January 27, 2025 DRMS site inspection, it was confirmed that the stockpile area will be planted in alfalfa instead of native grass once the mining operations are terminated. The Mining Plan, Reclamation Plan, Pre-Mining and Mining Plan Map, Reclamation Plan Map, and Reclamation Costs have been updated accordingly.

Please contact me at (970) 535-9318 or kbruxvoort@agpros.com if you have any questions.

Sincerely,

Kelsey Bruxvoort

Kelsey Bruxvoort
Planning Manager

Enclosures:

1. Updated Exhibit A – Legal Description
2. Updated Exhibit C – Pre-Mining and Mining Plan Map(s) of Affected Lands
3. Updated Exhibit D – Mining Plan
4. Updated Exhibit E – Reclamation Plan
5. Updated Exhibit F - Reclamation Plan Map
6. Copies of the certified letters and attachments sent to the owners of permanent man-made structures within 200-feet of the Affected Land Boundary
7. Suncor Development Agreement
8. NWCWD Letter
9. CR 27 Structure Agreement
10. Permanent Structures Memo
11. Updated Exhibit L - Reclamation Costs
12. Updated Exhibit R - Proof of Filing with County Clerk and Recorder

Exhibit A

Legal Description

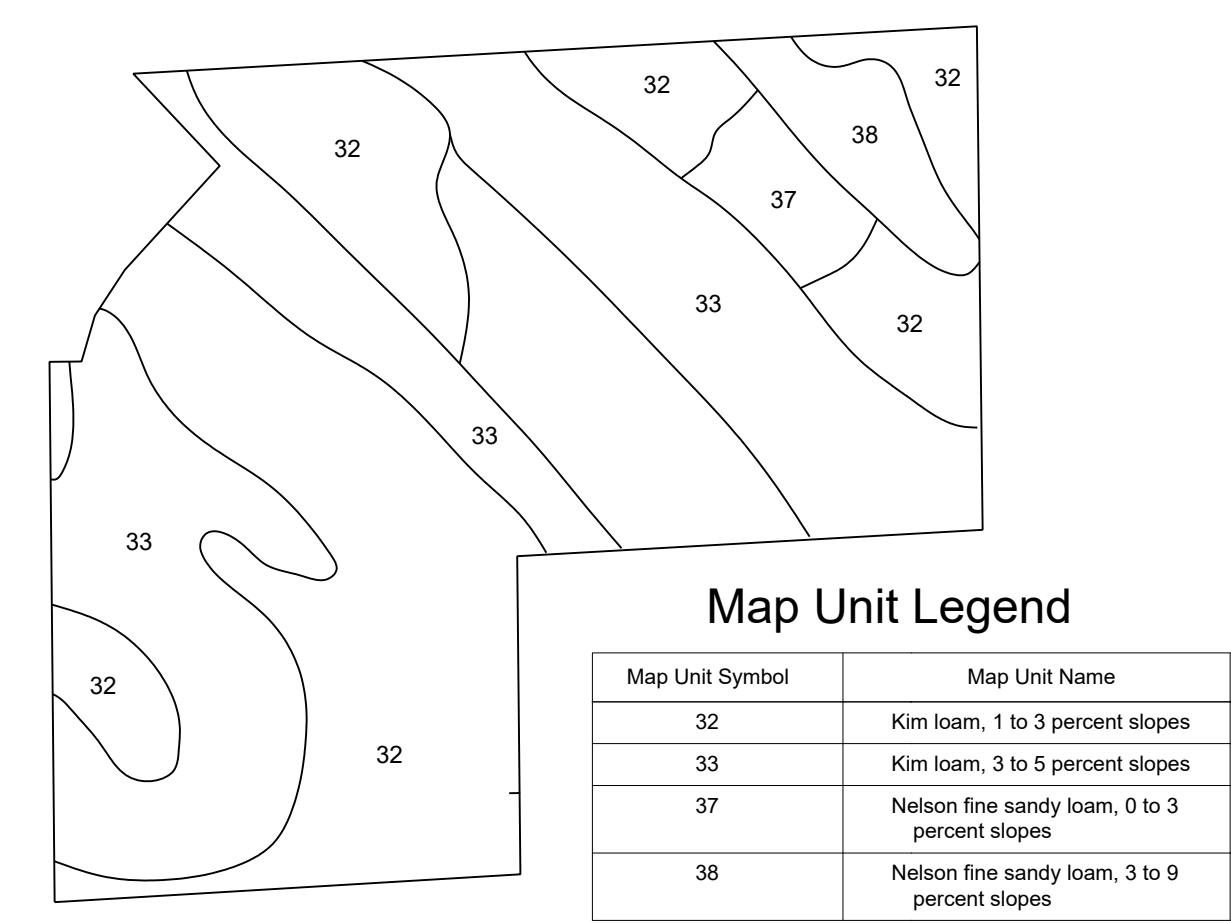
Parcel No. 080518400004

Lot B, Amended Recorded Exemption No. 0805-18-4 2AMRECX19-01-2877, according to the plat recorded December 18, 2019, at Reception No. 4551466, being part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., County of Weld, State of Colorado.

Entrance Location:

Lat. 40°29'15.9"N, Long. 104°48'41.5"W

UTM Zone 13 Coords. (Meters) N: 4481904, E: 515974



Mining Plan

Introduction

LTS Performance Horses LLC (LTS) is requesting this Construction Material Regular (112) Operation Reclamation Permit for the removal of 10-14 inches of topsoil from irrigated farmland. The property is described as Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

The approximately 132-acre site contains approximately 105-acres of active agricultural land under a center pivot irrigation system, 5-acres of active agricultural land under a flood irrigation system, and 22-acres of “dry corners” outside of the irrigation range. LTS proposes to mine topsoil from approximately 78-acres. Topsoil will be taken off-site for use on various oil and gas sites throughout Weld County. Reclamation of the site will consist of re-grading to support an appropriate seedbed for revegetation. Following mining activities, the disturbed area will be regraded, tilled, and re-planted and will continue to be leased for growing corn and alfalfa.

LTS is proposing to mine the upper 50-80 percent of topsoil from the irrigated portion of the site. Approximately 10-14 inches of topsoil will be removed, leaving at least 3-6 inches on site for reclamation purposes. The goal is to remove approximately 157,480 tons of topsoil over the course of two years. As the site is underlain with soil (vs. bedrock or gravel), the depth of soil exceeds the 3-6 inches needed for reclamation purposes. Soil sampling will occur to verify whether any soil amendments are needed. Application of manure or compost will provide a suitable rootzone in the remaining topsoil.

Mining Methods and Earthmoving

A variety of earthmoving equipment will be used, including loaders, dozers, scrapers, and haul trucks. Water trucks will be used as necessary for dust control. Mined topsoil will be temporarily stockpiled in the northeast corner along the existing access road and Weld County Road 27. The topsoil will be loaded onto haul trucks for transport to the end user. No explosives will be used for extraction operations.

Water Diversions and Impoundments

The topsoil will be dry mined and will not result in the need for dewatering. The operation will not require any water diversions or impoundments.

Mining Limits

Topsoil excavation will occur within the boundary of Lot B 2AMRECX19-01-2877. The mining limits are shown on Exhibit C - Pre-Mining and Mining Plan Maps of Affected Lands and are generally described as that portion of the site irrigated by the center pivot. Within that irrigated area the mining limits are further restricted by setbacks from property lines and existing structures and easements. The mined area will encompass approximately 78-acres of the 132-acre site. The staging area will not be mined.

Mine Phasing

Topsoil excavation will occur in two phases, as depicted on Exhibit C - Pre-Mining and Mining Plan Maps of Affected Lands. Phase 1 will be the northeastern half of the site and Phase 2 will be the southwestern half of the site. Phase 1 is expected to be mined in year one and reclaimed concurrently. Phase 2 is expected to be mined in years one and two and reclaimed concurrently. Final reclamation is expected to be completed within one to two years from the end of excavation for each phase, but not more than five years from the date each phase has commenced. The direction of mining for both phases will be from the northeast to the southwest.

Commodities and Intended Use

Topsoil will be the only product mined. No secondary commodities or incidental products are anticipated. The topsoil will be taken off-site for use at various oil and gas sites throughout Weld County.

Roadways

There is an existing roadway that runs along the northern portion of the site which will be used for the mining activities. The access point for this roadway is on Weld County Road 27, approximately ½ mile north of Highway 392. As the roadway currently supports heavy agricultural equipment, no on-site roadway improvements are anticipated. No off-site roadway improvements are anticipated as Weld County Road 27 is a paved arterial and Highway 392 is a paved state highway.

This roadway is within a 35-foot access and utility easement for the benefit of Lots A and B 2AMRECX19-01-2877, recorded on December 18, 2019, at reception no. 4551466. There will be no staging on the roadway and Lot A will continue to be able to enjoy full use of the shared roadway.

Fencing

No fencing is proposed at this time. Should fencing be installed during the life of the mining activities, it should follow Colorado Parks and Wildlife's (CPW) recommendations. Fencing should be the type that will allow the free passage of wildlife to ensure the safety of mule deer, white-tailed deer, and pronghorn antelope. The use of woven wire-type fences that trap or prevent the movement of wildlife should be avoided. CPW recommends using three or four-strand smooth-fire fencing with a minimum bottom strand height of 17-inches above ground level and a maximum top strand height of 42-inches above ground level, along with the installation of double stays between posts.

Lighting

Sources of light will be shielded so that light rays will not shine directly onto adjacent properties where such would cause a nuisance or interfere with the use on the adjacent properties. Neither the direct, nor reflected light from any light source will create a traffic hazard to operators of motor vehicles on public or private streets. No colored light will be used which may be confused with, or construed as, traffic control devices.

Nighttime artificial lighting has been documented to affect wildlife species of all sizes. In accordance with CPW's recommendations, all outdoor lighting should have correlated color temperatures (CCTs) ranging from 2,200 Kelvin Degrees to 2,700 Kelvin Degrees.

Reclamation Plan

Introduction

LTS Performance Horses LLC (LTS) is proposing the removal of 10-14 inches of topsoil from irrigated farmland through the Construction Material Regular (112) Operation Reclamation Permit process. The property is described as Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

The approximately 132-acre site contains approximately 105-acres of active agricultural land under a center pivot irrigation system, 5-acres of active agricultural land under a flood irrigation system, and 22-acres of “dry corners” outside of the irrigation range. LTS proposes to mine topsoil from approximately 78-acres. Topsoil will be taken off-site for use on various oil and gas sites throughout Weld County. Reclamation of the site will consist of re-grading to support an appropriate seedbed for revegetation. Following mining activities, the disturbed area will be re-graded, tilled, and re-planted and will continue to be leased for growing corn and alfalfa.

This Reclamation Plan has been developed in accordance with the requirements of 6.4.5 Exhibit E – Reclamation Plan in the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules). This plan describes procedures necessary for reclamation of the disturbed area. This plan will address re-grading, re-seeding, weed control, stormwater mitigation, monitoring, annual reporting, post-reclamation inspection and release of warranties. The operator, and all personnel working on this project, should be familiar with this Reclamation Plan prior to the commencement of mining activities.

Existing Conditions

Location:	Northwest corner of Highway 392 and Weld County Road 37 Part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6 th P.M., Weld County, Colorado Weld County parcel no. 080518400004
Size:	Total property area: 131.897-acres Total area of disturbance: 83.41-acres

Current Land Use:	Agriculture
Vegetation:	Existing: Irrigated cropland Following Reclamation: Irrigated cropland
Soils:	Loam to fine sandy loam. Dominant soil types include Kim loam, Nelson fine sandy loam, and Olney fine sandy loam.
Climate:	Mean annual precipitation: 12 to 16 inches Mean annual air temperature: 46 to 55 degrees Fahrenheit Frost-free period: 130 to 170 days
Water Resources:	An existing irrigation pond is located in the northwestern corner of the site, approximately 50-feet from the proposed area of disturbance. There is a field ditch crossing the northeastern portion of the property, which ties into the Greeley Number 2 Canal on the east side of Weld County Road 27. The field ditch is approximately 250-feet from the proposed area of disturbance.
Wildlife:	No critical wildlife habitat or wildlife species will be impacted by the proposed operation.

Project Description

LTS is proposing to mine the upper 50-80 percent of topsoil from the center-pivot irrigated portion of the site. Approximately 10-14 inches of topsoil will be removed, leaving at least 3-6 inches on site for reclamation purposes. The goal is to remove approximately 157,480 tons of topsoil in two phases over the course of two years. LTS is the landowner and operator of the mining activity and will be responsible for reclamation of the disturbed area.

As the site is underlain with soil (vs. bedrock or gravel), the depth of soil exceeds the 3-6 inches needed for reclamation purposes. Soil sampling will occur to verify whether any soil amendments are needed. Application of manure or compost will provide a suitable rootzone in the remaining topsoil. LTS commits to providing the Division of Reclamation, Mining and Safety (DRMS) with a copy of the soil sample results identifying any nutrient deficiencies and if any fertilizer or soil amendments will be needed.

Reclamation Methods

Mining and reclamation will occur in two phases:

- Phase 1: northeastern half (36.6-acres) (mined in year one and reclaimed concurrently)
- Phase 2: southwestern half (41.76-acres) (mined in years one and two and reclaimed concurrently)

Phasing is depicted on Exhibit F Reclamation Plan Map. Within the first year following permit approval, the operator will mine topsoil from the northeastern portion of the site then commence reclamation procedures. Active farming will continue on the southwestern portion of the site during Phase 1. Upon completion of topsoil excavation from the northeastern portion of the site, the operator will mine topsoil from the southwestern half of the site then commence reclamation procedures. Backfilling and grading will be completed as soon as feasible after the mining process is complete. Phase 2 may start in year one, depending on how quickly Phase 1 is completed. The mining operation is expected to be completed within two years.

Long-term stockpiling and stabilization of topsoil will not be necessary. The extracted material will be removed from site and sold to a third party. During this process, the topsoil will be handled as little as possible to maintain soil health and fertility.

Staging

A staging area will be located in the northeastern corner of the site near the site access road. The staging area is approximately 5-acres and will provide an area for equipment storage and loading operations. The inclusion of a staging area will minimize soil compaction across the disturbance area.

Grading and Erosion Control

During active mining, erosion prevention and sediment control Best Management Practices (BMPs) will be installed to minimize erosion from disturbed surfaces and to capture sediment on-site. The proposed BMPs will be included on the final Grading Plan in conjunction with the Colorado Department of Public Health & Environment (CDPHE) Storm Water Discharge Permit and Stormwater Management Plan (SWMP).

Final grading will support an appropriate seedbed for revegetation and will be traversable by farm machinery. Manure and fertilizer will be applied as necessary to support crop growth. All grading shall be done in a manner to control erosion and siltation of the affected lands and to protect areas outside the affected land from slides and other damage. The anticipated post reclamation slope gradient will be similar to the present slope. As required, the maximum gradient will not exceed a 3:1 slope.

Seeding and Revegetation

Following mining activities, the Phase 1 and Phase 2 areas will be revegetated for crop production. The operator will till the disturbed areas to prepare an appropriate seedbed for crop planting. Soil samples are recommended to identify nutrient deficiencies and determine if fertilizer application or soil amendments are needed. Planting corn typically occurs between mid-April to late-May, weather dependent. Planting will be done with typical farming techniques. The planted field will continue to be irrigated by the center pivot

irrigation system. Corn is typically planted at a rate of 8 to 18 pounds per acre, but can vary due to field history, production practices, and goals.

In the staging area, stockpiling of material will take place on undisturbed ground and topsoil won't be removed. Once the temporary stockpile material and equipment has been removed, the site will be re-graded to approximate pre-disturbance grade. No root zones need to be created as the underlying material is soil. The seedbed shall be firm and free of weeds. In areas where there is excessive compaction, tillage, such as chiseling and disking, shall be done to break up the compaction then harrowed down. The area will then be replanted with alfalfa.

Alfalfa will be planted immediately following completion of mining activities to decrease competition from noxious weed species. A one-time application of manure/compost mix will be applied to the staging for stabilization and fertilization. The staging area is not expected to need soil sampling to re-establish alfalfa. Following typical agronomic practices, if manure is used, it will be applied at a rate of 10 tons/acre. If compost is used, it will be applied at a rate of 5 tons/acre. Alfalfa seeding typically occurs between mid-May to mid-June, weather dependent. Planting will be done with typical farming techniques. The planted area will continue to be irrigated by the flood irrigation system. Alfalfa is typically planted at a rate of 3 to 12 pounds per acre, but can vary due to field history, production practices, and goals.

Noxious Weed Management

Various state and local regulations require management of noxious weeds. If established quickly, crop cover and standard farming practices will help suppress weed growth. The operator will monitor disturbed areas for noxious weeds during the mining operation. Currently, there are no noxious weeds identified on the subject property. The majority of the site has been under continuous crop cultivation. The greatest period of susceptibility for weeds to establish themselves is during temporary stockpiling and the start of reclamation procedures. Operator will survey the site regularly and monitor weed conditions. Should noxious weeds be identified, the operator will work to eradicate the weeds. Mechanical control methods such as pulling, mowing, and tilling and chemical control methods with the use of herbicides will be used. Proper identification of the suspected noxious weed will ensure the appropriate control methods are utilized. A complete list of Colorado noxious weeds can be found at <https://ag.colorado.gov/conservation/noxious-weeds/species-id>.

If excavation activities are completed before the growing season begins, preventative measures such as spraying will be taken. Establishment of crop cover will be the most effective method of long-term weed suppression.

Trash, Debris, and Materials Handling

Trash and debris will be collected in a covered dumpster, removed from the site at an appropriate rate, and properly disposed of. No explosives or hazardous materials will be needed to extract topsoil.

Water

Pursuant to Rule 3.1.6 and Rule 3.1.7 compliance with applicable federal and Colorado water quality laws and regulations, including statewide water quality standards and site-specific classifications and standards adopted by the Water Quality Control Commission, and applicable federal and Colorado dredge and fill requirements is required. Given the limited depth of topsoil removal, the proposed mining activities are not expected to have an impact on water quality. Compliance with applicable laws shall be adhered to.

Wildlife

All mining and reclamation activities shall take into account the safety and protection of wildlife. As the reclamation procedures will return the site to current conditions, the post-reclamation conditions for wildlife are expected to be similar to current conditions for wildlife. Additional wildlife information is presented in Exhibit H.

Signs and Markers

Pursuant to Rule 3.1.12, the Operator shall post a sign at a minimum size of eleven (11) by seventeen (17) inch with appropriate font size, including the name of the Operator and the operation name, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board, and the permit number. The boundaries of the affected area will be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries.

Spill Reporting

Pursuant to Rule 3.1.13, the operator will report any spill of hazardous or toxic substance to the Office of Mined Land Reclamation (Office) within twenty-four (24) hours.

Post Mining Land Use

The proposed post mining land use is the current land use, irrigated cropland. The subject property is zoned agricultural and surrounded by farmland. The post mining land use is consistent with Weld County's allowed uses in the Agricultural Zone District as farming is a use by right activity. No public use of the property is expected in the foreseeable future.

The existing roadway providing access to the site will remain. This roadway is within a 35-foot access and utility easement for the benefit of Lots A and B 2AMRECX19-01-2877,

recorded on December 18, 2019, at reception no. 4551466. Lots A and B will continue to be able to enjoy full use of the shared roadway following mining and reclamation activities.

Schedule

Reclamation is expected to be completed within one to two years from the end of excavation, but not more than five years from the date each phase has commenced.

Financial Warranty

The Operator will supply to the Office a Performance and Financial Warranty in accordance with Rule 4. Refer to Exhibit L – Reclamation Costs.

Annual Report and Fees

Pursuant to Rule 1.15 Annual Report Inclusions, the Annual Report shall include all information specified on the Annual Report Form, in the format required by the Office, including the following:

- An updated statement regarding the sufficiency of the value of the Financial Warranty.
- A map that accurately depicts the permit boundary, current affected area boundary, location of the acres affected during the current report year, acres reclaimed during the current report year, estimated new acreage to be affected in the next report year, and acres to be reclaimed in the next report year.
- On the anniversary date of the Notice of Intent (NOI) approval, the operator shall submit to the Office an annual fee, as specified in Section 34-32.5-125, C.R.S.

Change in Address, Ownership, and Business Name

Pursuant to Rule 1.16 the Operator shall promptly notify the office of any change in mailing address, transfer of land ownership, and official business name associated with the Performance and Financial Warranty. Where an Operator files a petition of bankruptcy, the Operator shall immediately notify the Office via certified mail of such filing.

Post-Reclamation Inspection and Release of Warranties

Each Phase will be reclaimed pursuant to the Rules. Pursuant to Rule 3.1.3, all reclamation shall be carried to completion by the Operator with all reasonable diligence, and each phase or reclamation shall be completed within five (5) years from the date the Operator informs the Board of Office that such phase has commenced, or from the date the Office has evidence that mining or exploration has ceased, unless extended by the Board or Office. The 5-year period may be applied separately to each phase as it is commenced throughout the life of the mine.

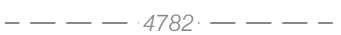

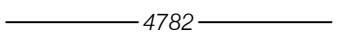




















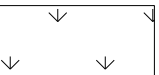

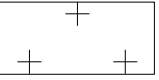



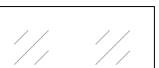
Pursuant to Rule 4.17.1, the Operator or any mining operation processing a 110 Limited Impact Permit, or a 111 Special Operations Permit, or a 112 Reclamation Permit may file a written

notice of completion of reclamation and request for release of reclamation responsibility with the Office whenever an Operator believes any or all requirements of the Act, the Rules and Regulations, and the approved reclamation plan have been completed with respect to any or all of the Affected Lands. The Operator shall include in the notice of the Office the names and addresses and phone numbers of all owners of record to the affected land. The written notice requesting release shall be sent by Certified Mail and be separate from other types of communication to the Office. Such notice shall contain a signed statement by the Operator or their agent that all applicable portions of the Reclamation Plan requirements have been satisfied in accordance with the Rules and all applicable requirements under the Act.

Pursuant to Rule 4.17.2, the Office upon receipt of said notice of completion of reclamation, shall immediately provide notice to all owners of record of the affected land and to the county(s). The Office shall, within sixty (60) calendar days after receiving said notice, or as soon thereafter as weather conditions permit, inspect the lands and reclamation described in the notice to determine if the Permittee has complied with all applicable requirements. If the Office fails to conduct an inspection within the time specified in Rule 4.17.2(2) or fails to advise the Permittee of deficiencies within the time specified in Rule 4.17.2(4), then all Financial Warranties applicable to reclamation described in the notice shall be deemed released as a matter of law. Where the Office finds that a Permittee has not complied with the applicable requirements of the Act, Rules and Regulations, or the approved reclamation plan, it shall advise the Permittee of such non-compliance not more than sixty (60) calendar days after the date of the inspection. Where the Office finds that a Permittee has successfully complied with the requirements of the Act, Rules and Regulations, and the approved reclamation plan, the Office shall release all applicable performance and financial warranties. Release (pending an appeal) shall be in writing and mailed within thirty (30) calendar days to the Permittee after the date of such findings. However, an appeal to the release of the financial and performance warranties shall stay the release on the thirtieth (30) day pending a Form Board Hearing.



LEGEND

	EXISTING GROUND SURFACE CONTOUR AND ELEVATION, FT		EXISTING UTILITY POLE
	PROPOSED GROUND SURFACE CONTOUR AND ELEVATION, FT		EXISTING TRANSMISSION POLE
	AFFECTED LAND		EXISTING GAS WELL
	EXISTING PROPERTY AND PERMIT BOUNDARY		EXISTING WATER WELL
	EXISTING ADJACENT BOUNDARY		EXISTING TELEPHONE PED
	RIGHT-OF-WAY		EXISTING WATER METER
	EXISTING WATER FEATURE		EXISTING GAS
	SECTION LINE		EXISTING FO
	EXISTING FENCE		EXISTING SIGN
	EXISTING FIBER OPTIC		EXISTING TREES
	EXISTING OVERHEAD ELEC		EXISTING STRUCTURE
	EXISTING GAS LINE		IRRIGATED CROPLAND RECLAIM (ALFALFA)
	EXISTING WATER LINE		IRRIGATED CROPLAND RECLAIM (CORN)
	EXISTING UNDERGROUND ELEC		IRRIGATED CROPLAND
	EXISTING STORM DRAIN		NATIVE GRASS

NOTES

1. TOTAL AREA = 131.89 ACRES
2. MINING AREA = 83.41 ACRES
3. VEGETATION ON SITE IS LIMITED TO IRRIGATED CROPS, NATIVE GRASSES, AND LOW SHRUBS. THERE ARE TREES ALONG THE ACCESS ROAD.
4. MINING DEPTH OF EACH PHASE IS 10-14 INCHES OF TOPSOIL.
5. EACH PHASE OF MINING WILL BE COMPLETED WITHIN A PERIOD OF 12-18 MONTHS.

ABBREVIATIONS

OB	OUT BUILDING
RES	RESIDENCE
TP	TRANSMISSION POLE

CROPLAND RECLAMATION MIX

Corn	8-18 lbs/acre*
Alfalfa	3-12 lbs/acre*

* Per Colorado State University, corn and alfalfa are generally planted at the rates above, but can vary due to field history, production practices, and goals.

EXHIBIT F - RECLAMATION PLAN

ISSUE / REVISION:	



AGPROessionals
DEVELOPERS OF AGRICULTURE

3050 67th Avenue, Suite 200,
Greeley, CO 80634
(970) 535-9318 • fax (970) 535-9654

213 Canyon Crest Dr., Suite 100,
Twin Falls, ID 83301
(208) 595-5301



LTS PERFORMANCE HORSES LLC
EXHIBIT F - RECLAMATION PLAN
WELD COUNTY, CO

RECLAMATION
WELD COUNTY, CO

SHEET:

MP-2

October 15, 2024

CERTIFIED MAIL/RETURN RECEIPT REQUESTED # 9414 8112 0620 5482 0357 79

Public Service Company of Colorado, d/b/a Xcel Energy
Attn: Andrew Holder, Area Manager - Northern Colorado, Community Relations & Local
Government Affairs
1500 6th Avenue
Greeley, CO 80631

Re: AGPRO Project #2253-01
LTS Performance Horses, LLC Topsoil Mine

To Whom It May Concern:

This letter is to inform you that LTS Performance Horses, LLC (Applicant) is filing for a Colorado Division of Reclamation, Mining, and Safety (DRMS) Construction Material Regular (112) Operation Reclamation Permit for the removal of 10-14 inches of topsoil from irrigated farmland. Applicant's property more particularly described below.

Legal Description:

Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

You may have an interest in the pipeline crossing the Applicant's property per the 50' Public Service Company easement recorded on March 10, 1998, at reception no. 2599013. The private access road that will be used for the grading activities crosses said easement.

The proposed grading activities are situated outside of your easement area and the existing access road will be utilized. The access road is part of the 'Affected Land' of the mining activities. Pursuant to the DRMS regulations for 112 permits for permanent man-made structures within 200-feet of the 'Affected Land,' we are requesting a notarized letter on your letterhead stating that the mining and reclamation activities, as proposed, will not have a negative effect on your utility.

Enclosed are the easement agreement, draft Mining Maps, Mining Plan, and Reclamation Plan for reference.

If you have any questions, please feel free to contact us at (970) 535-9318, or kbruxvoort@agpros.com. We will be representing the Applicant throughout the application process.

Sincerely,

Kelsey Bruxvoort

Kelsey Bruxvoort
Land Planner

Enclosures:

1. Easement Agreement
2. Mining Maps
3. Mining Plan
4. Reclamation Plan

EASEMENT

For and in consideration of Ten and More Dollars (\$10.00 and more) and other good and valuable consideration in hand paid, the receipt and sufficiency of which is hereby acknowledged, the undersigned Grantor(s) hereby grant(s) and convey(s) to Public Service Company of Colorado, a Colorado corporation, its successors and assigns, Grantee, a permanent easement fifty (50) feet in width, to install, construct, maintain, alter, repair, replace, reconstruct, operate, and remove pipelines and related appurtenances, fixtures, or devices for the transportation of gas or oil, and communication facilities, on, under, over, or through the following described lands in the SE/4 of Section 18, Township 6 North, Range 66 West of the 6TH Principal Meridian in the County of Weld, State of Colorado, the center line of the easement is described as follows:

(For description, see the Land Plat(s) attached hereto and by this reference made a part hereof.)

For the first twelve months, this permanent easement shall be exclusive to Public Service Company of Colorado, its successors and assigns, as to the lands specifically described on the attached Land Plat.

The easement encompasses a continuous strip of land 50 feet in width at all points on the property crossed by the above-described centerline and extended to the boundaries of the adjacent property.

The above sum is acknowledged by the undersigned as full consideration for the easement and also for damages to both land and growing crops occasioned by the initial installation of facilities. The Grantor(s) reserve(s) the right to cultivate, use and occupy said premises for any purpose consistent with the rights and privileges herein granted and which will not interfere with or endanger any of the facilities therein or use thereof. Such reservation by the Grantor(s) shall in no event include the right to construct any buildings or structures, to impound any water, or to plant any trees or shrubs upon the easement. The Grantee, at all times, shall have the right of access by a reasonable route to the easement and along and upon the same for the purpose hereof, which include surveying, inspection and testing. Grantee shall pay Grantor(s) for actual damages to land and growing crops occasioned by any future installations, construction, maintenance, alteration, repairing, replacing, reconstruction, and removal of facilities on the easement.

It is expressly agreed Grantee shall have the right to freely assign this easement in whole or in part. The undersigned Grantors hereby bind themselves, their heirs, executors, administrators, successors and assigns, to warrant and forever defend all and singular said easement unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

To have and to hold the said easement unto the said Grantee, its successors and assigns, so long as the same shall be used or useful for the purposes of the Grantee.

Executed by Grantor(s) this 11th day of February, 1998.

GRANTOR:

Milton E. Bartmann
Milton E. Bartmann

Coleen S. Bartmann
Coleen S. Bartmann

STATE OF COLORADO,)
COUNTY OF Larimer) ss.

The foregoing instrument was acknowledged before me this 16th day of February, 1998 by:
Milton E. Bartmann and Coleen S. Bartmann.

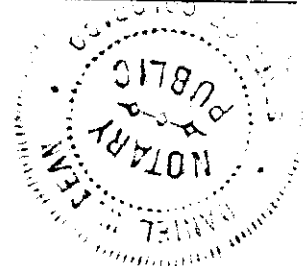
Witness my hand and official seal.

My commission expires: 12-17-99

Samuel W. M.
Notary Public



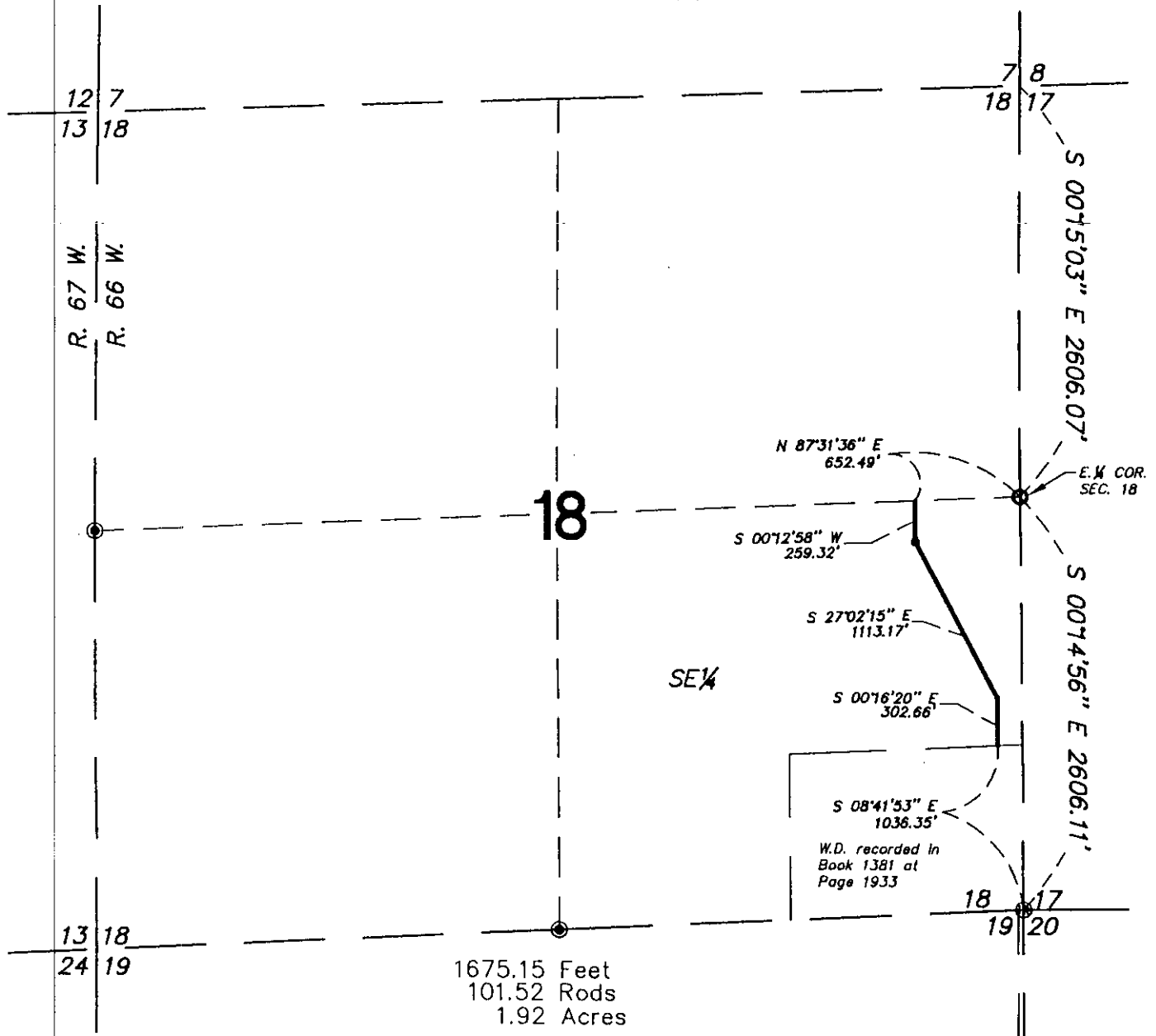
2599013 03/10/1998 02:37P Weld County CO
1 of 2 R 11.00 D 0.00 JA Suki Tsukamoto





2599013 03/10/1998 02:37P Weld County CO
2 of 2 R 11.00 D 0.00 JA Suki Tsukamoto

LAND PLAT



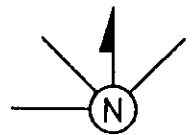
EASEMENT DESCRIPTION

A 50.00 foot easement for pipeline purposes across the Southeast Quarter (SE 1/4) of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado. Said easement being 25.00 feet on each side of the following described centerline:

Beginning at a point on the north line of said SE 1/4 from which the east quarter corner of said Section 18 bears N.87°31'36"E., a distance of 652.49 feet; thence S.00°12'58"W., a distance of 259.32 feet; thence S.27°02'15"E., a distance of 1113.17 feet; thence S.00°16'20"E., a distance of 302.66 feet to the north line of that parcel described by Warranty Deed recorded in Book 1381 at Page 1933 and said centerline there terminating from which the southeast corner of said Section 18 bears S.08°41'53"E., a distance of 1036.35 feet.

LEGEND

- SET 2 1/2" ALUMINUM CAP
- FOUND ALUMINUM CAP
- ⊗ FOUND IRON REBAR
- PIPELINE ANGLE POINT



Sec. 18
T-6-N
R-66-W

Scale 1" = 1000'

Public Service Company of Colorado

EXHIBIT FOR RIGHT OF WAY NO. _____

GRANTOR MILTON E. & COLEEN S. BARTMANN

STEIL SURVEYING SERVICES, LLC

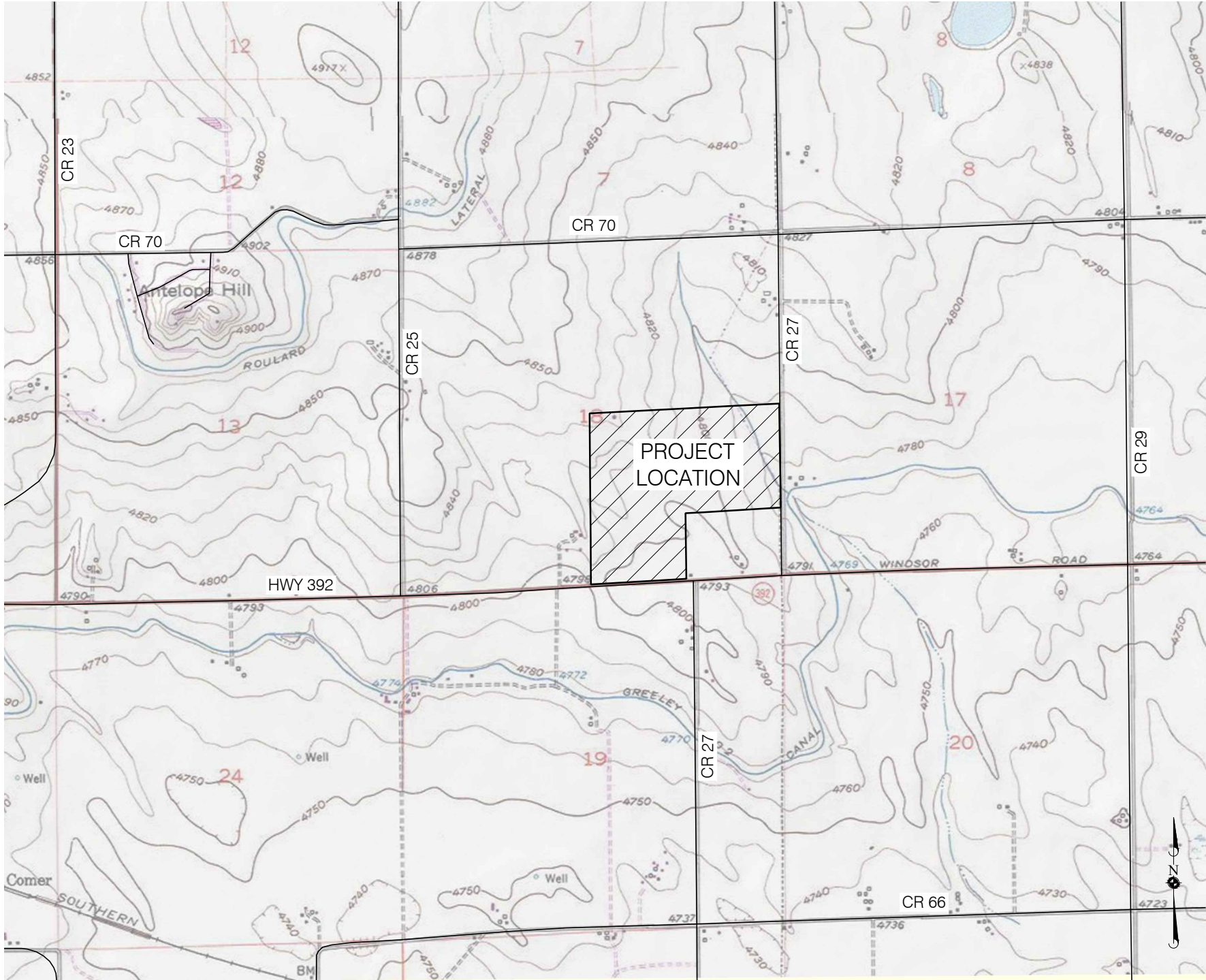
1102 WEST 19TH STREET P.O. BOX 2073
PH(307)634-7273 CHEYENNE, WY. 82003

07280

Exhibit B

Index Map

See attached map.



AGPROfessionals
DEVELOPERS OF AGRICULTURE
3050 67th Avenue, Suite 200,
Greeley, CO 80634
(970) 535-9318 - fax: (970) 535-9854

213 Canyon Crest Dr, Suite 100,
Twin Falls, ID 83301
(208) 595-5301

LTS PERFORMANCE HORSES LLC
EXHIBIT B - INDEX MAP

DATE: 9/18/24
SCALE: 1" = 1,000'

WELD COUNTY, CO

Exhibit C

Pre-Mining and Mining Plan Maps of Affected Lands

See attached maps.

EXHIBIT C - PRE-MINING & MINING PLAN MAP



LEGEND

--- 4782 ---

EXISTING GROUND SURFACE CONTOUR AND ELEVATION, FT

AFFECTED LAND

EXISTING PROPERTY BOUNDARY

EXISTING ADJACENT BOUNDARY

EXISTING RIGHT-OF-WAY

EXISTING WATER FEATURE

SECTION LINE

EXISTING FENCE

EXISTING FIBER OPTIC

EXISTING OVERHEAD ELEC

EXISTING GAS LINE

EXISTING WATER LINE

EXISTING UNDERGROUND ELEC

EXISTING STORM DRAIN

EXISTING UTILITY POLE

EXISTING TRANSMISSION POLE

EXISTING GAS WELL

EXISTING WATER WELL

EXISTING TELEPHONE PED

EXISTING WATER METER

EXISTING GAS

EXISTING FO

EXISTING SIGN

EXISTING TREES

EXISTING STRUCTURE

IRRIGATED CROPLAND

NATIVE GRASS

NOTES

1. TOTAL AREA = 133.90 ACRES

2. MINING AREA = 83.41 ACRES

3. VEGETATION ON SITE IS LIMITED TO IRRIGATED CROPS, NATIVE GRASSES, AND LOW SHRUBS. THERE ARE TREES ALONG THE ACCESS ROAD.

4. MINING DEPTH OF EACH PHASE IS 10-14 INCHES OF TOPSOIL.

5. EACH PHASE OF MINING WILL BE COMPLETED WITHIN A PERIOD OF 12-18 MONTHS.

ABBREVIATIONS

OB

OUT BUILDING

RES

RESIDENCE

TP

TRANSMISSION POLE

PERMANENT STRUCTURES				
Key	Structure	Owner	Easement / ID	Location
A	Pipeline	Public Service Company, D/B/A Excel Energy	50' Public Service Company Easement, Reception No. 2599013	East of area of disturbance. Access road crosses the easement.
B	Archer-Weld Transmission Line	Transmission Division, Colorado River Storage Project, Bureau of Reclamation, Department of the Interior	100' Electric Transmission Line Easement, Reception No. 1561327	More than 200-feet east of area of disturbance. Access road crosses the easement.
C	Pipeline	Black Hills Gas Distribution, LLC, D/B/A Black Hills Energy	50' Pipeline Easement, Reception No. 2634911, KN Wattenberg Transmission, LLC	East of area of disturbance. Access road crosses the easement.
D	Pipeline	Tall Grass Interstate Gas Transmission LLC, D/B/A Tallgrass Energy	50' Pipeline Easement, Reception No. 3549935, and Amended Pipeline Easement, Reception No. 3608098, Kinder Morgan Interstate Gas Transmission LLC	East of area of disturbance. Access road crosses the easement.
E	Pipeline(s)	Chevron Corporation	30' Right-of-Way Grant, Reception No. 4162720, XTR Midstream, LLC	East of area of disturbance. Access road crosses the easement.
F	Pipeline	DCP Midstream, LP / Phillips 66	35' Pipeline Right-of-Way Grant, Reception No. 1923866, Associated Natural Gas Inc	Along CR 27. Access road crosses the easement.
G	Waterline	North Weld County Water District	Valve Site Contract, Reception No. 3013241	Along CR 27. Access road crosses the easement.
H	Pipeline	Suncor Energy (U.S.A.) Pipeline Company	ROW Contract, Reception No. 800076, Weld County LAP22-0011, Reception No. 4953067 (Blanket Easements)	South of the staging area. Location of proposed pipeline shown is per LAP22-0011 design drawings.
I	Pipeline	DCP Midstream, LP / Phillips 66	30' Pipeline Easement, Reception No. 4296169, DCP Lucerne 2 Plant LLC	South and east of the area of disturbance
J	Waterline	North Weld County Water District	20' Waterline Easement, Reception No. 1450757	Runs through pivot irrigated area
K	Irrigation Pond	LTS Performance Horses LLC	N/A	Northwest of pivot irrigated area
L	Pivot Concrete Pad	LTS Performance Horses LLC	N/A	South and east of the area of disturbance
M	P&A O&G Well	Chevron Corporation	API Label: 05-123-11130 Well Name: 33-18 Carlson	In pivot irrigated area
N	P&A O&G Well	Chevron Corporation	API Label: 05-123-22792 Well Name: 18-41 Carlson	In pivot irrigated area
O	P&A O&G Well	Chevron Corporation	API Label: 05-123-22793 Well Name: 18-43 Carlson	In pivot irrigated area
P	Overhead Electric Distribution Line	PVREA	N/A	West of the area of disturbance
Q	Overhead Electric Distribution Line	PVREA	N/A	Along CR 27

Map Unit Legend

32

Kim loam, 1 to 3 percent slopes

33

Kim loam, 3 to 5 percent slopes

37

Nelson fine sandy loam, 0 to 3 percent slopes

38

Nelson fine sandy loam, 3 to 9 percent slopes

LTS PERFORMANCE HORSES LLC EXHIBIT C - PRE-MINING & MINING PLAN MAP

SHEET:

MP-1

AGPROfessionals
DEVELOPERS OF AGRICULTURE

3050 67th Avenue, Suite 200,
Greeley, CO 80634
(970) 535-9318 • fax: (970) 535-9854

811
CALL 811
(.COM)

DATE: September 19, 2024
ISSUE / REVISION:
A
ISSUED FOR REVIEW
08/2024

Exhibit F

Reclamation Plan Map

See attached map.



	EXISTING GROUND SURFACE CONTOUR AND ELEVATION, FT		EXISTING UTILITY POLE
	PROPOSED GROUND SURFACE CONTOUR AND ELEVATION, FT		EXISTING TRANSMISSION POLE
	AFFECTED LAND		EXISTING GAS WELL
	EXISTING PROPERTY BOUNDARY		EXISTING WATER WELL
	EXISTING ADJACENT BOUNDARY		EXISTING TELEPHONE PED
	RIGHT-OF-WAY		EXISTING WATER METER
	EXISTING WATER FEATURE		EXISTING GAS
	SECTION LINE		EXISTING FO
	EXISTING FENCE		EXISTING SIGN
	EXISTING FIBER OPTIC		EXISTING TREES
	EXISTING OVERHEAD ELEC		EXISTING STRUCTURE
	EXISTING GAS LINE		NATIVE SEED RECLAIM
	EXISTING WATER LINE		IRRIGATED CROPLAND RECLAIM
	EXISTING UNDERGROUND ELEC		IRRIGATED CROPLAND
	EXISTING STORM DRAIN		NATIVE GRASS

1. TOTAL AREA = 133.90 ACRES
2. MINING AREA = 83.41 ACRES
3. VEGETATION ON SITE IS LIMITED TO IRRIGATED CROPS, NATIVE GRASSES, AND LOW SHRUBS. THERE ARE TREES ALONG THE ACCESS ROAD.
4. MINING DEPTH OF EACH PHASE IS 10-14 INCHES OF TOPSOIL.
5. EACH PHASE OF MINING WILL BE COMPLETED WITHIN A PERIOD OF 12-18 MONTHS.

OB	OUT BUILDING
RES	RESIDENCE
TP	TRANSMISSION POLE

Buffalo Grass (Texoka, Sharps Improved)	1.5 lbs pls/acre
Little Bluestem (Blaze, Cimarron, Camper)	1.5 lbs pls/acre
Sideoats Grama (Vaughn, Butte, Niner, El Reno, Haskell)	2 lbs pls/acre
Blue Grama (Hachital, Lovington)	3.5 lbs pls/acre
Western wheatgrass (Arriba, Barton, Rosana)	3 lbs pls/acre
Switchgrass (Nebraska 28, Blackwell)	1.5 lbs pls/acre
Perennial Ryegrass (Calibra or Garibaldi tetraploid)	0.75 lbs pls/acre
Sand dropseed	0.25 lbs pls/acre
Total: 14.00 pounds pls/acre	

Mining Plan

Introduction

LTS Performance Horses LLC (LTS) is requesting this Construction Material Regular (112) Operation Reclamation Permit for the removal of 10-14 inches of topsoil from irrigated farmland. The property is described as Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

The approximately 132-acre site contains approximately 105-acres of active agricultural land under a center pivot irrigation system and 27-acres of “dry corners” outside of the center pivot irrigation range. LTS proposes to mine topsoil from approximately 78-acres. Topsoil will be taken off-site for use on various oil and gas sites throughout Weld County. Reclamation of the site will consist of re-grading to support an appropriate seedbed for revegetation. Following mining activities, the disturbed area will be regraded, tilled, and re-planted and will continue to be leased for growing corn.

LTS is proposing to mine the upper 50-80 percent of topsoil from the irrigated portion of the site. Approximately 10-14 inches of topsoil will be removed, leaving at least 3-6 inches on site for reclamation purposes. The goal is to remove approximately 157,480 tons of topsoil over the course of two years.

Mining Methods and Earthmoving

A variety of earthmoving equipment will be used, including loaders, dozers, scrapers, and haul trucks. Water trucks will be used as necessary for dust control. Mined topsoil will be temporarily stockpiled in the northeast corner along the existing access road and Weld County Road 27. The topsoil will be loaded onto haul trucks for transport to the end user. No explosives will be used for extraction operations.

Water Diversions and Impoundments

The topsoil will be dry mined and will not result in the need for dewatering. The operation will not require any water diversions or impoundments.

Mining Limits

Topsoil excavation will occur within the boundary of Lot B 2AMRECX19-01-2877. The mining limits are shown on Exhibit C - Pre-Mining and Mining Plan Maps of Affected Lands and are generally described as that portion of the site irrigated by the center pivot. Within that irrigated area the mining limits are further restricted by setbacks from property lines and existing structures and easements. The mined area will encompass approximately 78-acres of the 132-acre site.

Mine Phasing

Topsoil excavation will occur in two phases, as depicted on Exhibit C - Pre-Mining and Mining Plan Maps of Affected Lands. Phase 1 will be the northeastern half of the site and Phase 2 will be the southwestern half of the site. Phase 1 is expected to be mined in year one and reclaimed concurrently. Phase 2 is expected to be mined in years one and two and reclaimed concurrently. Final reclamation is expected to be completed within one to two years from the end of excavation for each phase, but not more than five years from the date each phase has commenced.

Commodities and Intended Use

Topsoil will be the only product mined. No secondary commodities or incidental products are anticipated. The topsoil will be taken off-site for use at various oil and gas sites throughout Weld County.

Roadways

There is an existing roadway that runs along the northern portion of the site which will be used for the mining activities. The access point for this roadway is on Weld County Road 27, approximately ½ mile north of Highway 392. As the roadway currently supports heavy agricultural equipment, no on-site roadway improvements are anticipated. No off-site roadway improvements are anticipated as Weld County Road 27 is a paved arterial and Highway 392 is a paved state highway.

Reclamation Plan

Introduction

LTS Performance Horses LLC (LTS) is proposing the removal of 10-14 inches of topsoil from irrigated farmland through the Construction Material Regular (112) Operation Reclamation Permit process. The property is described as Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

The approximately 132-acre site contains approximately 105-acres of active agricultural land under a center pivot irrigation system and 27-acres of “dry corners” outside of the center pivot irrigation range. LTS proposes to mine topsoil from approximately 78-acres. Topsoil will be taken off-site for use on various oil and gas sites throughout Weld County. Reclamation of the site will consist of re-grading to support an appropriate seedbed for revegetation. Following mining activities, the disturbed area will be re-graded, tilled, and re-planted and will continue to be leased for growing corn.

This Reclamation Plan has been developed in accordance with the requirements of 6.4.5 Exhibit E – Reclamation Plan in the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules). This plan describes procedures necessary for reclamation of the disturbed area. This plan will address re-grading, re-seeding, weed control, stormwater mitigation, monitoring, annual reporting, post-reclamation inspection and release of warranties. The operator, and all personnel working on this project, should be familiar with this Reclamation Plan prior to the commencement of mining activities.

Existing Conditions

Location:	Northwest corner of Highway 392 and Weld County Road 37 Part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6 th P.M., Weld County, Colorado Weld County parcel no. 080518400004
Size:	Total property area: 131.897-acres Total area of disturbance: 83.41-acres

Current Land Use:	Agriculture
Vegetation:	Existing: Irrigated cropland Following Reclamation: Irrigated cropland
Soils:	Loam to fine sandy loam. Dominant soil types include Kim loam, Nelson fine sandy loam, and Olney fine sandy loam.
Climate:	Mean annual precipitation: 12 to 16 inches Mean annual air temperature: 46 to 55 degrees Fahrenheit Frost-free period: 130 to 170 days
Water Resources:	An existing irrigation pond is located in the northwestern corner of the site, approximately 50-feet from the proposed area of disturbance. There is a field ditch crossing the northeastern portion of the property, which ties into the Greeley Number 2 Canal on the east side of Weld County Road 27. The field ditch is approximately 250-feet from the proposed area of disturbance.
Wildlife:	No critical wildlife habitat or wildlife species will be impacted by the proposed operation.

Project Description

LTS is proposing to mine the upper 50-80 percent of topsoil from the irrigated portion of the site. Approximately 10-14 inches of topsoil will be removed, leaving at least 3-6 inches on site for reclamation purposes. The goal is to remove approximately 157,480 tons of topsoil in two phases over the course of two years. LTS is the landowner and operator of the mining activity and will be responsible for reclamation of the disturbed area.

Reclamation Methods

Mining and reclamation will occur in two phases:

- Phase 1: northeastern half (36.6-acres) (mined in year one and reclaimed concurrently)
- Phase 2: southwestern half (41.76-acres) (mined in years one and two and reclaimed concurrently)

Phasing is depicted on Exhibit F Reclamation Plan Map. Within the first year following permit approval, the operator will mine topsoil from the northeastern portion of the site then commence reclamation procedures. Active farming will continue on the southwestern portion of the site during Phase 1. Upon completion of topsoil excavation from the northeastern portion of the site, the operator will mine topsoil from the southwestern half of the site then commence reclamation procedures. Backfilling and grading will be completed as soon as feasible after the mining

process is complete. Phase 2 may start in year one, depending on how quickly Phase 1 is completed. The mining operation is expected to be completed within two years.

Long-term stockpiling and stabilization of topsoil will not be necessary. The extracted material will be removed from site and sold to a third party. During this process, the topsoil will be handled as little as possible to maintain soil health and fertility.

Staging

A staging area will be located in the northeastern corner of the site near the site access road. The staging area is approximately 5-acres and will provide an area for equipment storage and loading operations. The inclusion of a staging area will minimize soil compaction across the disturbance area.

Grading and Erosion Control

During active mining, erosion prevention and sediment control Best Management Practices (BMPs) will be installed to minimize erosion from disturbed surfaces and to capture sediment on-site. The proposed BMPs will be included on the final Grading Plan in conjunction with the Colorado Department of Public Health & Environment (CDPHE) Storm Water Discharge Permit and Stormwater Management Plan (SWMP).

Final grading will support an appropriate seedbed for revegetation and will be traversable by farm machinery. Manure and fertilizer will be applied as necessary to support crop growth. All grading shall be done in a manner to control erosion and siltation of the affected lands and to protect areas outside the affected land from slides and other damage. The anticipated post reclamation slope gradient will be similar to the present slope. As required, the maximum gradient will not exceed a 3:1 slope.

Seeding and Revegetation

Following mining activities, the Phase 1 and Phase 2 areas will be revegetated to establish diverse, effective, and long-lasting vegetative cover. The operator will till the disturbed areas to prepare an appropriate seedbed for crop planting. Soil samples are recommended to identify nutrient deficiencies and determine if fertilizer application or soil amendments are needed. Planting corn typically occurs between mid-April to late-May, weather dependent. Planting will be done with typical farming techniques. The planted field will continue to be irrigated by the center pivot irrigation system.

In the staging area, stockpiling of material will take place on undisturbed ground and topsoil won't be removed. Once the temporary stockpile material and equipment has been removed, the site will be re-graded to approximate pre-disturbance grade. No root zones need to be created as the underlying material is soil. The seedbed shall be firm and free of weeds. In areas where there is excessive compaction, tillage, such as chiseling and disking, shall be

done to break up the compaction then harrowed down. The area will then be re-seeded using an approved seed mixture. Dormant planting is possible any time after October 15th or when temperatures are cold enough to prevent seed germination. Seeding on frozen soils will be avoided. Planting may also be done in the print until the end of April or early May and between July 1st and September 1st. The recommended reclamation seeding mix of the stockpile area is the Weld County General Seed Mix for areas north of County Road 68. The seed mix is as follows:

• Buffalo Grass (Taxoka, Sharps Improved)	1.5 lbs pls/acre
• Little Bluestem (Blaze, Cimarron, Camper)	1.5 lbs pls/acre
• Sideoats Grama (Vaughn, Butte, Niner, El Reno, Haskell)	2 lbs pls/acre
• Blue Grama (Hachital, Lovington)	3.5 lbs pls/acre
• Western Wheatgrass (Arriba, Barton, Rosana)	3 lbs pls/acre
• Switchgrass (Nebraska 28, Blackwell)	1.5 lbs pls/acre
• Perennial Ryegrass (Calibra or Garibaldi tetraploid)	0.75 lbs pls/acre
• Sand Dropseed	0.25 lbs pls/acre

Total: 14 pounds pls/acre

Seeds will be planted immediately following completion of mining activities to decrease competition from noxious weed species. Seeds will be planted using drill seeding at the appropriate depths. A one-time application of manure/compost mix will be applied to the seeded area for stabilization and fertilization. The seeded areas will not be irrigated.

Noxious Weed Management

Various state and local regulations require management of noxious weeds. If established quickly, crop cover and standard farming practices will help suppress weed growth. The operator will monitor disturbed areas for noxious weeds during the mining operation. Currently, there are no noxious weeds identified on the subject property. The majority of the site has been under continuous crop cultivation. The greatest period of susceptibility for weeds to establish themselves is during temporary stockpiling and the start of reclamation procedures. Operator will survey the site regularly and monitor weed conditions. Should noxious weeds be identified, the operator will work to eradicate the weeds. Mechanical control methods such as pulling, mowing, and tilling and chemical control methods with the use of herbicides will be used. Proper identification of the suspected noxious weed will ensure the appropriate control methods are utilized. A complete list of Colorado noxious weeds can be found at <https://ag.colorado.gov/conservation/noxious-weeds/species-id>.

If excavation activities are completed before the growing season begins, preventative measures such as spraying will be taken. Establishment of crop cover will be the most effective method of long-term weed suppression.

Upon completion of the mining activities, the stockpile area will be reseeded with native grass according to the recommended seeding procedures and seed mix described above.

Trash, Debris, and Materials Handling

Trash and debris will be collected in a covered dumpster, removed from the site at an appropriate rate, and properly disposed of. No explosives or hazardous materials will be needed to extract topsoil.

Water

Pursuant to Rule 3.1.6 and Rule 3.1.7 compliance with applicable federal and Colorado water quality laws and regulations, including statewide water quality standards and site-specific classifications and standards adopted by the Water Quality Control Commission, and applicable federal and Colorado dredge and fill requirements is required. Given the limited depth of topsoil removal, the proposed mining activities are not expected to have an impact on water quality. Compliance with applicable laws shall be adhered to.

Wildlife

All mining and reclamation activities shall take into account the safety and protection of wildlife. As the reclamation procedures will return the site to current conditions, the post-reclamation conditions for wildlife are expected to be similar to current conditions for wildlife. Additional wildlife information is presented in Exhibit H.

Signs and Markers

Pursuant to Rule 3.1.12, the Operator shall post a sign at a minimum size of eleven (11) by seventeen (17) inch with appropriate font size, including the name of the Operator and the operation name, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board, and the permit number. The boundaries of the affected area will be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries.

Spill Reporting

Pursuant to Rule 3.1.13, the operator will report any spill of hazardous or toxic substance to the Office of Mined Land Reclamation (Office) within twenty-four (24) hours.

Post Mining Land Use

The proposed post mining land use is the current land use, irrigated cropland. The subject property is zoned agricultural and surrounded by farmland. The post mining land use is consistent with Weld County's allowed uses in the Agricultural Zone District as farming is a use by right activity. No public use of the property is expected in the foreseeable future.

Schedule

Reclamation is expected to be completed within one to two years from the end of excavation, but not more than five years from the date each phase has commenced.

Financial Warranty

The Operator will supply to the Office a Performance and Financial Warranty in accordance with Rule 4. Refer to Exhibit L – Reclamation Costs.

Annual Report and Fees

Pursuant to Rule 1.15 Annual Report Inclusions, the Annual Report shall include all information specified on the Annual Report Form, in the format required by the Office, including the following:

- An updated statement regarding the sufficiency of the value of the Financial Warranty.
- A map that accurately depicts the permit boundary, current affected area boundary, location of the acres affected during the current report year, acres reclaimed during the current report year, estimated new acreage to be affected in the next report year, and acres to be reclaimed in the next report year.
- On the anniversary date of the Notice of Intent (NOI) approval, the operator shall submit to the Office an annual fee, as specified in Section 34-32.5-125, C.R.S.

Change in Address, Ownership, and Business Name

Pursuant to Rule 1.16 the Operator shall promptly notify the office of any change in mailing address, transfer of land ownership, and official business name associated with the Performance and Financial Warranty. Where an Operator files a petition of bankruptcy, the Operator shall immediately notify the Office via certified mail of such filing.

Post-Reclamation Inspection and Release of Warranties

Each Phase will be reclaimed pursuant to the Rules. Pursuant to Rule 3.1.3, all reclamation shall be carried to completion by the Operator with all reasonable diligence, and each phase or reclamation shall be completed within five (5) years from the date the Operator informs the Board of Office that such phase has commenced, or from the date the Office has evidence that mining or exploration has ceased, unless extended by the Board or Office. The 5-year period may be applied separately to each phase as it is commenced throughout the life of the mine.

Pursuant to Rule 4.17.1, the Operator or any mining operation processing a 110 Limited Impact Permit, or a 111 Special Operations Permit, or a 112 Reclamation Permit may file a written notice of completion of reclamation and request for release of reclamation responsibility with the Office whenever an Operator believes any or all requirements of the Act, the Rules and Regulations, and the approved reclamation plan have been completed with respect to any or all

of the Affected Lands. The Operator shall include in the notice of the Office the names and addresses and phone numbers of all owners of record to the affected land. The written notice requesting release shall be sent by Certified Mail and be separate from other types of communication to the Office. Such notice shall contain a signed statement by the Operator or their agent that all applicable portions of the Reclamation Plan requirements have been satisfied in accordance with the Rules and all applicable requirements under the Act.

Pursuant to Rule 4.17.2, the Office upon receipt of said notice of completion of reclamation, shall immediately provide notice to all owners of record of the affected land and to the county(s). The Office shall, within sixty (60) calendar days after receiving said notice, or as soon thereafter as weather conditions permit, inspect the lands and reclamation described in the notice to determine if the Permittee has complied with all applicable requirements. If the Office fails to conduct an inspection within the time specified in Rule 4.17.2(2) or fails to advise the Permittee of deficiencies within the time specified in Rule 4.17.2(4), then all Financial Warranties applicable to reclamation described in the notice shall be deemed released as a matter of law. Where the Office finds that a Permittee has not complied with the applicable requirements of the Act, Rules and Regulations, or the approved reclamation plan, it shall advise the Permittee of such non-compliance not more than sixty (60) calendar days after the date of the inspection. Where the Office finds that a Permittee has successfully complied with the requirements of the Act, Rules and Regulations, and the approved reclamation plan, the Office shall release all applicable performance and financial warranties. Release (pending an appeal) shall be in writing and mailed within thirty (30) calendar days to the Permittee after the date of such findings. However, an appeal to the release of the financial and performance warranties shall stay the release on the thirtieth (30) day pending a Form Board Hearing.

October 15, 2024

CERTIFIED MAIL/RETURN RECEIPT REQUESTED # 9414 8112 0620 5482 3960 54

Bureau of Reclamation
Upper Colorado Regional Office
Attn: Public Affairs Office
125 South State Street, Rm 7102
Salt Lake City, UT 84138-1102

Re: AGPRO Project #2253-01
LTS Performance Horses, LLC Topsoil Mine

To Whom It May Concern:

This letter is to inform you that LTS Performance Horses, LLC (Applicant) is filing for a Colorado Division of Reclamation, Mining, and Safety (DRMS) Construction Material Regular (112) Operation Reclamation Permit for the removal of 10-14 inches of topsoil from irrigated farmland. Applicant's property more particularly described below.

Legal Description:

Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

You may have an interest in the Archer-Weld Electric Transmission Line crossing the Applicant's property per the Declaration of Taking for a 100' easement recorded on January 29, 1971, at reception no. 1561327. The private access road that will be used for the grading activities crosses said easement.

The proposed grading activities are situated outside of your easement area and the existing access road will be utilized. The access road is part of the 'Affected Land' of the mining activities. Pursuant to the DRMS regulations for 112 permits for permanent man-made structures within 200-feet of the 'Affected Land,' we are requesting a notarized letter on your letterhead stating that the mining and reclamation activities, as proposed, will not have a negative effect on your utility.

Enclosed are the Declaration of Taking, draft Mining Maps, draft Mining Plan, and draft Reclamation Plan for reference.

If you have any questions, please feel free to contact us at (970) 535-9318, or kbruxvoort@agpros.com. We will be representing the Applicant throughout the application process.

Sincerely,

Kelsey Bruxvoort

Kelsey Bruxvoort
Land Planner

Enclosures:

1. Declaration of Taking
2. Mining Maps
3. Mining Plan
4. Reclamation Plan

JAN 29 1971

FILED
United States District Court
Denver, Colorado

INDEXED

IN THE DISTRICT COURT OF THE UNITED STATES JAN 22 1971

IN AND FOR THE DISTRICT OF COLORADO G. WALTER BOWMAN
CLERK

UNITED STATES OF AMERICA,

Plaintiff,

v.

34.08 Acres of Land, More or
Less, Situated in the County
of Weld, State of Colorado;
Otho Guy Wykert, et al.,

Defendants.

COND. NO. C-2856

DECLARATION

OF

TAKING

Pursuant to authority delegated on February 17, 1959, by the Secretary of the Interior under subparagraphs (6) and (7) of 210.2.2 Departmental Manual of the Department of the Interior (24 F.R. 1348) to the Solicitor of the Department of the Interior, I hereby make and cause to be filed this Declaration of Taking under section 1 of the act of February 26, 1931 (46 Stat. 1421, 40 U.S.C., 1958 ed., sec. 258a), and declare that:

FIRST: (a) The interests in lands hereinafter described are taken for the use of the United States under the authority of the act of June 17, 1902, and all acts amendatory thereof or supplementary thereto (32 Stat. 388, 43 U.S.C., 1958 ed., sec. 371, et seq.); the act of August 1, 1888 (25 Stat. 357, 40 U.S.C., 1958 ed., sec. 257), as amended; the act of February 26, 1931 (46 Stat. 1421, 40 U.S.C., 1958 ed., secs. 258a-258e); the act of April 11, 1956 (70 Stat. 105, 43 U.S.C. 1958 ed. 620-620c); and the Public Works Appropriation Act, 1971 (84 Stat. 890), Public Law 91-439.

(b) The said interests in lands have been selected by me for acquisition by the United States in connection with the construction, operation and maintenance of the Archer-Weld 230-Kv Transmission Line, Transmission Division, Colorado River Storage Project, and are required for immediate use by the Bureau of Reclamation, Department of the Interior.

(c) In my opinion it is necessary, advantageous and in the interest of the United States that said interests in lands be acquired by judicial proceedings, as authorized by the acts of Congress approved August 1, 1888 (25 Stat. 357, 40 U.S.C., 1958 ed., sec. 257), as amended, and February 26, 1931 (46 Stat. 1421, 40 U.S.C., 1958 ed., secs. 258a-258e), and acts amendatory thereof or supplementary thereto.

SECOND: Pursuant to law I have ascertained and selected for acquisition for the purposes set forth herein, and in accordance with the foregoing acts of Congress, the perpetual right, privilege and easement to construct, reconstruct, operate, inspect and maintain one electric transmission line, consisting of a single line of structures supporting one or more electric power circuits, together with all towers, poles, crossarms, cables, wires, guys, supports, fixtures and such other structures, installations and facilities used or useful in the construction, operation and maintenance of said transmission line through, over and across lands situated in Weld County, Colorado, designated as Tract 39-62, Tract 51-74, Tract 52-75, Tract 53-76, and Tract 55-78, particularly described in the legal descriptions and plats attached hereto and by this reference made a part hereof, together with the right of ingress and egress to enter upon and leave said right-of-way to survey, construct, reconstruct, maintain, inspect, operate, control and use said lands, together with the present and future right to clear said right-of-way or trim trees to the extent deemed necessary by the United States, to protect the rights and privileges herein taken and to keep said right-of-way clear of brush, timber, inflammable structures and fire hazards, and all brush, timber or inflammable structures removed shall become the property of the United States and may be disposed of by sale, burning or

above-described lands; reserving, however, to the owners the right to use and occupy said right-of-way for any purpose consistent with the rights and privileges herein taken and which will not interfere with or endanger the construction, reconstruction, operation, inspection, maintenance, control, and use of said electric transmission line by the United States, which right of use and occupancy shall include, in addition to the right of just compensation for the interest described above, a right in the owners to be compensated on the basis of an appraisal approved by the Secretary of the Interior or his duly authorized agents for any damage to crops, trees, vines, seedlings, or improvements on said right-of-way, not included in such just compensation, that occurs as a result of and during the construction, operation, or maintenance of said electric transmission line, but said right of use and occupancy shall not include the erection of any structure on, the drilling of wells in, or permission to the public to use any part of said right-of-way without advance written permission from the Secretary of the Interior or his duly authorized agents. In case of permanent abandonment of said right-of-way, the title and interest acquired by the United States shall end, cease and determine. Upon permanent abandonment of the right-of-way by the United States, the owners, their successors or assigns, shall be given written notice of such abandonment.

THIRD: The sum estimated by me as just compensation for the interests in lands taken is Fourteen Thousand and No/100 Dollars (\$14,000.00), which sum I hereby deposit in the registry of this Court for the use and benefit of the party or parties entitled thereto. I am of the opinion that the ultimate award for the interests taken probably will be within any limits prescribed by Congress as the price to be paid.

IN WITNESS WHEREOF, I have signed this Declaration of Taking on this 11th day of January, A.D. 1971,

ARCHER-WELD 230-KV TRANSMISSION LINE
COLORADO RIVER STORAGE PROJECT

OTHO GUY WYKERT

AULT, COLORADO

DRAWING NO. 864-703-103

Tract No. 39-62

One strip of land containing 2.96 acres, more or less, situated in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, Township 7 North, Range 66 West of the Sixth Principal Meridian; said strip of land being 100 feet in width, extending to and limited by the property boundary lines, everywhere distant 50 feet on each side of the following described centerline:

Beginning at a point on the south right-of-way boundary line of State Highway 14, said point being situated South 2°26'30" West, 30 feet from a point on the north boundary line of said Section 17, said point in turn being situated easterly 53 feet from the northwest corner of said Section 17; thence from the point of beginning South 2°26'30" West, 126 feet to an angle point; thence South 0°08' West, 1,165 feet to the point of ending on the south boundary line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 17, said point being situated North 0°08' East, 1,337 feet from a point on the east-west centerline of said Section 17, said point in turn being situated easterly 51 feet from the west one-quarter corner of said Section 17.

The estimated just compensation for the taking is \$910.00.

Checked as to engineering data:

By J. Anderson
Office Engineer,
Bureau of Reclamation

Dec. 7 1970
Date

Titleholder: Otho Guy Wykert
Ault, Colorado

ARCHER-WELD 230-KV TRANSMISSION LINE
COLORADO RIVER STORAGE PROJECT

JOHN B. FRYE, ALBERT L. FRYE
AND ALICE SWANSON

728 WALNUT
WINDSOR, COLORADO

DRAWING NO. 864-703-104

Tract No. 51-74

One strip of land containing 12.36 acres, more or less, situated in the $E\frac{1}{2}E\frac{1}{2}$ of Section 7, Township 6 North, Range 66 West of the Sixth Principal Meridian; said strip of land being 100 feet in width, extending to and limited by the property boundary lines, everywhere distant 50 feet on each side of the following described centerline, except as otherwise described:

Beginning at a point on the north boundary line of said Section 7, said point being situated westerly 121 feet from the northeast corner of said Section 7; thence South $0^{\circ}08'$ East, 5,126 feet, at which point the easement width to the left of centerline increases to 115 feet; thence continuing South $0^{\circ}08'$ East, 75 feet, to an angle point; thence South $27^{\circ}52'$ West, 75 feet, at which point the easement width to the left of centerline decreases to 50 feet; thence continuing South $27^{\circ}52'$ West, 8 feet, to the point of ending on the south boundary line of said Section 7, said point being situated westerly, 165 feet from the southeast corner of said Section 7.

The estimated just compensation for the taking is \$4,250.00.

Checked as to engineering data:

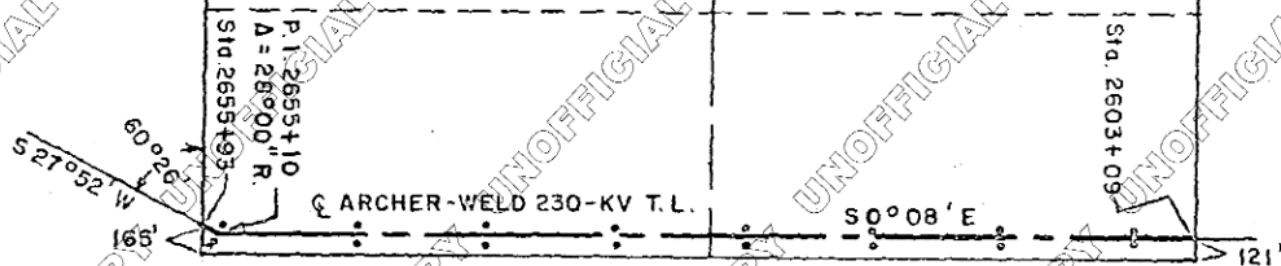
By

J. D. Anderson
Office Engineer,
Bureau of Reclamation

Dec. 7 1970
Date

Titleholders: John B. Frye, Albert L. Frye and Alice Swanson
728 Walnut
Windsor, Colorado

SCALE 1" = 1000



E 1/2 of Sec. 7
T 6 N., R. 66 W., 6th P.M.
Weld County, Colorado

UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION COLORADO RIVER STORAGE PROJECT TRANSMISSION DIVISION	
230KV TRANSMISSION LINE ARCHER - WELD	
JOHN B. FRYE, ALBERT L. FRYE & ALICE SWANSON	
DRAWN J.E.H.	SUBMITTED J.E.H.
TRACED J.E.H.	RECOMMENDED J.E.H.
CHECKED J.D.A.	APPROVED J.D.A.
CASPER DIVISION, DEC 9, 1970	PROJECT NUMBER
864-703-104	

ARCHER-WELD 230-KV TRANSMISSION LINE
COLORADO RIVER STORAGE PROJECT

ERNEST W. TIGGES, STELLA M. TIGGES,
PHILLIP C. TIGGES AND BARBARA J. TIGGES

RT. 2, BOX 285A
GREELEY, COLORADO

DRAWING NO. 864-703-105

Tract No. 52-75

One strip of land containing 7.18 acres, more or less, situated in the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 18, Township 6 North, Range 66 West of the Sixth Principal Meridian; said strip of land being 100 feet in width, extending to and limited by the property boundary lines, everywhere distant 50 feet on each side of the following described centerline, except as otherwise described:

Beginning at a point on the north boundary line of said Section 18, said point being situated westerly 165 feet from the northeast corner of said Section 18; thence South 27°52' West, 2,017 feet, at which point the easement width to the right of centerline increases to 115 feet; thence continuing South 27°52' West, 75 feet to an angle point; thence South 26°58' East, 75 feet, at which point the easement width to the right of centerline decreases to 50 feet; thence continuing South 26°58' East, 808 feet to the point of ending on the east-west centerline of said Section 18, said point being situated westerly 748 feet from the east one-quarter corner of said Section 18.

The estimated just compensation for the taking is \$2,970.00.

Checked as to engineering data:

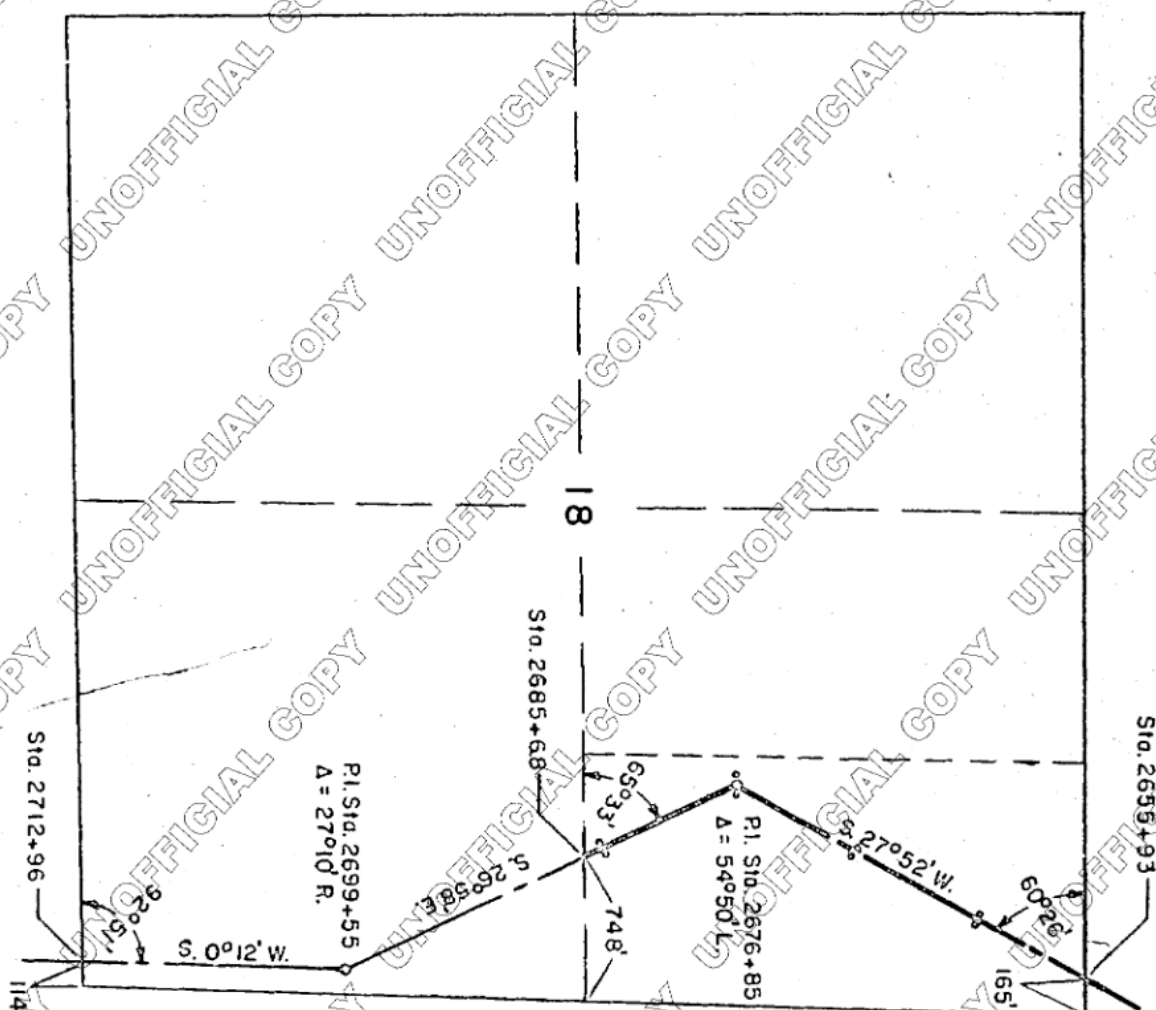
By

J. W. Anderson
Office Engineer,
Bureau of Reclamation

Dec. 2 1970
Date

Titleholders: Ernest W. Tigges, Stella M. Tigges,
Phillip C. Tigges and Barbara J. Tigges
Rt. 2, Box 285A
Greeley, Colorado

SCALE 1" = 1000'



E $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 18
 T. 6 N., R. 66 W., 6th PM
 Weld County, Colorado



UNITED STATES
 DEPARTMENT OF THE INTERIOR
 BUREAU OF RECLAMATION
 COLORADO RIVER STORAGE PROJECT
 TRANSMISSION DIVISION
 230 KV TRANSMISSION LINE
 ARCHER - WELD
 ERNEST W. TIGGES et al.

DRAWN BY: SUBMITTED BY: J. C. [Signature]
 TRACED BY: RECOMMENDED BY: [Signature]
 CHECKED BY: APPROVED BY: M. [Signature]
 PROJECT MANAGER
 CASPER, WYOMING, DEC. 1, 1970
 864-703-105

ARCHER-WELD 230-KV TRANSMISSION LINE
COLORADO RIVER STORAGE PROJECT

SIGRUD CARLSON AND EVELYN S. CARLSON
HUSBAND AND WIFE

RT. 2, BOX 280
GREELEY, COLORADO

DRAWING NO. 864-703-106

Tract No. 53-76

One strip of land containing 6.39 acres, more or less, situated in the $E\frac{1}{2}SE\frac{1}{4}$ of Section 18, Township 6 North, Range 66 West of the Sixth Principal Meridian; said strip of land being 100 feet in width, extending to and limited by the property boundary lines, everywhere distant 50 feet on each side of the following described centerline, except as otherwise described:

Beginning at a point on the north boundary line of the $E\frac{1}{2}SE\frac{1}{4}$ of said Section 18, said point being situated westerly 748 feet from the east one-quarter corner of said Section 18; thence South $26^{\circ}58'$ East, 1,312 feet, at which point the easement width to the left of centerline increases to 100 feet; thence continuing South $26^{\circ}58'$ East, 75 feet, to an angle point; thence South $0^{\circ}12'$ West, 75 feet, at which point the easement width to the left of centerline decreases to 50 feet; thence continuing South $0^{\circ}12'$ West, 1,235 feet to the point of ending on the north right-of-way boundary line of Colorado State Highway 392, said point being situated North $0^{\circ}12'$ East, 31 feet, from a point on the south boundary line of said Section 18, said point in turn being situated westerly 114 feet from the southeast corner of said Section 18.

The estimated just compensation for the taking is \$3,620.00.

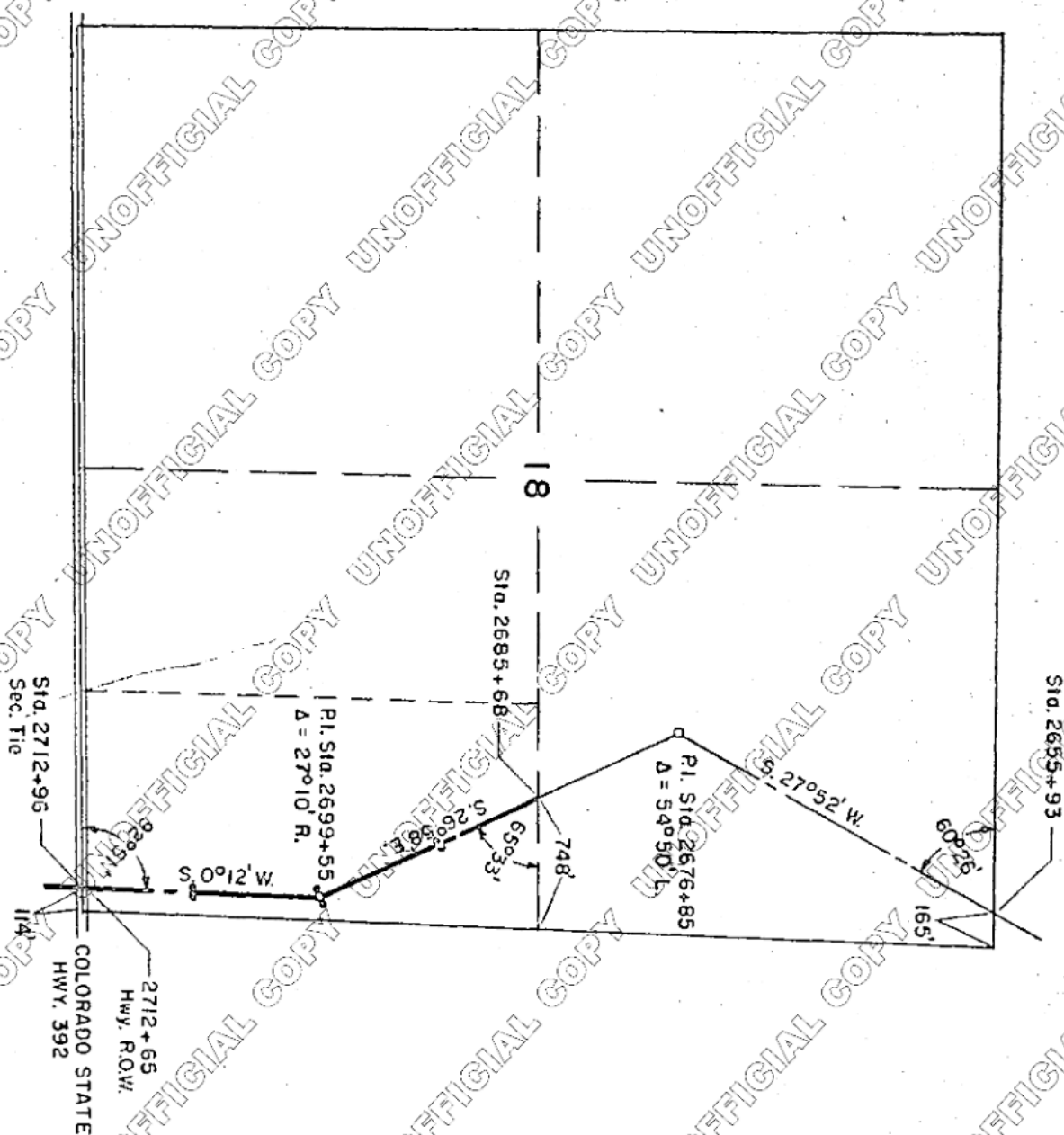
Checked as to engineering data:

By J. D. Anderson
Office Engineer,
Bureau of Reclamation

Dec 2 1970
Date

Titleholders: Sigrud Carlson and Evelyn S. Carlson
Rt. 2, Box 280
Greeley, Colorado

SCALE 1" = 1000'



E $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 18
 T 6 N., R. 66 W., 6th PM.
 Weld County, Colorado



UNITED STATES
 DEPARTMENT OF THE INTERIOR
 BUREAU OF RECLAMATION
 COLORADO RIVER STORAGE PROJECT
 TRANSMISSION DIVISION

230 KV TRANSMISSION LINE
 ARCHER-WELD
 SIGRUD and EVELYN S. CARLSON

DRAWN BY: [Signature]
 TRACED: [Signature]
 CHECKED J.A.S.: [Signature]
 APPROVED: [Signature]
 CASPER, WYOMING, DEC 1, 1970

PROJECT MANAGER
 864-703-106

ARCHER-WELD 230-KV TRANSMISSION LINE
COLORADO RIVER STORAGE PROJECT

RAYMOND R. POPE AND GRACE B. POPE
HUSBAND AND WIFE

FIRST NATIONAL BANK BUILDING
GREELEY, COLORADO

DRAWING NO. 864-703-107

Tract No. 55-78

One strip of land containing 5.19 acres, more or less, situated in the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 19, Township 6 North, Range 66 West of the Sixth Principal Meridian; said strip of land being 100 feet in width, extending to and limited by the property boundary lines, everywhere distant 50 feet on each side of the following described centerline:

Beginning at a point on the south line of the Greeley No. 2 canal, said point being situated South 0°39'23" West, 3,037 feet from a point on the north boundary line of said Section 19, said point in turn being situated westerly 114 feet from the northeast corner of said Section 19; thence from the point of beginning South 0°25'44" East, 2,262 feet to the point of ending on the south boundary line of said Section 19, said point being situated westerly 154 feet from the southeast corner of said Section 19.

The estimated just compensation for the taking is \$2,250.00.

Checked as to engineering data:

By

J. D. Anderson
Office Engineer,
Bureau of Reclamation

Dec. 7 1970
Date

Titleholders: Raymond R. Pope and Grace B. Pope
First National Bank Building
Greeley, Colorado

SCALE 1" = 1000'

Sta. 2765+95

Sta. 2765+95

S. 0°25'44" E.

Sta. 2743+33
South line of canal

Greeley No. 2 Canal

P.I. Sta. 2738+51
 $\Delta = 1^{\circ}22' L.$

S. 0°56'16" W.

ARCHER-WELD 230kv T.L.

P.I. Sta. 2712+33
 $\Delta = 1^{\circ}26' R.$

Sta. 2712+96

S. 0°12' W.

THE DISTANCE 3037'
BEARING S. 0°39'23" W.

Sta. 2712+96

114'

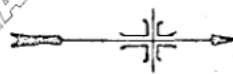
18 17

19 20

92°51'

154' 19 20
30 29

E $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 19 (South of South
Line of Greeley No. 2 Canal)
T. 6 N., R. 66 W., 6th P.M.
Weld County, Colorado



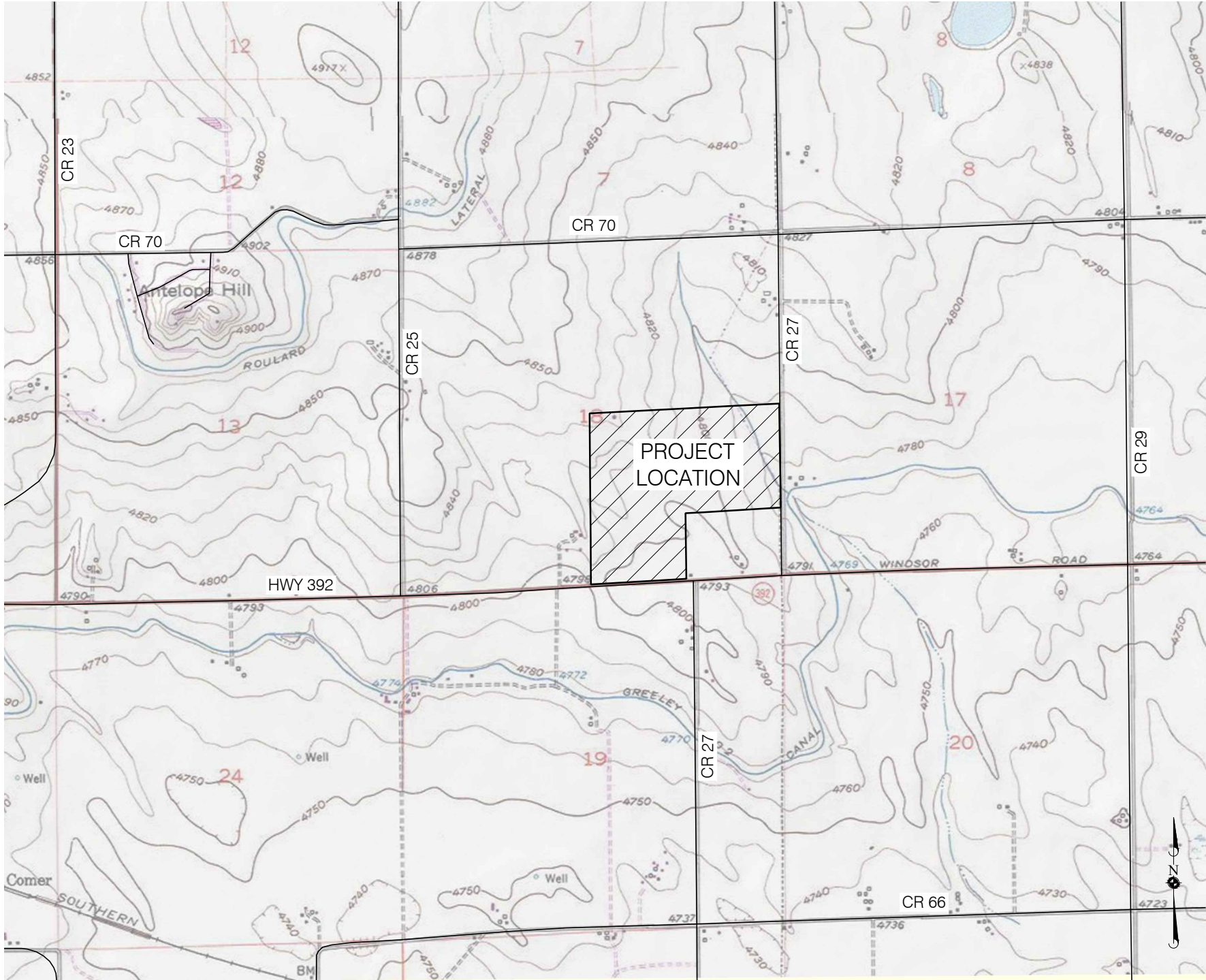
UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
COLORADO RIVER STORAGE PROJECT
TRANSMISSION DIVISION
230KV TRANSMISSION LINE
ARCHER-WELD
RAYMOND R. POPE, ELUX

DRAWN BY: [Signature]
TRACED BY: [Signature]
CHECKED BY: [Signature]
APPROVED BY: [Signature]
CASPER, WYOMING, DEC. 7, 1970
PROJECT NUMBER: 864-703-107

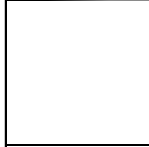
Exhibit B

Index Map

See attached map.



AGPROfessionals
DEVELOPERS OF AGRICULTURE
3050 67th Avenue, Suite 200, | 213 Canyon Crest Dr, Suite 100,
Greeley, CO 80634 | Twin Falls, ID 83301
(970) 535-9318 - fax: (970) 535-9854 | (208) 595-5301



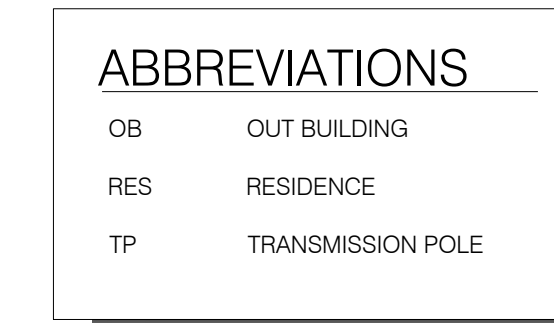
LTS PERFORMANCE HORSES LLC
EXHIBIT B - INDEX MAP
WELD COUNTY, CO

DATE: 9/18/24
SCALE: 1" = 1,000'

Exhibit C

Pre-Mining and Mining Plan Maps of Affected Lands

See attached maps.



PERMANENT STRUCTURES				
Key	Structure	Owner	Easement / ID	Location
A	Pipeline	Public Service Company, D/B/A Excel Energy	50' Public Service Company Easement, Reception No. 2509013	East of area of disturbance. Access road crosses the easement.
B	Archer-Weld Transmission Line	Transmission Division, Colorado River Storage Project, Bureau of Reclamation, Department of the Interior	100' Electric Transmission Line Easement, Reception No. 1561327	More than 200-feet east of area of disturbance. Access road crosses the easement.
C	Pipeline	Black Hills Gas Distribution, LLC, D/B/A Black Hills Energy	50' Pipeline Easement, Reception No. 2634911, KN Wattenberg Transmission, LLC	East of area of disturbance. Access road crosses the easement.
D	Pipeline	Tall Grass Interstate Gas Transmission LLC, D/B/A Tallgrass Energy	50' Pipeline Easement, Reception No. 3549935, and Amended Pipeline Easement, Reception No. 3608098, Kinder Morgan Interstate Gas Transmission LLC	East of area of disturbance. Access road crosses the easement.
E	Pipeline(s)	Chevron Corporation	30' Right-of-Way Grant, Reception No. 4162720, XTR Midstream, LLC	East of area of disturbance. Access road crosses the easement.
F	Pipeline	DCP Midstream, LP / Phillips 66	35' Pipeline Right-of-Way Grant, Reception No. 1923866, Associated Natural Gas Inc	Along CR 27, Access road crosses the easement.
G	Waterline	North Weld County Water District	Valve Site Contract, Reception No. 3013241	Along CR 27, Access road crosses the easement.
H	Pipeline	Suncor Energy (U.S.A.) Pipeline Company	ROW Contract, Reception No. 800076, Weld County LAP22-0011, Reception No. 4953067 (Blanket Easements)	South of the staging area. Location of proposed pipeline shown is per LAP22-0011 design drawings.
I	Pipeline	DCP Midstream, LP / Phillips 66	30' Pipeline Easement, Reception No. 4296169, DCP Lucerne 2 Plant LLC	South and east of the area of disturbance
J	Waterline	North Weld County Water District	20' Waterline Easement, Reception No. 1450757	Runs through pivot irrigated area
K	Irrigation Pond	LTS Performance Horses LLC	N/A	Northwest of pivot irrigated area
L	Pivot Concrete Pad	LTS Performance Horses LLC	N/A	South and east of the area of disturbance
M	P&A O&G Well	Chevron Corporation	API Label: 05-123-11130 Well Name: 33-18 Carlson	In pivot irrigated area
N	P&A O&G Well	Chevron Corporation	API Label: 05-123-22792 Well Name: 18-41 Carlson	In pivot irrigated area
O	P&A O&G Well	Chevron Corporation	API Label: 05-123-22793 Well Name: 18-43 Carlson	In pivot irrigated area
P	Overhead Electric Distribution Line	PVREA	N/A	West of the area of disturbance
Q	Overhead Electric Distribution Line	PVREA	N/A	Along CR 27

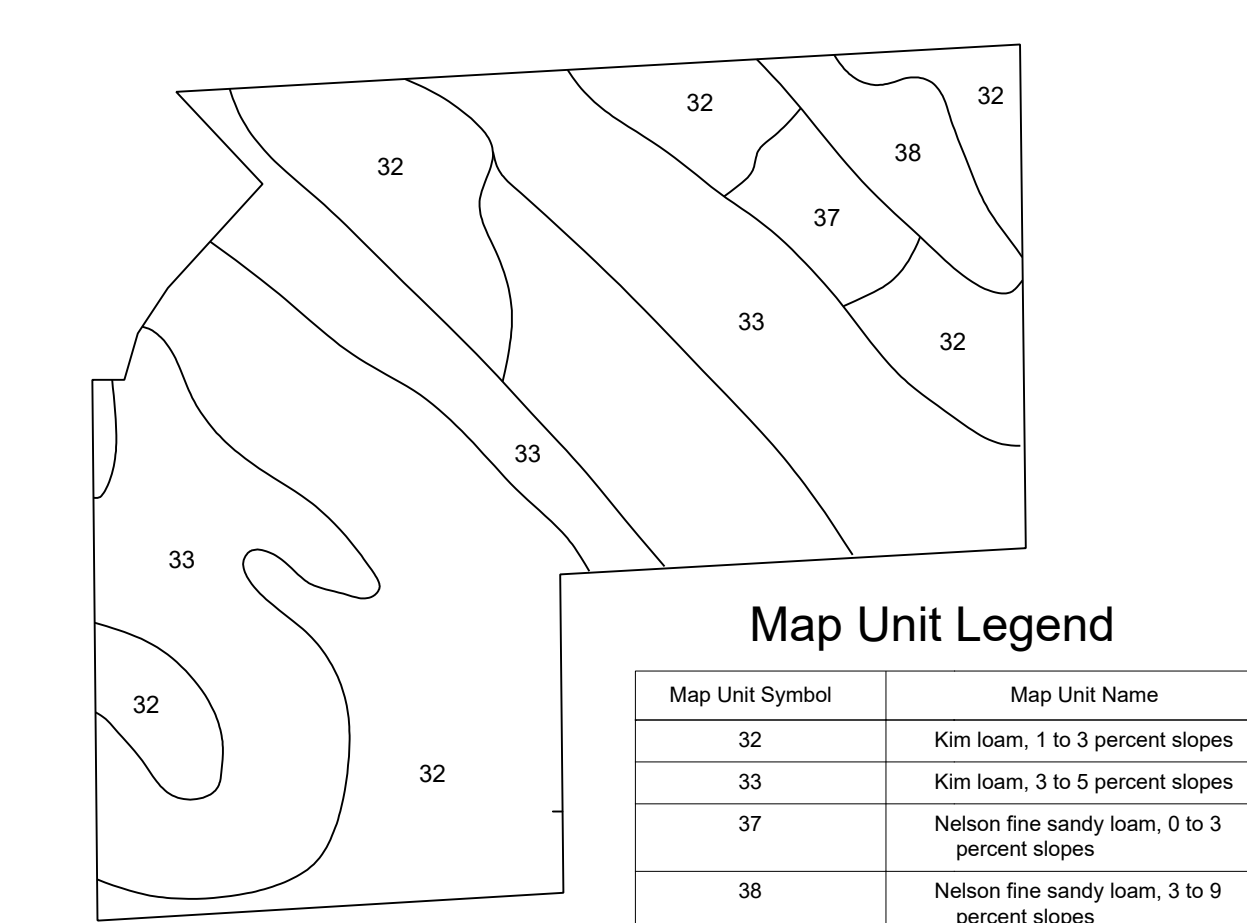


EXHIBIT C - PRE-MINING & MINING PLAN MAP

LTS PERFORMANCE HORSES LLC
 EXHIBIT C - PRE-MINING &
 MINING PLAN MAP
 WELD COUNTY, CO

SHEET:

MP-1

[illegible]

Exhibit F

Reclamation Plan Map

See attached map.



	EXISTING GROUND SURFACE CONTOUR AND ELEVATION, FT		EXISTING UTILITY POLE
	PROPOSED GROUND SURFACE CONTOUR AND ELEVATION, FT		EXISTING TRANSMISSION POLE
	AFFECTED LAND		EXISTING GAS WELL
	EXISTING PROPERTY BOUNDARY		EXISTING WATER WELL
	EXISTING ADJACENT BOUNDARY		EXISTING TELEPHONE PED
	RIGHT-OF-WAY		EXISTING WATER METER
	EXISTING WATER FEATURE		EXISTING GAS
	SECTION LINE		EXISTING FO
	EXISTING FENCE		EXISTING SIGN
	EXISTING FIBER OPTIC		EXISTING TREES
	EXISTING OVERHEAD ELEC		EXISTING STRUCTURE
	EXISTING GAS LINE		NATIVE SEED RECLAIM
	EXISTING WATER LINE		IRRIGATED CROPLAND RECLAIM
	EXISTING UNDERGROUND ELEC		IRRIGATED CROPLAND
	EXISTING STORM DRAIN		NATIVE GRASS

1. TOTAL AREA = 133.90 ACRES
2. MINING AREA = 83.41 ACRES
3. VEGETATION ON SITE IS LIMITED TO IRRIGATED CROPS, NATIVE GRASSES, AND LOW SHRUBS. THERE ARE TREES ALONG THE ACCESS ROAD.
4. MINING DEPTH OF EACH PHASE IS 10-14 INCHES OF TOPSOIL.
5. EACH PHASE OF MINING WILL BE COMPLETED WITHIN A PERIOD OF 12-18 MONTHS.

OB	OUT BUILDING
RES	RESIDENCE
TP	TRANSMISSION POLE

Buffalo Grass (Texoka, Sharps Improved)	1.5 lbs pls/acre
Little Bluestem (Blaze, Cimarron, Camper)	1.5 lbs pls/acre
Sideoats Grama (Vaughn, Butte, Niner, El Reno, Haskell)	2 lbs pls/acre
Blue Grama (Hachital, Lovington)	3.5 lbs pls/acre
Western wheatgrass (Arriba, Barton, Rosana)	3 lbs pls/acre
Switchgrass (Nebraska 28, Blackwell)	1.5 lbs pls/acre
Perennial Ryegrass (Calibra or Garibaldi tetraploid)	0.75 lbs pls/acre
Sand dropseed	0.25 lbs pls/acre
Total: 14.00 pounds pls/acre	

Mining Plan

Introduction

LTS Performance Horses LLC (LTS) is requesting this Construction Material Regular (112) Operation Reclamation Permit for the removal of 10-14 inches of topsoil from irrigated farmland. The property is described as Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

The approximately 132-acre site contains approximately 105-acres of active agricultural land under a center pivot irrigation system and 27-acres of “dry corners” outside of the center pivot irrigation range. LTS proposes to mine topsoil from approximately 78-acres. Topsoil will be taken off-site for use on various oil and gas sites throughout Weld County. Reclamation of the site will consist of re-grading to support an appropriate seedbed for revegetation. Following mining activities, the disturbed area will be regraded, tilled, and re-planted and will continue to be leased for growing corn.

LTS is proposing to mine the upper 50-80 percent of topsoil from the irrigated portion of the site. Approximately 10-14 inches of topsoil will be removed, leaving at least 3-6 inches on site for reclamation purposes. The goal is to remove approximately 157,480 tons of topsoil over the course of two years.

Mining Methods and Earthmoving

A variety of earthmoving equipment will be used, including loaders, dozers, scrapers, and haul trucks. Water trucks will be used as necessary for dust control. Mined topsoil will be temporarily stockpiled in the northeast corner along the existing access road and Weld County Road 27. The topsoil will be loaded onto haul trucks for transport to the end user. No explosives will be used for extraction operations.

Water Diversions and Impoundments

The topsoil will be dry mined and will not result in the need for dewatering. The operation will not require any water diversions or impoundments.

Mining Limits

Topsoil excavation will occur within the boundary of Lot B 2AMRECX19-01-2877. The mining limits are shown on Exhibit C - Pre-Mining and Mining Plan Maps of Affected Lands and are generally described as that portion of the site irrigated by the center pivot. Within that irrigated area the mining limits are further restricted by setbacks from property lines and existing structures and easements. The mined area will encompass approximately 78-acres of the 132-acre site.

Mine Phasing

Topsoil excavation will occur in two phases, as depicted on Exhibit C - Pre-Mining and Mining Plan Maps of Affected Lands. Phase 1 will be the northeastern half of the site and Phase 2 will be the southwestern half of the site. Phase 1 is expected to be mined in year one and reclaimed concurrently. Phase 2 is expected to be mined in years one and two and reclaimed concurrently. Final reclamation is expected to be completed within one to two years from the end of excavation for each phase, but not more than five years from the date each phase has commenced.

Commodities and Intended Use

Topsoil will be the only product mined. No secondary commodities or incidental products are anticipated. The topsoil will be taken off-site for use at various oil and gas sites throughout Weld County.

Roadways

There is an existing roadway that runs along the northern portion of the site which will be used for the mining activities. The access point for this roadway is on Weld County Road 27, approximately ½ mile north of Highway 392. As the roadway currently supports heavy agricultural equipment, no on-site roadway improvements are anticipated. No off-site roadway improvements are anticipated as Weld County Road 27 is a paved arterial and Highway 392 is a paved state highway.

Reclamation Plan

Introduction

LTS Performance Horses LLC (LTS) is proposing the removal of 10-14 inches of topsoil from irrigated farmland through the Construction Material Regular (112) Operation Reclamation Permit process. The property is described as Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

The approximately 132-acre site contains approximately 105-acres of active agricultural land under a center pivot irrigation system and 27-acres of “dry corners” outside of the center pivot irrigation range. LTS proposes to mine topsoil from approximately 78-acres. Topsoil will be taken off-site for use on various oil and gas sites throughout Weld County. Reclamation of the site will consist of re-grading to support an appropriate seedbed for revegetation. Following mining activities, the disturbed area will be re-graded, tilled, and re-planted and will continue to be leased for growing corn.

This Reclamation Plan has been developed in accordance with the requirements of 6.4.5 Exhibit E – Reclamation Plan in the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules). This plan describes procedures necessary for reclamation of the disturbed area. This plan will address re-grading, re-seeding, weed control, stormwater mitigation, monitoring, annual reporting, post-reclamation inspection and release of warranties. The operator, and all personnel working on this project, should be familiar with this Reclamation Plan prior to the commencement of mining activities.

Existing Conditions

Location:	Northwest corner of Highway 392 and Weld County Road 37 Part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6 th P.M., Weld County, Colorado Weld County parcel no. 080518400004
Size:	Total property area: 131.897-acres Total area of disturbance: 83.41-acres

Current Land Use:	Agriculture
Vegetation:	Existing: Irrigated cropland Following Reclamation: Irrigated cropland
Soils:	Loam to fine sandy loam. Dominant soil types include Kim loam, Nelson fine sandy loam, and Olney fine sandy loam.
Climate:	Mean annual precipitation: 12 to 16 inches Mean annual air temperature: 46 to 55 degrees Fahrenheit Frost-free period: 130 to 170 days
Water Resources:	An existing irrigation pond is located in the northwestern corner of the site, approximately 50-feet from the proposed area of disturbance. There is a field ditch crossing the northeastern portion of the property, which ties into the Greeley Number 2 Canal on the east side of Weld County Road 27. The field ditch is approximately 250-feet from the proposed area of disturbance.
Wildlife:	No critical wildlife habitat or wildlife species will be impacted by the proposed operation.

Project Description

LTS is proposing to mine the upper 50-80 percent of topsoil from the irrigated portion of the site. Approximately 10-14 inches of topsoil will be removed, leaving at least 3-6 inches on site for reclamation purposes. The goal is to remove approximately 157,480 tons of topsoil in two phases over the course of two years. LTS is the landowner and operator of the mining activity and will be responsible for reclamation of the disturbed area.

Reclamation Methods

Mining and reclamation will occur in two phases:

- Phase 1: northeastern half (36.6-acres) (mined in year one and reclaimed concurrently)
- Phase 2: southwestern half (41.76-acres) (mined in years one and two and reclaimed concurrently)

Phasing is depicted on Exhibit F Reclamation Plan Map. Within the first year following permit approval, the operator will mine topsoil from the northeastern portion of the site then commence reclamation procedures. Active farming will continue on the southwestern portion of the site during Phase 1. Upon completion of topsoil excavation from the northeastern portion of the site, the operator will mine topsoil from the southwestern half of the site then commence reclamation procedures. Backfilling and grading will be completed as soon as feasible after the mining

process is complete. Phase 2 may start in year one, depending on how quickly Phase 1 is completed. The mining operation is expected to be completed within two years.

Long-term stockpiling and stabilization of topsoil will not be necessary. The extracted material will be removed from site and sold to a third party. During this process, the topsoil will be handled as little as possible to maintain soil health and fertility.

Staging

A staging area will be located in the northeastern corner of the site near the site access road. The staging area is approximately 5-acres and will provide an area for equipment storage and loading operations. The inclusion of a staging area will minimize soil compaction across the disturbance area.

Grading and Erosion Control

During active mining, erosion prevention and sediment control Best Management Practices (BMPs) will be installed to minimize erosion from disturbed surfaces and to capture sediment on-site. The proposed BMPs will be included on the final Grading Plan in conjunction with the Colorado Department of Public Health & Environment (CDPHE) Storm Water Discharge Permit and Stormwater Management Plan (SWMP).

Final grading will support an appropriate seedbed for revegetation and will be traversable by farm machinery. Manure and fertilizer will be applied as necessary to support crop growth. All grading shall be done in a manner to control erosion and siltation of the affected lands and to protect areas outside the affected land from slides and other damage. The anticipated post reclamation slope gradient will be similar to the present slope. As required, the maximum gradient will not exceed a 3:1 slope.

Seeding and Revegetation

Following mining activities, the Phase 1 and Phase 2 areas will be revegetated to establish diverse, effective, and long-lasting vegetative cover. The operator will till the disturbed areas to prepare an appropriate seedbed for crop planting. Soil samples are recommended to identify nutrient deficiencies and determine if fertilizer application or soil amendments are needed. Planting corn typically occurs between mid-April to late-May, weather dependent. Planting will be done with typical farming techniques. The planted field will continue to be irrigated by the center pivot irrigation system.

In the staging area, stockpiling of material will take place on undisturbed ground and topsoil won't be removed. Once the temporary stockpile material and equipment has been removed, the site will be re-graded to approximate pre-disturbance grade. No root zones need to be created as the underlying material is soil. The seedbed shall be firm and free of weeds. In areas where there is excessive compaction, tillage, such as chiseling and disking, shall be

done to break up the compaction then harrowed down. The area will then be re-seeded using an approved seed mixture. Dormant planting is possible any time after October 15th or when temperatures are cold enough to prevent seed germination. Seeding on frozen soils will be avoided. Planting may also be done in the print until the end of April or early May and between July 1st and September 1st. The recommended reclamation seeding mix of the stockpile area is the Weld County General Seed Mix for areas north of County Road 68. The seed mix is as follows:

• Buffalo Grass (Taxoka, Sharps Improved)	1.5 lbs pls/acre
• Little Bluestem (Blaze, Cimarron, Camper)	1.5 lbs pls/acre
• Sideoats Grama (Vaughn, Butte, Niner, El Reno, Haskell)	2 lbs pls/acre
• Blue Grama (Hachital, Lovington)	3.5 lbs pls/acre
• Western Wheatgrass (Arriba, Barton, Rosana)	3 lbs pls/acre
• Switchgrass (Nebraska 28, Blackwell)	1.5 lbs pls/acre
• Perennial Ryegrass (Calibra or Garibaldi tetraploid)	0.75 lbs pls/acre
• Sand Dropseed	0.25 lbs pls/acre

Total: 14 pounds pls/acre

Seeds will be planted immediately following completion of mining activities to decrease competition from noxious weed species. Seeds will be planted using drill seeding at the appropriate depths. A one-time application of manure/compost mix will be applied to the seeded area for stabilization and fertilization. The seeded areas will not be irrigated.

Noxious Weed Management

Various state and local regulations require management of noxious weeds. If established quickly, crop cover and standard farming practices will help suppress weed growth. The operator will monitor disturbed areas for noxious weeds during the mining operation. Currently, there are no noxious weeds identified on the subject property. The majority of the site has been under continuous crop cultivation. The greatest period of susceptibility for weeds to establish themselves is during temporary stockpiling and the start of reclamation procedures. Operator will survey the site regularly and monitor weed conditions. Should noxious weeds be identified, the operator will work to eradicate the weeds. Mechanical control methods such as pulling, mowing, and tilling and chemical control methods with the use of herbicides will be used. Proper identification of the suspected noxious weed will ensure the appropriate control methods are utilized. A complete list of Colorado noxious weeds can be found at <https://ag.colorado.gov/conservation/noxious-weeds/species-id>.

If excavation activities are completed before the growing season begins, preventative measures such as spraying will be taken. Establishment of crop cover will be the most effective method of long-term weed suppression.

Upon completion of the mining activities, the stockpile area will be reseeded with native grass according to the recommended seeding procedures and seed mix described above.

Trash, Debris, and Materials Handling

Trash and debris will be collected in a covered dumpster, removed from the site at an appropriate rate, and properly disposed of. No explosives or hazardous materials will be needed to extract topsoil.

Water

Pursuant to Rule 3.1.6 and Rule 3.1.7 compliance with applicable federal and Colorado water quality laws and regulations, including statewide water quality standards and site-specific classifications and standards adopted by the Water Quality Control Commission, and applicable federal and Colorado dredge and fill requirements is required. Given the limited depth of topsoil removal, the proposed mining activities are not expected to have an impact on water quality. Compliance with applicable laws shall be adhered to.

Wildlife

All mining and reclamation activities shall take into account the safety and protection of wildlife. As the reclamation procedures will return the site to current conditions, the post-reclamation conditions for wildlife are expected to be similar to current conditions for wildlife. Additional wildlife information is presented in Exhibit H.

Signs and Markers

Pursuant to Rule 3.1.12, the Operator shall post a sign at a minimum size of eleven (11) by seventeen (17) inch with appropriate font size, including the name of the Operator and the operation name, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board, and the permit number. The boundaries of the affected area will be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries.

Spill Reporting

Pursuant to Rule 3.1.13, the operator will report any spill of hazardous or toxic substance to the Office of Mined Land Reclamation (Office) within twenty-four (24) hours.

Post Mining Land Use

The proposed post mining land use is the current land use, irrigated cropland. The subject property is zoned agricultural and surrounded by farmland. The post mining land use is consistent with Weld County's allowed uses in the Agricultural Zone District as farming is a use by right activity. No public use of the property is expected in the foreseeable future.

Schedule

Reclamation is expected to be completed within one to two years from the end of excavation, but not more than five years from the date each phase has commenced.

Financial Warranty

The Operator will supply to the Office a Performance and Financial Warranty in accordance with Rule 4. Refer to Exhibit L – Reclamation Costs.

Annual Report and Fees

Pursuant to Rule 1.15 Annual Report Inclusions, the Annual Report shall include all information specified on the Annual Report Form, in the format required by the Office, including the following:

- An updated statement regarding the sufficiency of the value of the Financial Warranty.
- A map that accurately depicts the permit boundary, current affected area boundary, location of the acres affected during the current report year, acres reclaimed during the current report year, estimated new acreage to be affected in the next report year, and acres to be reclaimed in the next report year.
- On the anniversary date of the Notice of Intent (NOI) approval, the operator shall submit to the Office an annual fee, as specified in Section 34-32.5-125, C.R.S.

Change in Address, Ownership, and Business Name

Pursuant to Rule 1.16 the Operator shall promptly notify the office of any change in mailing address, transfer of land ownership, and official business name associated with the Performance and Financial Warranty. Where an Operator files a petition of bankruptcy, the Operator shall immediately notify the Office via certified mail of such filing.

Post-Reclamation Inspection and Release of Warranties

Each Phase will be reclaimed pursuant to the Rules. Pursuant to Rule 3.1.3, all reclamation shall be carried to completion by the Operator with all reasonable diligence, and each phase or reclamation shall be completed within five (5) years from the date the Operator informs the Board of Office that such phase has commenced, or from the date the Office has evidence that mining or exploration has ceased, unless extended by the Board or Office. The 5-year period may be applied separately to each phase as it is commenced throughout the life of the mine.

Pursuant to Rule 4.17.1, the Operator or any mining operation processing a 110 Limited Impact Permit, or a 111 Special Operations Permit, or a 112 Reclamation Permit may file a written notice of completion of reclamation and request for release of reclamation responsibility with the Office whenever an Operator believes any or all requirements of the Act, the Rules and Regulations, and the approved reclamation plan have been completed with respect to any or all

of the Affected Lands. The Operator shall include in the notice of the Office the names and addresses and phone numbers of all owners of record to the affected land. The written notice requesting release shall be sent by Certified Mail and be separate from other types of communication to the Office. Such notice shall contain a signed statement by the Operator or their agent that all applicable portions of the Reclamation Plan requirements have been satisfied in accordance with the Rules and all applicable requirements under the Act.

Pursuant to Rule 4.17.2, the Office upon receipt of said notice of completion of reclamation, shall immediately provide notice to all owners of record of the affected land and to the county(s). The Office shall, within sixty (60) calendar days after receiving said notice, or as soon thereafter as weather conditions permit, inspect the lands and reclamation described in the notice to determine if the Permittee has complied with all applicable requirements. If the Office fails to conduct an inspection within the time specified in Rule 4.17.2(2) or fails to advise the Permittee of deficiencies within the time specified in Rule 4.17.2(4), then all Financial Warranties applicable to reclamation described in the notice shall be deemed released as a matter of law. Where the Office finds that a Permittee has not complied with the applicable requirements of the Act, Rules and Regulations, or the approved reclamation plan, it shall advise the Permittee of such non-compliance not more than sixty (60) calendar days after the date of the inspection. Where the Office finds that a Permittee has successfully complied with the requirements of the Act, Rules and Regulations, and the approved reclamation plan, the Office shall release all applicable performance and financial warranties. Release (pending an appeal) shall be in writing and mailed within thirty (30) calendar days to the Permittee after the date of such findings. However, an appeal to the release of the financial and performance warranties shall stay the release on the thirtieth (30) day pending a Form Board Hearing.

October 15, 2024

CERTIFIED MAIL/RETURN RECEIPT REQUESTED # 9414 8112 0620 5482 3683 72

Black Hills Energy
1301 W. 24th Street
Cheyenne, WY 82001

Re: AGPRO Project #2253-01
LTS Performance Horses, LLC Topsoil Mine

To Whom It May Concern:

This letter is to inform you that LTS Performance Horses, LLC (Applicant) is filing for a Colorado Division of Reclamation, Mining, and Safety (DRMS) Construction Material Regular (112) Operation Reclamation Permit for the removal of 10-14 inches of topsoil from irrigated farmland. Applicant's property more particularly described below.

Legal Description:

Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

You may have an interest in the pipeline crossing the Applicant's property per the 50' KN Wattenberg Transmission LLC right-of-way grant recorded on August 21, 1998, at reception no. 2634911. The private access road that will be used for the grading activities crosses said right-of-way.

The proposed grading activities are situated outside of your right-of-way area and the existing access road will be utilized. The access road is part of the 'Affected Land' of the mining activities. Pursuant to the DRMS regulations for 112 permits for permanent man-made structures within 200-feet of the 'Affected Land,' we are requesting a notarized letter on your letterhead stating that the mining and reclamation activities, as proposed, will not have a negative effect on your utility.

Enclosed are the right-of-way grant, draft Mining Maps, draft Mining Plan, and draft Reclamation Plan for reference.

If you have any questions, please feel free to contact us at (970) 535-9318, or kbruxvoort@agpros.com. We will be representing the Applicant throughout the application process.

Sincerely,

Kelsey Bruxvoort

Kelsey Bruxvoort
Land Planner

Enclosures:

1. Right-of-Way Grant
2. Mining Maps
3. Mining Plan
4. Reclamation Plan

911
RIGHT-OF-WAY GRANT

2634911 08/21/1998 10:59A Weld County CO
1 of 4 R 21.00 D 0.00 JA Suki Tsukamoto

KNOW ALL MEN BY THESE PRESENTS:

CSB
MSB
That Milton E. Bartmann and Coleen S. Bartmann, husband and wife whose address is 33499 WCR 27, Greeley, CO 80631("Grantor"), for themselves, their heirs, successors, or assigns, for and in consideration of the sum of Ten Dollars And No Cents (\$10.00), the receipt and adequacy of which is hereby acknowledged, do hereby grant, convey and confirm unto KN Wattenberg Transmission LLC, 370 Van Gordon Street, Lakewood, CO 802288304 ,its successors and assigns (collectively, "Grantee"), the right-of-way and easement to survey, construct, install, inspect, maintain, renew, repair, remove, replace and operate the pipeline(s) and appurtenances thereto, for the transportation of natural gas, gasoline, oil, petroleum products, or any other substance which can be transported by pipeline, in, on, over, under, upon and through the following-described lands, located in County of WELD and State of COLORADO, to wit:

Township 6 North, Range 66 West, 6th P.M.

Section 18: That portion of the SE/4 being more particularly described as follows: Considering the South line of said SE/4 as bearing South 89 deg. 57 min. 19 sec. West and with all bearings contained hereby relative thereto: Beginning at the Southwest corner of said SE/4; thence along the West line of said SE/4 North 02 deg. 40 min 01 sec. East 2607.26 feet to a point on the North line of said SE/4; thence along said North line East 2911.67 feet to a point on the East line of said SE/4; thence along said East line South 02 deg. 33 min. 58 sec. West 1572.28 feet; thence South 02 deg. 37 min. 00 sec. West 1032.04 feet to a point on the South line of the SE/4; thence along said South line South 89 deg. 57 min. 19 sec. West 1458.18 feet, more or less, to the Point of Beginning.

See Exhibit "B" attached hereto and made a part hereof for additional provisions.

See Exhibit "A" attached hereto and made a part hereof for a more particular description of the right-of-way and easement granted hereby. The Grantor and Grantee agree that the width of said right-of-way grant during the construction of the pipeline(s) shall be seventy-five feet (75'), and subsequent to the construction of the pipeline(s) shall be a width of fifty feet (50').

TO HAVE AND TO HOLD said right-of-way and easement unto Grantee so long as such pipeline(s) and appurtenances, or any part thereof, shall be maintained, together with the right of ingress to and egress from said lands for the purposes herein stated at will of Grantee. Grantor retains the right to use and enjoy said lands, subject only to the right of Grantee to use the same for the purposes herein expressed. CSB MSB

Grantee agrees to lay all pipe hereunder at a sufficient depth to avoid interfering with cultivation of the soil, and to pay Grantor for damages to growing crops, fences or other improvements which may arise from the operations of Grantee. Any such damage, if not mutually agreed upon, shall be ascertained and determined by three disinterested persons, one appointed by Grantor, one by Grantee and the third chosen by the two so appointed. The written award of a majority of such three persons shall be final and conclusive upon the parties hereto.

It is agreed by Grantor that any payment of consideration due under the terms hereof may be made jointly to Grantor and any mortgagees of record at the time such payment becomes due.

IN WITNESS WHEREOF Grantor has hereunto set its hand this 9 th day of April, 1998.

Witness

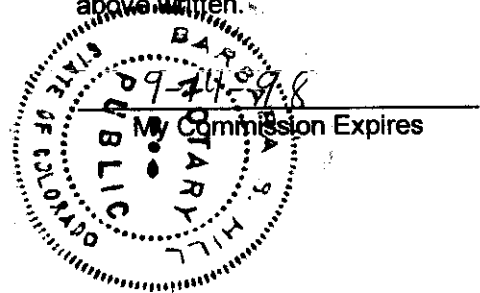

Milton E. Bartmann


Coleen S. Bartmann

STATE OF COLORADO)
) ss
COUNTY OF WELD)

On this 9th day April, 1998, before me, a notary public, in and for said county and state, personally appeared Milton E. Bartmann and Coleen S. Bartmann, husband and wife, who are personally known to me and known to me to be the same person(s) whose executed the foregoing instrument and such person(s) duly acknowledged the execution of the same and acknowledged said instrument to be (his) (their) voluntary act and deed.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my notarial seal the day and year last above written.



Barbara S. Hill
Notary Public
Barbara S. Hill
P.O. Box 298, Windsor, CO 80550

EXHIBIT "A"

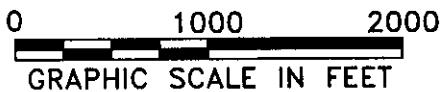
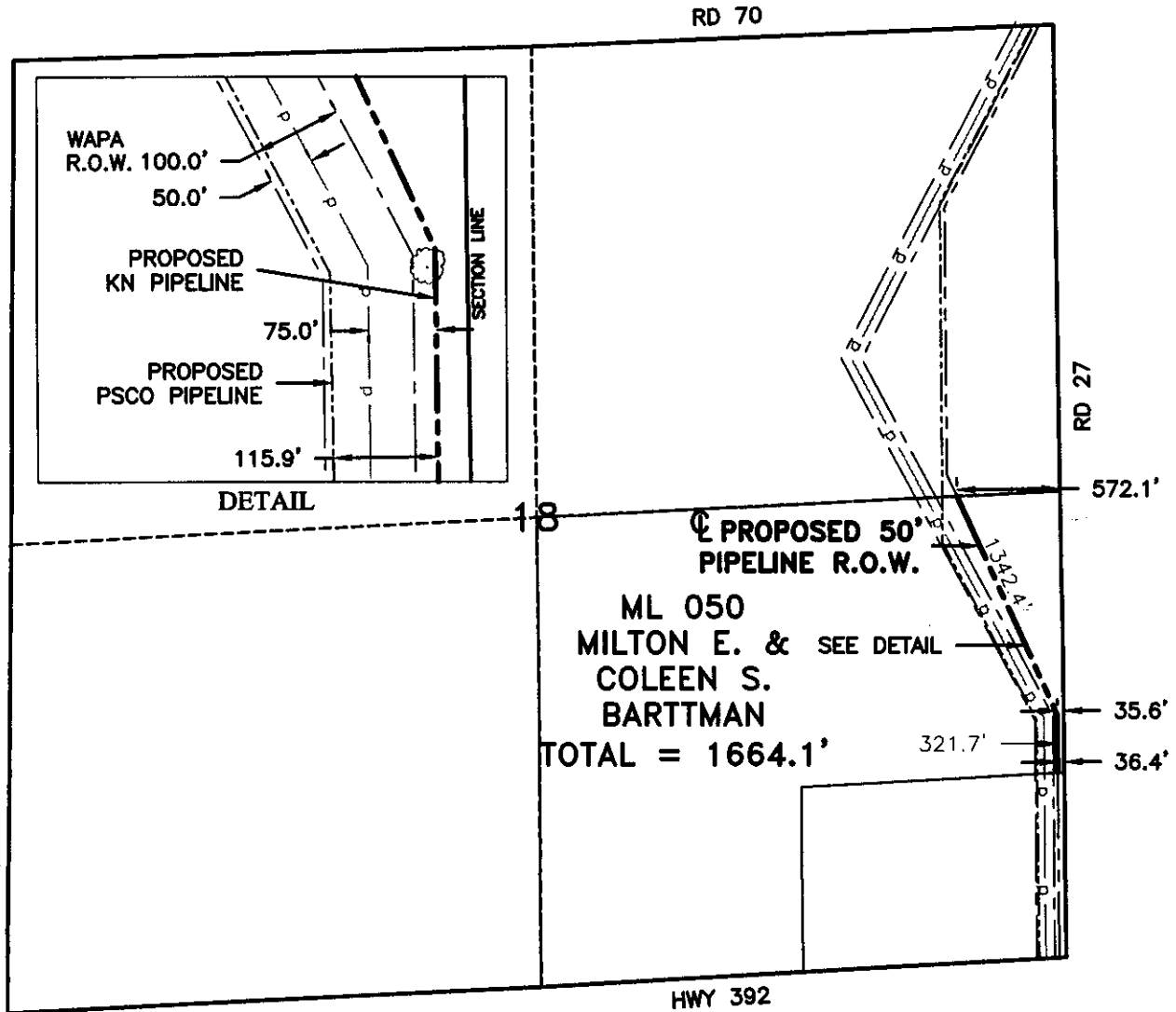
PROPOSED PIPELINE RIGHT OF WAY



1"=1000'



2634911 08/21/1998 10:59A Weld County CO
3 of 4 R 21.00 D 0.00 JA Suki Tsukamoto



GEO SURV

LAND SURVEYING AND MAPPING

520 STACY COURT, SUITE "B"

LAFAYETTE, CO. 80026

Ph 303 666 0379 Fx 303 665 6320

PROPOSED PIPELINE RIGHT OF WAY

PREPARED FOR

KN KN WATTENBERG TRANSMISSION LLC

FRONT RUNNER

SE 1/4 SECTION 18 T6N R66W 6th PM

WELD COUNTY, STATE OF COLORADO

Date of Survey	
Control File	97167
Job Number	97167

Drawing File: geosurv\weld\chgs\FRONT RUNNER\EXHIBIT\A\050.dwg (Joel)



2634911 08/21/1998 10:59A Weld County CO
4 of 4 R 21.00 D 0.00 JA Suki Tsukamoto

Exhibit B

Attached to and made a part of that certain Right-of-Way Grant dated April 9, 1998, by and between Milton E. Bartmann and Coleen S. Bartmann, husband and wife, as Grantor and KN Wattenberg Transmission LLC, as Grantee.

1. It is agreed that the pipeline ditch will be waterpacked during construction restoration and that the ground will be ripped after the surface has been re-contoured. In addition, it is understood that the soils on these lands are sandy and may erode and settle. In the event there is erosion or settling within the right-of-way, KN agrees to provide topsoil, if required, and restore the surface to its original condition.
2. It is understood and agreed that compensation for the current year's alfalfa crop is not included in the surface damage and crop loss payment that is being made at this time. If construction takes place during the current year's growing season KN agrees to pay crop loss at the current value of delivered hay containing the same nutrient test value as Grantor's other hay on these lands. It is further agreed that KN will calculate the crop loss on a 6 acre area, which includes the 75 foot construction easement area and lands adjacent to the easement area.
3. In the event a pipeline is not installed within the easement within 18 months of FERC approval or denial the Right-of-Way Grant will be null and void and the easement will revert back to the surface owners. It is further agreed that FERC approval must be received and construction of the pipeline completed within a three year period from date of execution to maintain the Right-of-Way Grant in full force and effect.
4. It is agreed that this easement may not be assigned to any other party until construction has been completed and the surface restored to the original condition without the prior written consent of the Grantors.
5. It is agreed that there will be no above ground appurtenances without the prior written consent of the Grantor.

Signed for identification:

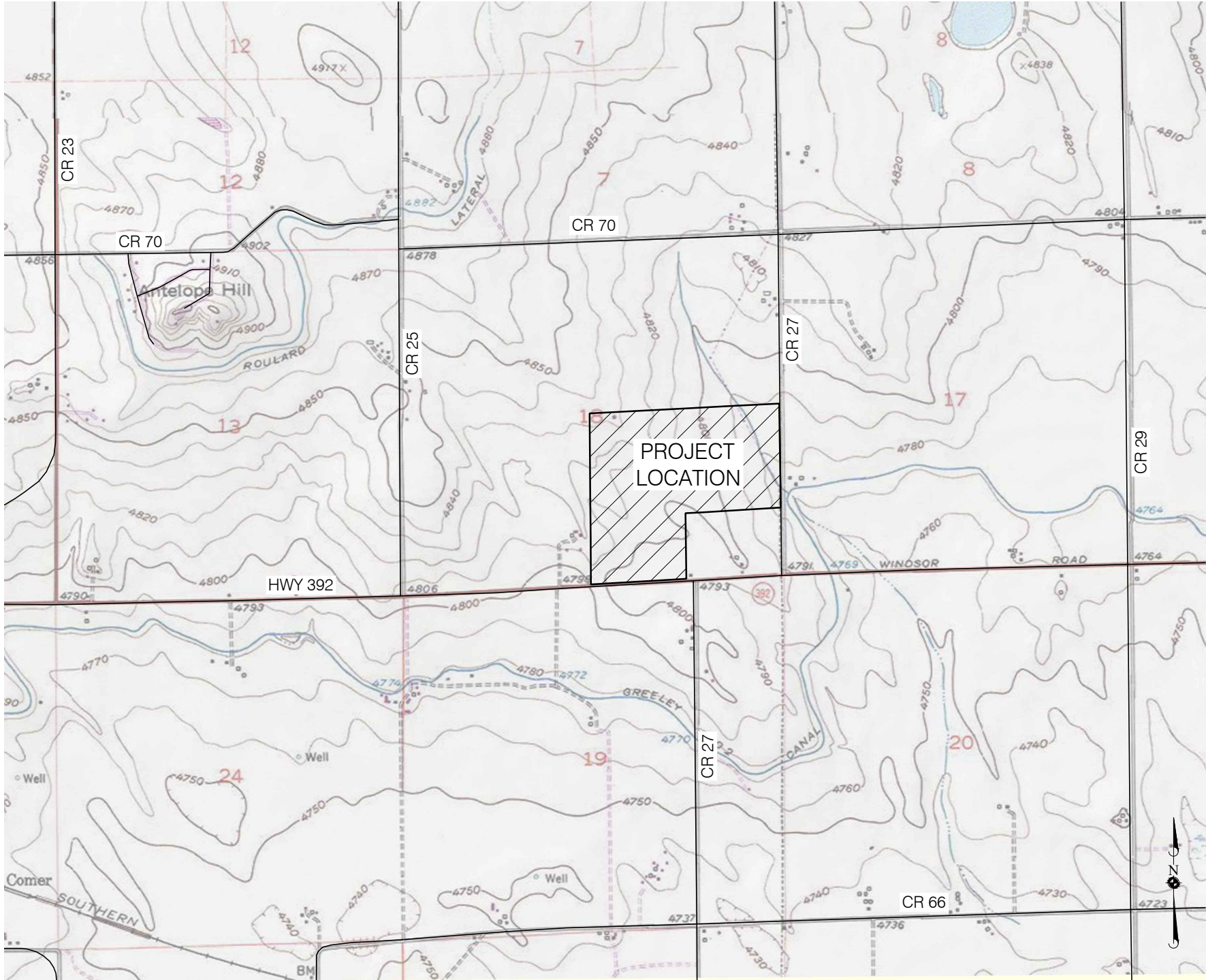

Milton E. Bartmann


Coleen S. Bartmann

Exhibit B

Index Map

See attached map.



AGPROfessionals
DEVELOPERS OF AGRICULTURE
3050 67th Avenue, Suite 200, | 213 Canyon Crest Dr, Suite 100,
Greeley, CO 80634 | Twin Falls, ID 83301
(970) 535-9318 - fax: (970) 535-9854 | (208) 595-5301



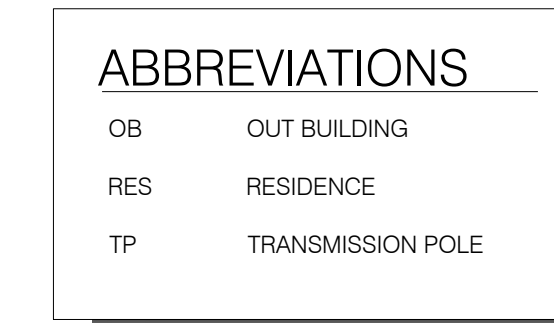
LTS PERFORMANCE HORSES LLC
EXHIBIT B - INDEX MAP
WELD COUNTY, CO

DATE: 9/18/24
SCALE: 1" = 1,000'

Exhibit C

Pre-Mining and Mining Plan Maps of Affected Lands

See attached maps.



PERMANENT STRUCTURES				
Key	Structure	Owner	Easement / ID	Location
A	Pipeline	Public Service Company, D/B/A Excel Energy	50' Public Service Company Easement, Reception No. 2509013	East of area of disturbance. Access road crosses the easement.
B	Archer-Weld Transmission Line	Transmission Division, Colorado River Storage Project, Bureau of Reclamation, Department of the Interior	100' Electric Transmission Line Easement, Reception No. 1561327	More than 200-feet east of area of disturbance. Access road crosses the easement.
C	Pipeline	Black Hills Gas Distribution, LLC, D/B/A Black Hills Energy	50' Pipeline Easement, Reception No. 2634911, KN Wattenberg Transmission, LLC	East of area of disturbance. Access road crosses the easement.
D	Pipeline	Tall Grass Interstate Gas Transmission LLC, D/B/A Tallgrass Energy	50' Pipeline Easement, Reception No. 3549935, and Amended Pipeline Easement, Reception No. 3608098, Kinder Morgan Interstate Gas Transmission LLC	East of area of disturbance. Access road crosses the easement.
E	Pipeline(s)	Chevron Corporation	30' Right-of-Way Grant, Reception No. 4162720, XTR Midstream, LLC	East of area of disturbance. Access road crosses the easement.
F	Pipeline	DCP Midstream, LP / Phillips 66	35' Pipeline Right-of-Way Grant, Reception No. 1923866, Associated Natural Gas Inc	Along CR 27, Access road crosses the easement.
G	Waterline	North Weld County Water District	Valve Site Contract, Reception No. 3013241	Along CR 27, Access road crosses the easement.
H	Pipeline	Suncor Energy (U.S.A.) Pipeline Company	ROW Contract, Reception No. 800076, Weld County LAP22-0011, Reception No. 4953067 (Blanket Easements)	South of the staging area. Location of proposed pipeline shown is per LAP22-0011 design drawings.
I	Pipeline	DCP Midstream, LP / Phillips 66	30' Pipeline Easement, Reception No. 4296169, DCP Lucerne 2 Plant LLC	South and east of the area of disturbance
J	Waterline	North Weld County Water District	20' Waterline Easement, Reception No. 1450757	Runs through pivot irrigated area
K	Irrigation Pond	LTS Performance Horses LLC	N/A	Northwest of pivot irrigated area
L	Pivot Concrete Pad	LTS Performance Horses LLC	N/A	South and east of the area of disturbance
M	P&A O&G Well	Chevron Corporation	API Label: 05-123-11130 Well Name: 33-18 Carlson	In pivot irrigated area
N	P&A O&G Well	Chevron Corporation	API Label: 05-123-22792 Well Name: 18-41 Carlson	In pivot irrigated area
O	P&A O&G Well	Chevron Corporation	API Label: 05-123-22793 Well Name: 18-43 Carlson	In pivot irrigated area
P	Overhead Electric Distribution Line	PVREA	N/A	West of the area of disturbance
Q	Overhead Electric Distribution Line	PVREA	N/A	Along CR 27

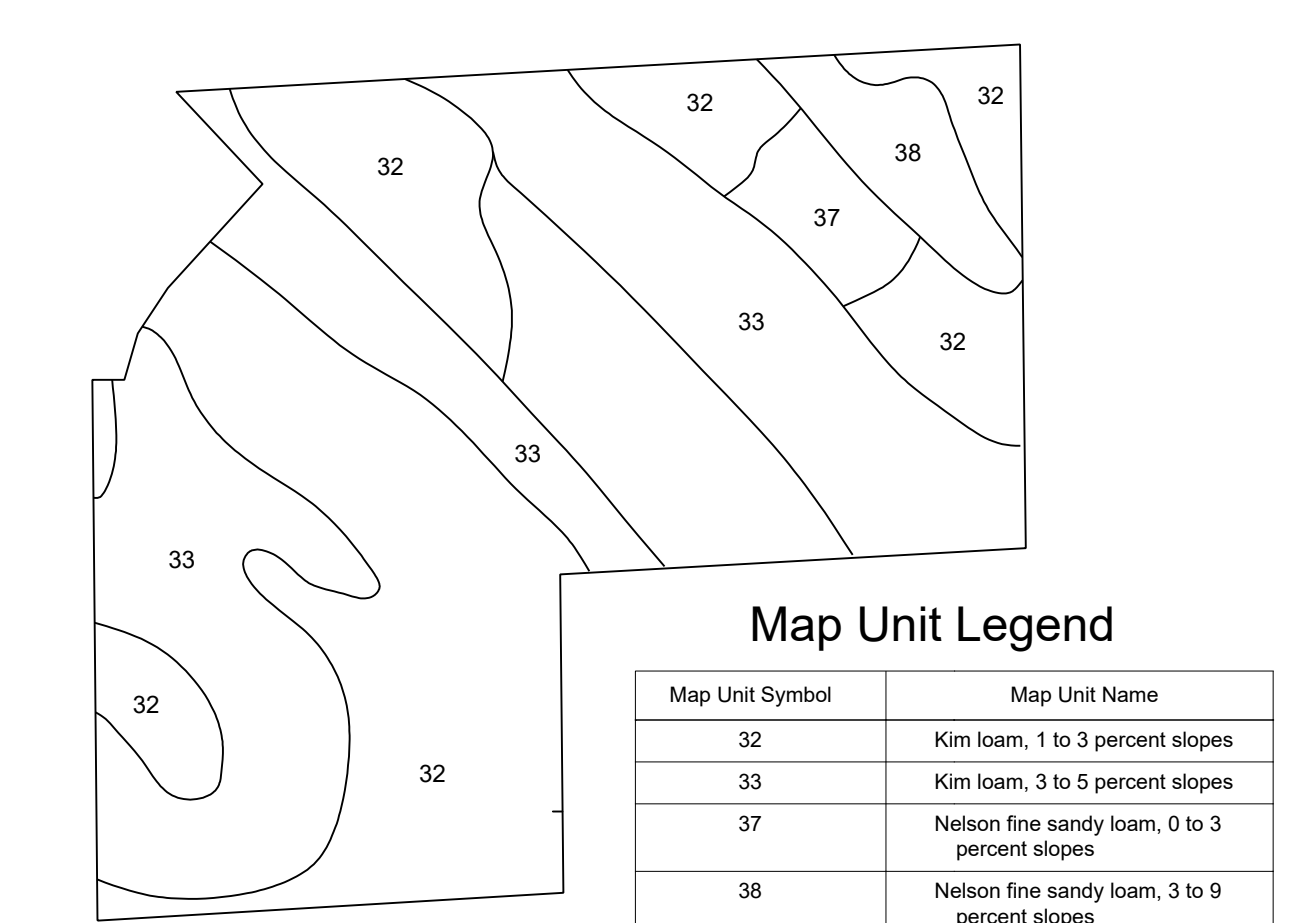


EXHIBIT C - PRE-MINING & MINING PLAN MAP

LTS PERFORMANCE HORSES LLC
 EXHIBIT C - PRE-MINING &
 MINING PLAN MAP
 WELD COUNTY, CO

SHEET:

MP-1

[illegible]

Exhibit F

Reclamation Plan Map

See attached map.



	EXISTING GROUND SURFACE CONTOUR AND ELEVATION, FT		EXISTING UTILITY POLE
	PROPOSED GROUND SURFACE CONTOUR AND ELEVATION, FT		EXISTING TRANSMISSION POLE
	AFFECTED LAND		EXISTING GAS WELL
	EXISTING PROPERTY BOUNDARY		EXISTING WATER WELL
	EXISTING ADJACENT BOUNDARY		EXISTING TELEPHONE PED
	RIGHT-OF-WAY		EXISTING WATER METER
	EXISTING WATER FEATURE		EXISTING GAS
	SECTION LINE		EXISTING FO
	EXISTING FENCE		EXISTING SIGN
	EXISTING FIBER OPTIC		EXISTING TREES
	EXISTING OVERHEAD ELEC		EXISTING STRUCTURE
	EXISTING GAS LINE		NATIVE SEED RECLAIM
	EXISTING WATER LINE		IRRIGATED CROPLAND RECLAIM
	EXISTING UNDERGROUND ELEC		IRRIGATED CROPLAND
	EXISTING STORM DRAIN		NATIVE GRASS

1. TOTAL AREA = 133.90 ACRES
2. MINING AREA = 83.41 ACRES
3. VEGETATION ON SITE IS LIMITED TO IRRIGATED CROPS, NATIVE GRASSES, AND LOW SHRUBS. THERE ARE TREES ALONG THE ACCESS ROAD.
4. MINING DEPTH OF EACH PHASE IS 10-14 INCHES OF TOPSOIL.
5. EACH PHASE OF MINING WILL BE COMPLETED WITHIN A PERIOD OF 12-18 MONTHS.

OB	OUT BUILDING
RES	RESIDENCE
TP	TRANSMISSION POLE

Buffalo Grass (Texoka, Sharps Improved)	1.5 lbs pls/acre
Little Bluestem (Blaze, Cimarron, Camper)	1.5 lbs pls/acre
Sideoats Grama (Vaughn, Butte, Niner, El Reno, Haskell)	2 lbs pls/acre
Blue Grama (Hachital, Lovington)	3.5 lbs pls/acre
Western wheatgrass (Arriba, Barton, Rosana)	3 lbs pls/acre
Switchgrass (Nebraska 28, Blackwell)	1.5 lbs pls/acre
Perennial Ryegrass (Calibra or Garibaldi tetraploid)	0.75 lbs pls/acre
Sand dropseed	0.25 lbs pls/acre
Total: 14.00 pounds pls/acre	

Mining Plan

Introduction

LTS Performance Horses LLC (LTS) is requesting this Construction Material Regular (112) Operation Reclamation Permit for the removal of 10-14 inches of topsoil from irrigated farmland. The property is described as Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

The approximately 132-acre site contains approximately 105-acres of active agricultural land under a center pivot irrigation system and 27-acres of “dry corners” outside of the center pivot irrigation range. LTS proposes to mine topsoil from approximately 78-acres. Topsoil will be taken off-site for use on various oil and gas sites throughout Weld County. Reclamation of the site will consist of re-grading to support an appropriate seedbed for revegetation. Following mining activities, the disturbed area will be regraded, tilled, and re-planted and will continue to be leased for growing corn.

LTS is proposing to mine the upper 50-80 percent of topsoil from the irrigated portion of the site. Approximately 10-14 inches of topsoil will be removed, leaving at least 3-6 inches on site for reclamation purposes. The goal is to remove approximately 157,480 tons of topsoil over the course of two years.

Mining Methods and Earthmoving

A variety of earthmoving equipment will be used, including loaders, dozers, scrapers, and haul trucks. Water trucks will be used as necessary for dust control. Mined topsoil will be temporarily stockpiled in the northeast corner along the existing access road and Weld County Road 27. The topsoil will be loaded onto haul trucks for transport to the end user. No explosives will be used for extraction operations.

Water Diversions and Impoundments

The topsoil will be dry mined and will not result in the need for dewatering. The operation will not require any water diversions or impoundments.

Mining Limits

Topsoil excavation will occur within the boundary of Lot B 2AMRECX19-01-2877. The mining limits are shown on Exhibit C - Pre-Mining and Mining Plan Maps of Affected Lands and are generally described as that portion of the site irrigated by the center pivot. Within that irrigated area the mining limits are further restricted by setbacks from property lines and existing structures and easements. The mined area will encompass approximately 78-acres of the 132-acre site.

Mine Phasing

Topsoil excavation will occur in two phases, as depicted on Exhibit C - Pre-Mining and Mining Plan Maps of Affected Lands. Phase 1 will be the northeastern half of the site and Phase 2 will be the southwestern half of the site. Phase 1 is expected to be mined in year one and reclaimed concurrently. Phase 2 is expected to be mined in years one and two and reclaimed concurrently. Final reclamation is expected to be completed within one to two years from the end of excavation for each phase, but not more than five years from the date each phase has commenced.

Commodities and Intended Use

Topsoil will be the only product mined. No secondary commodities or incidental products are anticipated. The topsoil will be taken off-site for use at various oil and gas sites throughout Weld County.

Roadways

There is an existing roadway that runs along the northern portion of the site which will be used for the mining activities. The access point for this roadway is on Weld County Road 27, approximately ½ mile north of Highway 392. As the roadway currently supports heavy agricultural equipment, no on-site roadway improvements are anticipated. No off-site roadway improvements are anticipated as Weld County Road 27 is a paved arterial and Highway 392 is a paved state highway.

Reclamation Plan

Introduction

LTS Performance Horses LLC (LTS) is proposing the removal of 10-14 inches of topsoil from irrigated farmland through the Construction Material Regular (112) Operation Reclamation Permit process. The property is described as Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

The approximately 132-acre site contains approximately 105-acres of active agricultural land under a center pivot irrigation system and 27-acres of “dry corners” outside of the center pivot irrigation range. LTS proposes to mine topsoil from approximately 78-acres. Topsoil will be taken off-site for use on various oil and gas sites throughout Weld County. Reclamation of the site will consist of re-grading to support an appropriate seedbed for revegetation. Following mining activities, the disturbed area will be re-graded, tilled, and re-planted and will continue to be leased for growing corn.

This Reclamation Plan has been developed in accordance with the requirements of 6.4.5 Exhibit E – Reclamation Plan in the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules). This plan describes procedures necessary for reclamation of the disturbed area. This plan will address re-grading, re-seeding, weed control, stormwater mitigation, monitoring, annual reporting, post-reclamation inspection and release of warranties. The operator, and all personnel working on this project, should be familiar with this Reclamation Plan prior to the commencement of mining activities.

Existing Conditions

Location:	Northwest corner of Highway 392 and Weld County Road 37 Part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6 th P.M., Weld County, Colorado Weld County parcel no. 080518400004
Size:	Total property area: 131.897-acres Total area of disturbance: 83.41-acres

Current Land Use:	Agriculture
Vegetation:	Existing: Irrigated cropland Following Reclamation: Irrigated cropland
Soils:	Loam to fine sandy loam. Dominant soil types include Kim loam, Nelson fine sandy loam, and Olney fine sandy loam.
Climate:	Mean annual precipitation: 12 to 16 inches Mean annual air temperature: 46 to 55 degrees Fahrenheit Frost-free period: 130 to 170 days
Water Resources:	An existing irrigation pond is located in the northwestern corner of the site, approximately 50-feet from the proposed area of disturbance. There is a field ditch crossing the northeastern portion of the property, which ties into the Greeley Number 2 Canal on the east side of Weld County Road 27. The field ditch is approximately 250-feet from the proposed area of disturbance.
Wildlife:	No critical wildlife habitat or wildlife species will be impacted by the proposed operation.

Project Description

LTS is proposing to mine the upper 50-80 percent of topsoil from the irrigated portion of the site. Approximately 10-14 inches of topsoil will be removed, leaving at least 3-6 inches on site for reclamation purposes. The goal is to remove approximately 157,480 tons of topsoil in two phases over the course of two years. LTS is the landowner and operator of the mining activity and will be responsible for reclamation of the disturbed area.

Reclamation Methods

Mining and reclamation will occur in two phases:

- Phase 1: northeastern half (36.6-acres) (mined in year one and reclaimed concurrently)
- Phase 2: southwestern half (41.76-acres) (mined in years one and two and reclaimed concurrently)

Phasing is depicted on Exhibit F Reclamation Plan Map. Within the first year following permit approval, the operator will mine topsoil from the northeastern portion of the site then commence reclamation procedures. Active farming will continue on the southwestern portion of the site during Phase 1. Upon completion of topsoil excavation from the northeastern portion of the site, the operator will mine topsoil from the southwestern half of the site then commence reclamation procedures. Backfilling and grading will be completed as soon as feasible after the mining

process is complete. Phase 2 may start in year one, depending on how quickly Phase 1 is completed. The mining operation is expected to be completed within two years.

Long-term stockpiling and stabilization of topsoil will not be necessary. The extracted material will be removed from site and sold to a third party. During this process, the topsoil will be handled as little as possible to maintain soil health and fertility.

Staging

A staging area will be located in the northeastern corner of the site near the site access road. The staging area is approximately 5-acres and will provide an area for equipment storage and loading operations. The inclusion of a staging area will minimize soil compaction across the disturbance area.

Grading and Erosion Control

During active mining, erosion prevention and sediment control Best Management Practices (BMPs) will be installed to minimize erosion from disturbed surfaces and to capture sediment on-site. The proposed BMPs will be included on the final Grading Plan in conjunction with the Colorado Department of Public Health & Environment (CDPHE) Storm Water Discharge Permit and Stormwater Management Plan (SWMP).

Final grading will support an appropriate seedbed for revegetation and will be traversable by farm machinery. Manure and fertilizer will be applied as necessary to support crop growth. All grading shall be done in a manner to control erosion and siltation of the affected lands and to protect areas outside the affected land from slides and other damage. The anticipated post reclamation slope gradient will be similar to the present slope. As required, the maximum gradient will not exceed a 3:1 slope.

Seeding and Revegetation

Following mining activities, the Phase 1 and Phase 2 areas will be revegetated to establish diverse, effective, and long-lasting vegetative cover. The operator will till the disturbed areas to prepare an appropriate seedbed for crop planting. Soil samples are recommended to identify nutrient deficiencies and determine if fertilizer application or soil amendments are needed. Planting corn typically occurs between mid-April to late-May, weather dependent. Planting will be done with typical farming techniques. The planted field will continue to be irrigated by the center pivot irrigation system.

In the staging area, stockpiling of material will take place on undisturbed ground and topsoil won't be removed. Once the temporary stockpile material and equipment has been removed, the site will be re-graded to approximate pre-disturbance grade. No root zones need to be created as the underlying material is soil. The seedbed shall be firm and free of weeds. In areas where there is excessive compaction, tillage, such as chiseling and disking, shall be

done to break up the compaction then harrowed down. The area will then be re-seeded using an approved seed mixture. Dormant planting is possible any time after October 15th or when temperatures are cold enough to prevent seed germination. Seeding on frozen soils will be avoided. Planting may also be done in the print until the end of April or early May and between July 1st and September 1st. The recommended reclamation seeding mix of the stockpile area is the Weld County General Seed Mix for areas north of County Road 68. The seed mix is as follows:

• Buffalo Grass (Taxoka, Sharps Improved)	1.5 lbs pls/acre
• Little Bluestem (Blaze, Cimarron, Camper)	1.5 lbs pls/acre
• Sideoats Grama (Vaughn, Butte, Niner, El Reno, Haskell)	2 lbs pls/acre
• Blue Grama (Hachital, Lovington)	3.5 lbs pls/acre
• Western Wheatgrass (Arriba, Barton, Rosana)	3 lbs pls/acre
• Switchgrass (Nebraska 28, Blackwell)	1.5 lbs pls/acre
• Perennial Ryegrass (Calibra or Garibaldi tetraploid)	0.75 lbs pls/acre
• Sand Dropseed	0.25 lbs pls/acre

Total: 14 pounds pls/acre

Seeds will be planted immediately following completion of mining activities to decrease competition from noxious weed species. Seeds will be planted using drill seeding at the appropriate depths. A one-time application of manure/compost mix will be applied to the seeded area for stabilization and fertilization. The seeded areas will not be irrigated.

Noxious Weed Management

Various state and local regulations require management of noxious weeds. If established quickly, crop cover and standard farming practices will help suppress weed growth. The operator will monitor disturbed areas for noxious weeds during the mining operation. Currently, there are no noxious weeds identified on the subject property. The majority of the site has been under continuous crop cultivation. The greatest period of susceptibility for weeds to establish themselves is during temporary stockpiling and the start of reclamation procedures. Operator will survey the site regularly and monitor weed conditions. Should noxious weeds be identified, the operator will work to eradicate the weeds. Mechanical control methods such as pulling, mowing, and tilling and chemical control methods with the use of herbicides will be used. Proper identification of the suspected noxious weed will ensure the appropriate control methods are utilized. A complete list of Colorado noxious weeds can be found at <https://ag.colorado.gov/conservation/noxious-weeds/species-id>.

If excavation activities are completed before the growing season begins, preventative measures such as spraying will be taken. Establishment of crop cover will be the most effective method of long-term weed suppression.

Upon completion of the mining activities, the stockpile area will be reseeded with native grass according to the recommended seeding procedures and seed mix described above.

Trash, Debris, and Materials Handling

Trash and debris will be collected in a covered dumpster, removed from the site at an appropriate rate, and properly disposed of. No explosives or hazardous materials will be needed to extract topsoil.

Water

Pursuant to Rule 3.1.6 and Rule 3.1.7 compliance with applicable federal and Colorado water quality laws and regulations, including statewide water quality standards and site-specific classifications and standards adopted by the Water Quality Control Commission, and applicable federal and Colorado dredge and fill requirements is required. Given the limited depth of topsoil removal, the proposed mining activities are not expected to have an impact on water quality. Compliance with applicable laws shall be adhered to.

Wildlife

All mining and reclamation activities shall take into account the safety and protection of wildlife. As the reclamation procedures will return the site to current conditions, the post-reclamation conditions for wildlife are expected to be similar to current conditions for wildlife. Additional wildlife information is presented in Exhibit H.

Signs and Markers

Pursuant to Rule 3.1.12, the Operator shall post a sign at a minimum size of eleven (11) by seventeen (17) inch with appropriate font size, including the name of the Operator and the operation name, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board, and the permit number. The boundaries of the affected area will be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries.

Spill Reporting

Pursuant to Rule 3.1.13, the operator will report any spill of hazardous or toxic substance to the Office of Mined Land Reclamation (Office) within twenty-four (24) hours.

Post Mining Land Use

The proposed post mining land use is the current land use, irrigated cropland. The subject property is zoned agricultural and surrounded by farmland. The post mining land use is consistent with Weld County's allowed uses in the Agricultural Zone District as farming is a use by right activity. No public use of the property is expected in the foreseeable future.

Schedule

Reclamation is expected to be completed within one to two years from the end of excavation, but not more than five years from the date each phase has commenced.

Financial Warranty

The Operator will supply to the Office a Performance and Financial Warranty in accordance with Rule 4. Refer to Exhibit L – Reclamation Costs.

Annual Report and Fees

Pursuant to Rule 1.15 Annual Report Inclusions, the Annual Report shall include all information specified on the Annual Report Form, in the format required by the Office, including the following:

- An updated statement regarding the sufficiency of the value of the Financial Warranty.
- A map that accurately depicts the permit boundary, current affected area boundary, location of the acres affected during the current report year, acres reclaimed during the current report year, estimated new acreage to be affected in the next report year, and acres to be reclaimed in the next report year.
- On the anniversary date of the Notice of Intent (NOI) approval, the operator shall submit to the Office an annual fee, as specified in Section 34-32.5-125, C.R.S.

Change in Address, Ownership, and Business Name

Pursuant to Rule 1.16 the Operator shall promptly notify the office of any change in mailing address, transfer of land ownership, and official business name associated with the Performance and Financial Warranty. Where an Operator files a petition of bankruptcy, the Operator shall immediately notify the Office via certified mail of such filing.

Post-Reclamation Inspection and Release of Warranties

Each Phase will be reclaimed pursuant to the Rules. Pursuant to Rule 3.1.3, all reclamation shall be carried to completion by the Operator with all reasonable diligence, and each phase or reclamation shall be completed within five (5) years from the date the Operator informs the Board of Office that such phase has commenced, or from the date the Office has evidence that mining or exploration has ceased, unless extended by the Board or Office. The 5-year period may be applied separately to each phase as it is commenced throughout the life of the mine.

Pursuant to Rule 4.17.1, the Operator or any mining operation processing a 110 Limited Impact Permit, or a 111 Special Operations Permit, or a 112 Reclamation Permit may file a written notice of completion of reclamation and request for release of reclamation responsibility with the Office whenever an Operator believes any or all requirements of the Act, the Rules and Regulations, and the approved reclamation plan have been completed with respect to any or all

of the Affected Lands. The Operator shall include in the notice of the Office the names and addresses and phone numbers of all owners of record to the affected land. The written notice requesting release shall be sent by Certified Mail and be separate from other types of communication to the Office. Such notice shall contain a signed statement by the Operator or their agent that all applicable portions of the Reclamation Plan requirements have been satisfied in accordance with the Rules and all applicable requirements under the Act.

Pursuant to Rule 4.17.2, the Office upon receipt of said notice of completion of reclamation, shall immediately provide notice to all owners of record of the affected land and to the county(s). The Office shall, within sixty (60) calendar days after receiving said notice, or as soon thereafter as weather conditions permit, inspect the lands and reclamation described in the notice to determine if the Permittee has complied with all applicable requirements. If the Office fails to conduct an inspection within the time specified in Rule 4.17.2(2) or fails to advise the Permittee of deficiencies within the time specified in Rule 4.17.2(4), then all Financial Warranties applicable to reclamation described in the notice shall be deemed released as a matter of law. Where the Office finds that a Permittee has not complied with the applicable requirements of the Act, Rules and Regulations, or the approved reclamation plan, it shall advise the Permittee of such non-compliance not more than sixty (60) calendar days after the date of the inspection. Where the Office finds that a Permittee has successfully complied with the requirements of the Act, Rules and Regulations, and the approved reclamation plan, the Office shall release all applicable performance and financial warranties. Release (pending an appeal) shall be in writing and mailed within thirty (30) calendar days to the Permittee after the date of such findings. However, an appeal to the release of the financial and performance warranties shall stay the release on the thirtieth (30) day pending a Form Board Hearing.

October 15, 2024

CERTIFIED MAIL/RETURN RECEIPT REQUESTED # 9414 8112 0620 5482 4066 61

Tall Grass Interstate Gas Transmission LLC
370 Van Gordon Street
Lakewood, CO 80228

Re: AGPRO Project #2253-01
LTS Performance Horses, LLC Topsoil Mine

To Whom It May Concern:

This letter is to inform you that LTS Performance Horses, LLC (Applicant) is filing for a Colorado Division of Reclamation, Mining, and Safety (DRMS) Construction Material Regular (112) Operation Reclamation Permit for the removal of 10-14 inches of topsoil from irrigated farmland. Applicant's property more particularly described below.

Legal Description:

Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

You may have an interest in the pipeline crossing the Applicant's property per the 50' KN Wattenberg Transmission LLC right-of-way grant recorded on August 21, 1998, at reception no. 2634911. The private access road that will be used for the grading activities crosses said right-of-way.

The proposed grading activities are situated outside of your right-of-way area and the existing access road will be utilized. The access road is part of the 'Affected Land' of the mining activities. Pursuant to the DRMS regulations for 112 permits for permanent man-made structures within 200-feet of the 'Affected Land,' we are requesting a notarized letter on your letterhead stating that the mining and reclamation activities, as proposed, will not have a negative effect on your utility.

Enclosed are the right-of-way grant, draft Mining Maps, draft Mining Plan, and draft Reclamation Plan for reference.

If you have any questions, please feel free to contact us at (970) 535-9318, or kbruxvoort@agpros.com. We will be representing the Applicant throughout the application process.

Sincerely,

Kelsey Bruxvoort

Kelsey Bruxvoort
Land Planner

Enclosures:

1. Right-of-Way Grant
2. Mining Maps
3. Mining Plan
4. Reclamation Plan

911
RIGHT-OF-WAY GRANT

2634911 08/21/1998 10:59A Weld County CO
1 of 4 R 21.00 D 0.00 JA Suki Tsukamoto

KNOW ALL MEN BY THESE PRESENTS:

CSB
MSB
That Milton E. Bartmann and Coleen S. Bartmann, husband and wife whose address is 33499 WCR 27, Greeley, CO 80631("Grantor"), for themselves, their heirs, successors, or assigns, for and in consideration of the sum of Ten Dollars And No Cents (\$10.00), the receipt and adequacy of which is hereby acknowledged, do hereby grant, convey and confirm unto KN Wattenberg Transmission LLC, 370 Van Gordon Street, Lakewood, CO 802288304 ,its successors and assigns (collectively, "Grantee"), the right-of-way and easement to survey, construct, install, inspect, maintain, renew, repair, remove, replace and operate the pipeline(s) and appurtenances thereto, for the transportation of natural gas, gasoline, oil, petroleum products, or any other substance which can be transported by pipeline, in, on, over, under, upon and through the following-described lands, located in County of WELD and State of COLORADO, to wit:

Township 6 North, Range 66 West, 6th P.M.

Section 18: That portion of the SE/4 being more particularly described as follows: Considering the South line of said SE/4 as bearing South 89 deg. 57 min. 19 sec. West and with all bearings contained hereby relative thereto: Beginning at the Southwest corner of said SE/4; thence along the West line of said SE/4 North 02 deg. 40 min 01 sec. East 2607.26 feet to a point on the North line of said SE/4; thence along said North line East 2911.67 feet to a point on the East line of said SE/4; thence along said East line South 02 deg. 33 min. 58 sec. West 1572.28 feet; thence South 02 deg. 37 min. 00 sec. West 1032.04 feet to a point on the South line of the SE/4; thence along said South line South 89 deg. 57 min. 19 sec. West 1458.18 feet, more or less, to the Point of Beginning.

See Exhibit "B" attached hereto and made a part hereof for additional provisions.

See Exhibit "A" attached hereto and made a part hereof for a more particular description of the right-of-way and easement granted hereby. The Grantor and Grantee agree that the width of said right-of-way grant during the construction of the pipeline(s) shall be seventy-five feet (75'), and subsequent to the construction of the pipeline(s) shall be a width of fifty feet (50').

TO HAVE AND TO HOLD said right-of-way and easement unto Grantee so long as such pipeline(s) and appurtenances, or any part thereof, shall be maintained, together with the right of ingress to and egress from said lands for the purposes herein stated at will of Grantee. Grantor retains the right to use and enjoy said lands, subject only to the right of Grantee to use the same for the purposes herein expressed. CSB MSB

Grantee agrees to lay all pipe hereunder at a sufficient depth to avoid interfering with cultivation of the soil, and to pay Grantor for damages to growing crops, fences or other improvements which may arise from the operations of Grantee. Any such damage, if not mutually agreed upon, shall be ascertained and determined by three disinterested persons, one appointed by Grantor, one by Grantee and the third chosen by the two so appointed. The written award of a majority of such three persons shall be final and conclusive upon the parties hereto.

It is agreed by Grantor that any payment of consideration due under the terms hereof may be made jointly to Grantor and any mortgagees of record at the time such payment becomes due.

IN WITNESS WHEREOF Grantor has hereunto set its hand this 9 th day of April, 1998.

Witness

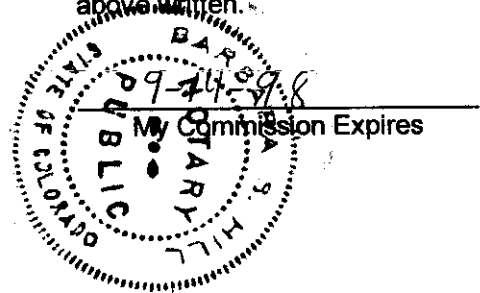

Milton E. Bartmann


Coleen S. Bartmann

STATE OF COLORADO)
) ss
COUNTY OF WELD)

On this 9th day April, 1998, before me, a notary public, in and for said county and state, personally appeared Milton E. Bartmann and Coleen S. Bartmann, husband and wife, who are personally known to me and known to me to be the same person(s) whose executed the foregoing instrument and such person(s) duly acknowledged the execution of the same and acknowledged said instrument to be (his) (their) voluntary act and deed.

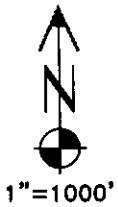
IN WITNESS WHEREOF I have hereunto set my hand and affixed my notarial seal the day and year last above written.



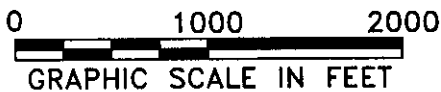
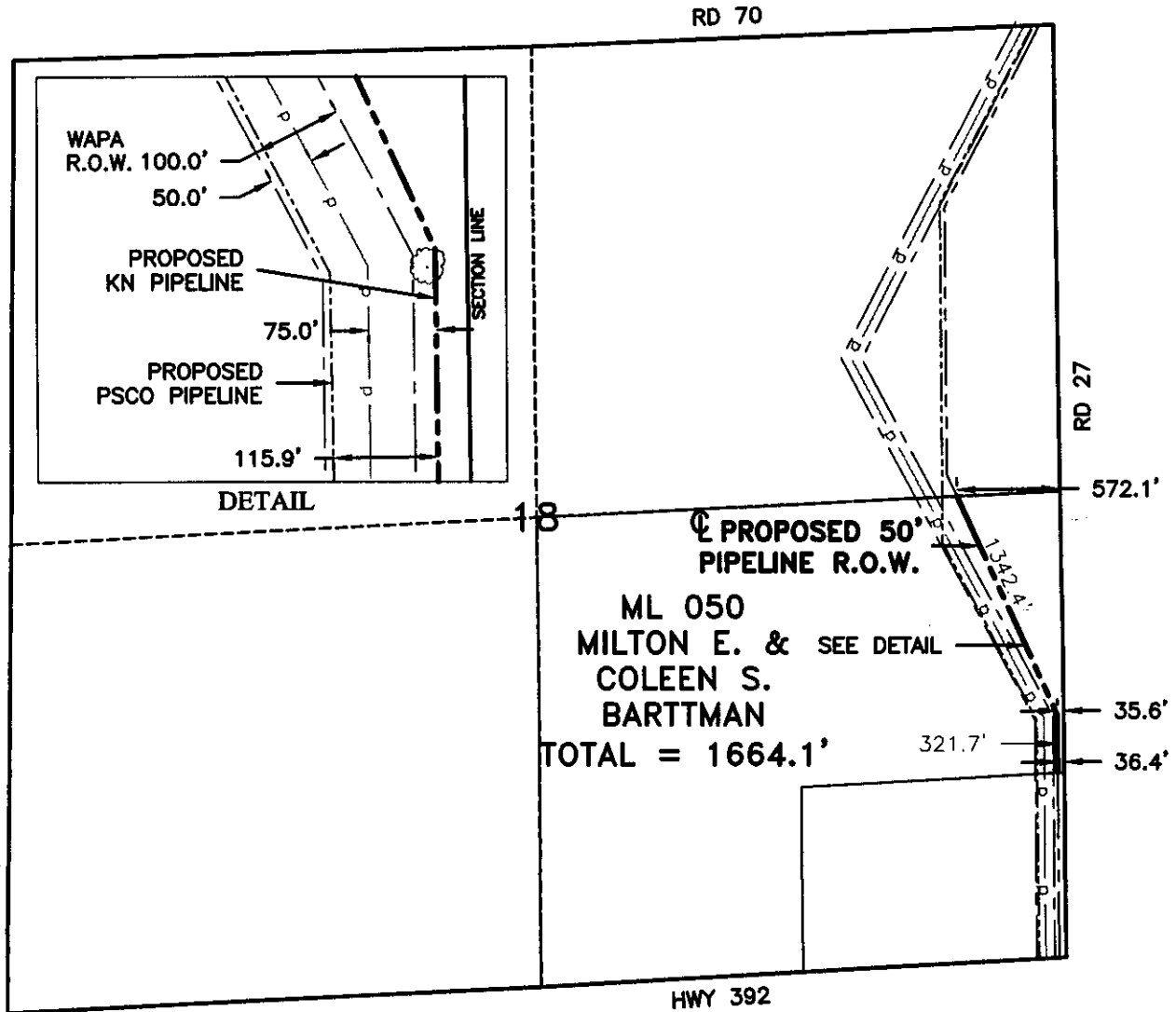
Barbara S. Hill
Notary Public
Barbara S. Hill
P.O. Box 298, Windsor, CO 80550

EXHIBIT "A"

PROPOSED PIPELINE RIGHT OF WAY



2634911 08/21/1998 10:59A Weld County CO
3 of 4 R 21.00 D 0.00 JA Suki Tsukamoto



GEO SURV

LAND SURVEYING AND MAPPING

520 STACY COURT, SUITE "B"

LAFAYETTE, CO. 80026

Ph 303 666 0379 Fx 303 665 6320

PROPOSED PIPELINE RIGHT OF WAY

PREPARED FOR

KN WATTENBERG TRANSMISSION LLC

FRONT RUNNER

SE 1/4 SECTION 18 T6N R66W 6th PM

WELD COUNTY, STATE OF COLORADO

Date of Survey	
Control File	97167
Job Number	97167

Drawing File: geosurv\weld\chgs\FRONT RUNNER\EXHIBIT\A\050.dwg (Joel)



2634911 08/21/1998 10:59A Weld County CO
4 of 4 R 21.00 D 0.00 JA Suki Tsukamoto

Exhibit B

Attached to and made a part of that certain Right-of-Way Grant dated April 9, 1998, by and between Milton E. Bartmann and Coleen S. Bartmann, husband and wife, as Grantor and KN Wattenberg Transmission LLC, as Grantee.

1. It is agreed that the pipeline ditch will be waterpacked during construction restoration and that the ground will be ripped after the surface has been re-contoured. In addition, it is understood that the soils on these lands are sandy and may erode and settle. In the event there is erosion or settling within the right-of-way, KN agrees to provide topsoil, if required, and restore the surface to its original condition.
2. It is understood and agreed that compensation for the current year's alfalfa crop is not included in the surface damage and crop loss payment that is being made at this time. If construction takes place during the current year's growing season KN agrees to pay crop loss at the current value of delivered hay containing the same nutrient test value as Grantor's other hay on these lands. It is further agreed that KN will calculate the crop loss on a 6 acre area, which includes the 75 foot construction easement area and lands adjacent to the easement area.
3. In the event a pipeline is not installed within the easement within 18 months of FERC approval or denial the Right-of-Way Grant will be null and void and the easement will revert back to the surface owners. It is further agreed that FERC approval must be received and construction of the pipeline completed within a three year period from date of execution to maintain the Right-of-Way Grant in full force and effect.
4. It is agreed that this easement may not be assigned to any other party until construction has been completed and the surface restored to the original condition without the prior written consent of the Grantors.
5. It is agreed that there will be no above ground appurtenances without the prior written consent of the Grantor.

Signed for identification:

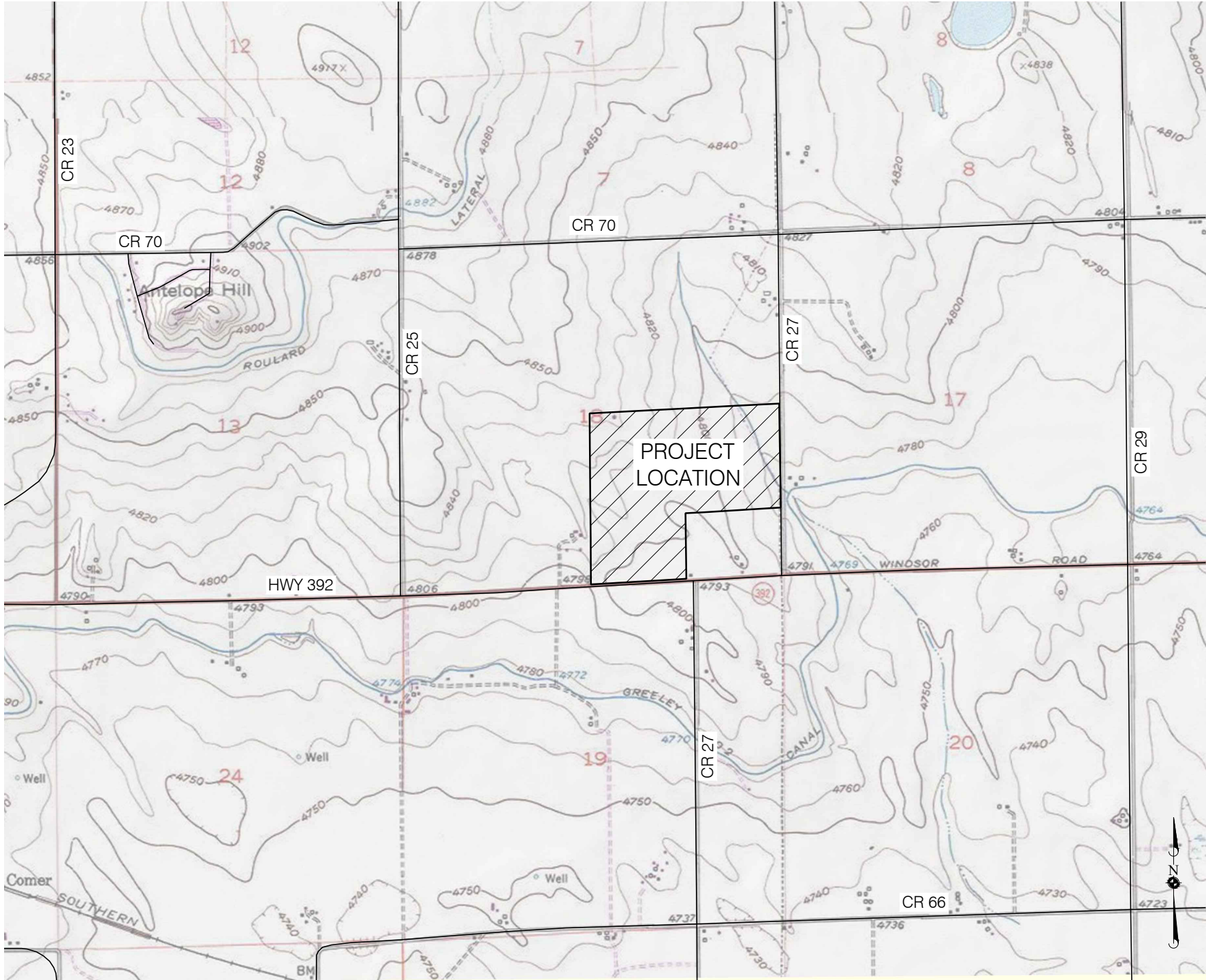

Milton E. Bartmann


Coleen S. Bartmann

Exhibit B

Index Map

See attached map.




 AGPROfessionals DEVELOPERS OF AGRICULTURE 3050 67th Avenue, Suite 200, Greeley, CO 80634 (970) 535-9318 - fax: (970) 535-9854	213 Canyon Crest Dr, Suite 100, Twin Falls, ID 83301 (208) 595-5301	LTS PERFORMANCE HORSES LLC		DATE: 9/18/24
		EXHIBIT B - INDEX MAP		SCALE: 1" = 1,000'
		WELD COUNTY, CO		

Exhibit C

Pre-Mining and Mining Plan Maps of Affected Lands

See attached maps.

EXHIBIT C - PRE-MINING & MINING PLAN MAP



LEGEND

4782---

AFFECTED LAND

EXISTING PROPERTY BOUNDARY

EXISTING ADJACENT BOUNDARY

EXISTING RIGHT-OF-WAY

EXISTING WATER FEATURE

SECTION LINE

EXISTING FENCE

EXISTING FIBER OPTIC

EXISTING OVERHEAD ELEC

EXISTING GAS LINE

EXISTING WATER LINE

EXISTING UNDERGROUND ELEC

EXISTING STORM DRAIN

EXISTING UTILITY POLE

EXISTING TRANSMISSION POLE

EXISTING GAS WELL

EXISTING WATER WELL

EXISTING TELEPHONE PED

EXISTING WATER METER

EXISTING GAS

EXISTING FO

EXISTING SIGN

EXISTING TREES

EXISTING STRUCTURE

IRRIGATED CROPLAND

NATIVE GRASS

NOTES

1. TOTAL AREA = 133.90 ACRES

2. MINING AREA = 83.41 ACRES

3. VEGETATION ON SITE IS LIMITED TO IRRIGATED CROPS, NATIVE GRASSES, AND LOW SHRUBS. THERE ARE TREES ALONG THE ACCESS ROAD.

4. MINING DEPTH OF EACH PHASE IS 10-14 INCHES OF TOPSOIL.

5. EACH PHASE OF MINING WILL BE COMPLETED WITHIN A PERIOD OF 12-18 MONTHS.

ABBREVIATIONS

OB

OUT BUILDING

RES

RESIDENCE

TP

TRANSMISSION POLE

PERMANENT STRUCTURES				
Key	Structure	Owner	Easement / ID	Location
A	Pipeline	Public Service Company, D/B/A Excel Energy	50' Public Service Company Easement, Reception No. 2599013	East of area of disturbance. Access road crosses the easement.
B	Archer-Weld Transmission Line	Transmission Division, Colorado River Storage Project, Bureau of Reclamation, Department of the Interior	100' Electric Transmission Line Easement, Reception No. 1561327	More than 200-feet east of area of disturbance. Access road crosses the easement.
C	Pipeline	Black Hills Gas Distribution, LLC, D/B/A Black Hills Energy	50' Pipeline Easement, Reception No. 2634911, KN Wattenberg Transmission, LLC	East of area of disturbance. Access road crosses the easement.
D	Pipeline	Tall Grass Interstate Gas Transmission LLC, D/B/A Tallgrass Energy	50' Pipeline Easement, Reception No. 3549935, and Amended Pipeline Easement, Reception No. 3608098, Kinder Morgan Interstate Gas Transmission LLC	East of area of disturbance. Access road crosses the easement.
E	Pipeline(s)	Chevron Corporation	30' Right-of-Way Grant, Reception No. 4162720, XTR Midstream, LLC	East of area of disturbance. Access road crosses the easement.
F	Pipeline	DCP Midstream, LP / Phillips 66	35' Pipeline Right-of-Way Grant, Reception No. 1923866, Associated Natural Gas Inc	Along CR 27. Access road crosses the easement.
G	Waterline	North Weld County Water District	Valve Site Contract, Reception No. 3013241	Along CR 27. Access road crosses the easement.
H	Pipeline	Suncor Energy (U.S.A.) Pipeline Company	ROW Contract, Reception No. 800076, Weld County LAP22-0011, Reception No. 4953067 (Blanket Easements)	South of the staging area. Location of proposed pipeline shown is per LAP22-0011 design drawings.
I	Pipeline	DCP Midstream, LP / Phillips 66	30' Pipeline Easement, Reception No. 4296169, DCP Lucerne 2 Plant LLC	South and east of the area of disturbance
J	Waterline	North Weld County Water District	20' Waterline Easement, Reception No. 1450757	Runs through pivot irrigated area
K	Irrigation Pond	LTS Performance Horses LLC	N/A	Northwest of pivot irrigated area
L	Pivot Concrete Pad	LTS Performance Horses LLC	N/A	South and east of the area of disturbance
M	P&A O&G Well	Chevron Corporation	API Label: 05-123-11130 Well Name: 33-18 Carlson	In pivot irrigated area
N	P&A O&G Well	Chevron Corporation	API Label: 05-123-22792 Well Name: 18-41 Carlson	In pivot irrigated area
O	P&A O&G Well	Chevron Corporation	API Label: 05-123-22793 Well Name: 18-43 Carlson	In pivot irrigated area
P	Overhead Electric Distribution Line	PVREA	N/A	West of the area of disturbance
Q	Overhead Electric Distribution Line	PVREA	N/A	Along CR 27

Map Unit Legend

Map Unit Symbol

Map Unit Name

32

Kim loam, 1 to 3 percent slopes

33

Kim loam, 3 to 5 percent slopes

37

Nelson fine sandy loam, 0 to 3 percent slopes

38

Nelson fine sandy loam, 3 to 9 percent slopes

LTS PERFORMANCE HORSES LLC
EXHIBIT C - PRE-MINING &
MINING PLAN MAP

Exhibit F

Reclamation Plan Map

See attached map.



	EXISTING GROUND SURFACE CONTOUR AND ELEVATION, FT		EXISTING UTILITY POLE
	PROPOSED GROUND SURFACE CONTOUR AND ELEVATION, FT		EXISTING TRANSMISSION POLE
	AFFECTED LAND		EXISTING GAS WELL
	EXISTING PROPERTY BOUNDARY		EXISTING WATER WELL
	EXISTING ADJACENT BOUNDARY		EXISTING TELEPHONE PED
	RIGHT-OF-WAY		EXISTING WATER METER
	EXISTING WATER FEATURE		EXISTING GAS
	SECTION LINE		EXISTING FO
	EXISTING FENCE		EXISTING SIGN
	EXISTING FIBER OPTIC		EXISTING TREES
	EXISTING OVERHEAD ELEC		EXISTING STRUCTURE
	EXISTING GAS LINE		NATIVE SEED RECLAIM
	EXISTING WATER LINE		IRRIGATED CROPLAND RECLAIM
	EXISTING UNDERGROUND ELEC		IRRIGATED CROPLAND
	EXISTING STORM DRAIN		NATIVE GRASS

1. TOTAL AREA = 133.90 ACRES
2. MINING AREA = 83.41 ACRES
3. VEGETATION ON SITE IS LIMITED TO IRRIGATED CROPS, NATIVE GRASSES, AND LOW SHRUBS. THERE ARE TREES ALONG THE ACCESS ROAD.
4. MINING DEPTH OF EACH PHASE IS 10-14 INCHES OF TOPSOIL.
5. EACH PHASE OF MINING WILL BE COMPLETED WITHIN A PERIOD OF 12-18 MONTHS.

OB	OUT BUILDING
RES	RESIDENCE
TP	TRANSMISSION POLE

Buffalo Grass (Texoka, Sharps Improved)	1.5 lbs pls/acre
Little Bluestem (Blaze, Cimarron, Camper)	1.5 lbs pls/acre
Sideoats Grama (Vaughn, Butte, Niner, El Reno, Haskell)	2 lbs pls/acre
Blue Grama (Hachital, Lovington)	3.5 lbs pls/acre
Western wheatgrass (Arriba, Barton, Rosana)	3 lbs pls/acre
Switchgrass (Nebraska 28, Blackwell)	1.5 lbs pls/acre
Perennial Ryegrass (Calibra or Garibaldi tetraploid)	0.75 lbs pls/acre
Sand dropseed	0.25 lbs pls/acre
Total: 14.00 pounds pls/acre	

Mining Plan

Introduction

LTS Performance Horses LLC (LTS) is requesting this Construction Material Regular (112) Operation Reclamation Permit for the removal of 10-14 inches of topsoil from irrigated farmland. The property is described as Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

The approximately 132-acre site contains approximately 105-acres of active agricultural land under a center pivot irrigation system and 27-acres of “dry corners” outside of the center pivot irrigation range. LTS proposes to mine topsoil from approximately 78-acres. Topsoil will be taken off-site for use on various oil and gas sites throughout Weld County. Reclamation of the site will consist of re-grading to support an appropriate seedbed for revegetation. Following mining activities, the disturbed area will be regraded, tilled, and re-planted and will continue to be leased for growing corn.

LTS is proposing to mine the upper 50-80 percent of topsoil from the irrigated portion of the site. Approximately 10-14 inches of topsoil will be removed, leaving at least 3-6 inches on site for reclamation purposes. The goal is to remove approximately 157,480 tons of topsoil over the course of two years.

Mining Methods and Earthmoving

A variety of earthmoving equipment will be used, including loaders, dozers, scrapers, and haul trucks. Water trucks will be used as necessary for dust control. Mined topsoil will be temporarily stockpiled in the northeast corner along the existing access road and Weld County Road 27. The topsoil will be loaded onto haul trucks for transport to the end user. No explosives will be used for extraction operations.

Water Diversions and Impoundments

The topsoil will be dry mined and will not result in the need for dewatering. The operation will not require any water diversions or impoundments.

Mining Limits

Topsoil excavation will occur within the boundary of Lot B 2AMRECX19-01-2877. The mining limits are shown on Exhibit C - Pre-Mining and Mining Plan Maps of Affected Lands and are generally described as that portion of the site irrigated by the center pivot. Within that irrigated area the mining limits are further restricted by setbacks from property lines and existing structures and easements. The mined area will encompass approximately 78-acres of the 132-acre site.

Mine Phasing

Topsoil excavation will occur in two phases, as depicted on Exhibit C - Pre-Mining and Mining Plan Maps of Affected Lands. Phase 1 will be the northeastern half of the site and Phase 2 will be the southwestern half of the site. Phase 1 is expected to be mined in year one and reclaimed concurrently. Phase 2 is expected to be mined in years one and two and reclaimed concurrently. Final reclamation is expected to be completed within one to two years from the end of excavation for each phase, but not more than five years from the date each phase has commenced.

Commodities and Intended Use

Topsoil will be the only product mined. No secondary commodities or incidental products are anticipated. The topsoil will be taken off-site for use at various oil and gas sites throughout Weld County.

Roadways

There is an existing roadway that runs along the northern portion of the site which will be used for the mining activities. The access point for this roadway is on Weld County Road 27, approximately ½ mile north of Highway 392. As the roadway currently supports heavy agricultural equipment, no on-site roadway improvements are anticipated. No off-site roadway improvements are anticipated as Weld County Road 27 is a paved arterial and Highway 392 is a paved state highway.

Reclamation Plan

Introduction

LTS Performance Horses LLC (LTS) is proposing the removal of 10-14 inches of topsoil from irrigated farmland through the Construction Material Regular (112) Operation Reclamation Permit process. The property is described as Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

The approximately 132-acre site contains approximately 105-acres of active agricultural land under a center pivot irrigation system and 27-acres of “dry corners” outside of the center pivot irrigation range. LTS proposes to mine topsoil from approximately 78-acres. Topsoil will be taken off-site for use on various oil and gas sites throughout Weld County. Reclamation of the site will consist of re-grading to support an appropriate seedbed for revegetation. Following mining activities, the disturbed area will be re-graded, tilled, and re-planted and will continue to be leased for growing corn.

This Reclamation Plan has been developed in accordance with the requirements of 6.4.5 Exhibit E – Reclamation Plan in the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules). This plan describes procedures necessary for reclamation of the disturbed area. This plan will address re-grading, re-seeding, weed control, stormwater mitigation, monitoring, annual reporting, post-reclamation inspection and release of warranties. The operator, and all personnel working on this project, should be familiar with this Reclamation Plan prior to the commencement of mining activities.

Existing Conditions

Location:	Northwest corner of Highway 392 and Weld County Road 37 Part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6 th P.M., Weld County, Colorado Weld County parcel no. 080518400004
Size:	Total property area: 131.897-acres Total area of disturbance: 83.41-acres

Current Land Use:	Agriculture
Vegetation:	Existing: Irrigated cropland Following Reclamation: Irrigated cropland
Soils:	Loam to fine sandy loam. Dominant soil types include Kim loam, Nelson fine sandy loam, and Olney fine sandy loam.
Climate:	Mean annual precipitation: 12 to 16 inches Mean annual air temperature: 46 to 55 degrees Fahrenheit Frost-free period: 130 to 170 days
Water Resources:	An existing irrigation pond is located in the northwestern corner of the site, approximately 50-feet from the proposed area of disturbance. There is a field ditch crossing the northeastern portion of the property, which ties into the Greeley Number 2 Canal on the east side of Weld County Road 27. The field ditch is approximately 250-feet from the proposed area of disturbance.
Wildlife:	No critical wildlife habitat or wildlife species will be impacted by the proposed operation.

Project Description

LTS is proposing to mine the upper 50-80 percent of topsoil from the irrigated portion of the site. Approximately 10-14 inches of topsoil will be removed, leaving at least 3-6 inches on site for reclamation purposes. The goal is to remove approximately 157,480 tons of topsoil in two phases over the course of two years. LTS is the landowner and operator of the mining activity and will be responsible for reclamation of the disturbed area.

Reclamation Methods

Mining and reclamation will occur in two phases:

- Phase 1: northeastern half (36.6-acres) (mined in year one and reclaimed concurrently)
- Phase 2: southwestern half (41.76-acres) (mined in years one and two and reclaimed concurrently)

Phasing is depicted on Exhibit F Reclamation Plan Map. Within the first year following permit approval, the operator will mine topsoil from the northeastern portion of the site then commence reclamation procedures. Active farming will continue on the southwestern portion of the site during Phase 1. Upon completion of topsoil excavation from the northeastern portion of the site, the operator will mine topsoil from the southwestern half of the site then commence reclamation procedures. Backfilling and grading will be completed as soon as feasible after the mining

process is complete. Phase 2 may start in year one, depending on how quickly Phase 1 is completed. The mining operation is expected to be completed within two years.

Long-term stockpiling and stabilization of topsoil will not be necessary. The extracted material will be removed from site and sold to a third party. During this process, the topsoil will be handled as little as possible to maintain soil health and fertility.

Staging

A staging area will be located in the northeastern corner of the site near the site access road. The staging area is approximately 5-acres and will provide an area for equipment storage and loading operations. The inclusion of a staging area will minimize soil compaction across the disturbance area.

Grading and Erosion Control

During active mining, erosion prevention and sediment control Best Management Practices (BMPs) will be installed to minimize erosion from disturbed surfaces and to capture sediment on-site. The proposed BMPs will be included on the final Grading Plan in conjunction with the Colorado Department of Public Health & Environment (CDPHE) Storm Water Discharge Permit and Stormwater Management Plan (SWMP).

Final grading will support an appropriate seedbed for revegetation and will be traversable by farm machinery. Manure and fertilizer will be applied as necessary to support crop growth. All grading shall be done in a manner to control erosion and siltation of the affected lands and to protect areas outside the affected land from slides and other damage. The anticipated post reclamation slope gradient will be similar to the present slope. As required, the maximum gradient will not exceed a 3:1 slope.

Seeding and Revegetation

Following mining activities, the Phase 1 and Phase 2 areas will be revegetated to establish diverse, effective, and long-lasting vegetative cover. The operator will till the disturbed areas to prepare an appropriate seedbed for crop planting. Soil samples are recommended to identify nutrient deficiencies and determine if fertilizer application or soil amendments are needed. Planting corn typically occurs between mid-April to late-May, weather dependent. Planting will be done with typical farming techniques. The planted field will continue to be irrigated by the center pivot irrigation system.

In the staging area, stockpiling of material will take place on undisturbed ground and topsoil won't be removed. Once the temporary stockpile material and equipment has been removed, the site will be re-graded to approximate pre-disturbance grade. No root zones need to be created as the underlying material is soil. The seedbed shall be firm and free of weeds. In areas where there is excessive compaction, tillage, such as chiseling and disking, shall be

done to break up the compaction then harrowed down. The area will then be re-seeded using an approved seed mixture. Dormant planting is possible any time after October 15th or when temperatures are cold enough to prevent seed germination. Seeding on frozen soils will be avoided. Planting may also be done in the print until the end of April or early May and between July 1st and September 1st. The recommended reclamation seeding mix of the stockpile area is the Weld County General Seed Mix for areas north of County Road 68. The seed mix is as follows:

• Buffalo Grass (Taxoka, Sharps Improved)	1.5 lbs pls/acre
• Little Bluestem (Blaze, Cimarron, Camper)	1.5 lbs pls/acre
• Sideoats Grama (Vaughn, Butte, Niner, El Reno, Haskell)	2 lbs pls/acre
• Blue Grama (Hachital, Lovington)	3.5 lbs pls/acre
• Western Wheatgrass (Arriba, Barton, Rosana)	3 lbs pls/acre
• Switchgrass (Nebraska 28, Blackwell)	1.5 lbs pls/acre
• Perennial Ryegrass (Calibra or Garibaldi tetraploid)	0.75 lbs pls/acre
• Sand Dropseed	0.25 lbs pls/acre

Total: 14 pounds pls/acre

Seeds will be planted immediately following completion of mining activities to decrease competition from noxious weed species. Seeds will be planted using drill seeding at the appropriate depths. A one-time application of manure/compost mix will be applied to the seeded area for stabilization and fertilization. The seeded areas will not be irrigated.

Noxious Weed Management

Various state and local regulations require management of noxious weeds. If established quickly, crop cover and standard farming practices will help suppress weed growth. The operator will monitor disturbed areas for noxious weeds during the mining operation. Currently, there are no noxious weeds identified on the subject property. The majority of the site has been under continuous crop cultivation. The greatest period of susceptibility for weeds to establish themselves is during temporary stockpiling and the start of reclamation procedures. Operator will survey the site regularly and monitor weed conditions. Should noxious weeds be identified, the operator will work to eradicate the weeds. Mechanical control methods such as pulling, mowing, and tilling and chemical control methods with the use of herbicides will be used. Proper identification of the suspected noxious weed will ensure the appropriate control methods are utilized. A complete list of Colorado noxious weeds can be found at <https://ag.colorado.gov/conservation/noxious-weeds/species-id>.

If excavation activities are completed before the growing season begins, preventative measures such as spraying will be taken. Establishment of crop cover will be the most effective method of long-term weed suppression.

Upon completion of the mining activities, the stockpile area will be reseeded with native grass according to the recommended seeding procedures and seed mix described above.

Trash, Debris, and Materials Handling

Trash and debris will be collected in a covered dumpster, removed from the site at an appropriate rate, and properly disposed of. No explosives or hazardous materials will be needed to extract topsoil.

Water

Pursuant to Rule 3.1.6 and Rule 3.1.7 compliance with applicable federal and Colorado water quality laws and regulations, including statewide water quality standards and site-specific classifications and standards adopted by the Water Quality Control Commission, and applicable federal and Colorado dredge and fill requirements is required. Given the limited depth of topsoil removal, the proposed mining activities are not expected to have an impact on water quality. Compliance with applicable laws shall be adhered to.

Wildlife

All mining and reclamation activities shall take into account the safety and protection of wildlife. As the reclamation procedures will return the site to current conditions, the post-reclamation conditions for wildlife are expected to be similar to current conditions for wildlife. Additional wildlife information is presented in Exhibit H.

Signs and Markers

Pursuant to Rule 3.1.12, the Operator shall post a sign at a minimum size of eleven (11) by seventeen (17) inch with appropriate font size, including the name of the Operator and the operation name, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board, and the permit number. The boundaries of the affected area will be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries.

Spill Reporting

Pursuant to Rule 3.1.13, the operator will report any spill of hazardous or toxic substance to the Office of Mined Land Reclamation (Office) within twenty-four (24) hours.

Post Mining Land Use

The proposed post mining land use is the current land use, irrigated cropland. The subject property is zoned agricultural and surrounded by farmland. The post mining land use is consistent with Weld County's allowed uses in the Agricultural Zone District as farming is a use by right activity. No public use of the property is expected in the foreseeable future.

Schedule

Reclamation is expected to be completed within one to two years from the end of excavation, but not more than five years from the date each phase has commenced.

Financial Warranty

The Operator will supply to the Office a Performance and Financial Warranty in accordance with Rule 4. Refer to Exhibit L – Reclamation Costs.

Annual Report and Fees

Pursuant to Rule 1.15 Annual Report Inclusions, the Annual Report shall include all information specified on the Annual Report Form, in the format required by the Office, including the following:

- An updated statement regarding the sufficiency of the value of the Financial Warranty.
- A map that accurately depicts the permit boundary, current affected area boundary, location of the acres affected during the current report year, acres reclaimed during the current report year, estimated new acreage to be affected in the next report year, and acres to be reclaimed in the next report year.
- On the anniversary date of the Notice of Intent (NOI) approval, the operator shall submit to the Office an annual fee, as specified in Section 34-32.5-125, C.R.S.

Change in Address, Ownership, and Business Name

Pursuant to Rule 1.16 the Operator shall promptly notify the office of any change in mailing address, transfer of land ownership, and official business name associated with the Performance and Financial Warranty. Where an Operator files a petition of bankruptcy, the Operator shall immediately notify the Office via certified mail of such filing.

Post-Reclamation Inspection and Release of Warranties

Each Phase will be reclaimed pursuant to the Rules. Pursuant to Rule 3.1.3, all reclamation shall be carried to completion by the Operator with all reasonable diligence, and each phase or reclamation shall be completed within five (5) years from the date the Operator informs the Board of Office that such phase has commenced, or from the date the Office has evidence that mining or exploration has ceased, unless extended by the Board or Office. The 5-year period may be applied separately to each phase as it is commenced throughout the life of the mine.

Pursuant to Rule 4.17.1, the Operator or any mining operation processing a 110 Limited Impact Permit, or a 111 Special Operations Permit, or a 112 Reclamation Permit may file a written notice of completion of reclamation and request for release of reclamation responsibility with the Office whenever an Operator believes any or all requirements of the Act, the Rules and Regulations, and the approved reclamation plan have been completed with respect to any or all

of the Affected Lands. The Operator shall include in the notice of the Office the names and addresses and phone numbers of all owners of record to the affected land. The written notice requesting release shall be sent by Certified Mail and be separate from other types of communication to the Office. Such notice shall contain a signed statement by the Operator or their agent that all applicable portions of the Reclamation Plan requirements have been satisfied in accordance with the Rules and all applicable requirements under the Act.

Pursuant to Rule 4.17.2, the Office upon receipt of said notice of completion of reclamation, shall immediately provide notice to all owners of record of the affected land and to the county(s). The Office shall, within sixty (60) calendar days after receiving said notice, or as soon thereafter as weather conditions permit, inspect the lands and reclamation described in the notice to determine if the Permittee has complied with all applicable requirements. If the Office fails to conduct an inspection within the time specified in Rule 4.17.2(2) or fails to advise the Permittee of deficiencies within the time specified in Rule 4.17.2(4), then all Financial Warranties applicable to reclamation described in the notice shall be deemed released as a matter of law. Where the Office finds that a Permittee has not complied with the applicable requirements of the Act, Rules and Regulations, or the approved reclamation plan, it shall advise the Permittee of such non-compliance not more than sixty (60) calendar days after the date of the inspection. Where the Office finds that a Permittee has successfully complied with the requirements of the Act, Rules and Regulations, and the approved reclamation plan, the Office shall release all applicable performance and financial warranties. Release (pending an appeal) shall be in writing and mailed within thirty (30) calendar days to the Permittee after the date of such findings. However, an appeal to the release of the financial and performance warranties shall stay the release on the thirtieth (30) day pending a Form Board Hearing.

October 15, 2024

CERTIFIED MAIL/RETURN RECEIPT REQUESTED # 9414 8112 0620 5482 6846 56

Black Hills Energy
1301 W. 24th Street
Cheyenne, WY 82001

Re: AGPRO Project #2253-01
LTS Performance Horses, LLC Topsoil Mine

To Whom It May Concern:

This letter is to inform you that LTS Performance Horses, LLC (Applicant) is filing for a Colorado Division of Reclamation, Mining, and Safety (DRMS) Construction Material Regular (112) Operation Reclamation Permit for the removal of 10-14 inches of topsoil from irrigated farmland. Applicant's property more particularly described below.

Legal Description:

Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

You may have an interest in the pipeline crossing the Applicant's property per the 50' KN Wattenberg Transmission LLC right-of-way grant recorded on August 21, 1998, at reception no. 2634911, the Kinder Morgan Interstate Gas Transmission LLC 50' pipeline easement recorded on April 25, 2008, at reception no. 3549935, and the Kinder Morgan Interstate Gas Transmission LLC amendment to pipeline easement recorded on February 27, 2009, at reception no. 3608098. The private access road that will be used for the grading activities crosses said easement(s).

The proposed grading activities are situated outside of your easement area and the existing access road will be utilized. The access road is part of the 'Affected Land' of the mining activities. Pursuant to the DRMS regulations for 112 permits for permanent man-made structures within 200-feet of the 'Affected Land,' we are requesting a notarized letter on your letterhead stating that the mining and reclamation activities, as proposed, will not have a negative effect on your utility.

Enclosed are the right-of-way grant, pipeline easement, amendment to pipeline easement, draft Mining Maps, draft Mining Plan, and draft Reclamation Plan for reference.

If you have any questions, please feel free to contact us at (970) 535-9318, or kbruxvoort@agpros.com. We will be representing the Applicant throughout the application process.

Sincerely,

Kelsey Bruxvoort

Kelsey Bruxvoort
Land Planner

Enclosures:

1. Right-of-Way Grant
2. Pipeline Easement
3. Amendment to Pipeline Easement
4. Mining Maps
5. Mining Plan
6. Reclamation Plan

911
RIGHT-OF-WAY GRANT

2634911 08/21/1998 10:59A Weld County CO
1 of 4 R 21.00 D 0.00 JA Suki Tsukamoto

KNOW ALL MEN BY THESE PRESENTS:

CSB
MSB
That Milton E. Bartmann and Coleen S. Bartmann, husband and wife whose address is 33499 WCR 27, Greeley, CO 80631("Grantor"), for themselves, their heirs, successors, or assigns, for and in consideration of the sum of Ten Dollars And No Cents (\$10.00), the receipt and adequacy of which is hereby acknowledged, do hereby grant, convey and confirm unto KN Wattenberg Transmission LLC, 370 Van Gordon Street, Lakewood, CO 802288304 ,its successors and assigns (collectively, "Grantee"), the right-of-way and easement to survey, construct, install, inspect, maintain, renew, repair, remove, replace and operate the pipeline(s) and appurtenances thereto, for the transportation of natural gas, gasoline, oil, petroleum products, or any other substance which can be transported by pipeline, in, on, over, under, upon and through the following-described lands, located in County of WELD and State of COLORADO, to wit:

Township 6 North, Range 66 West, 6th P.M.

Section 18: That portion of the SE/4 being more particularly described as follows: Considering the South line of said SE/4 as bearing South 89 deg. 57 min. 19 sec. West and with all bearings contained hereby relative thereto: Beginning at the Southwest corner of said SE/4; thence along the West line of said SE/4 North 02 deg. 40 min 01 sec. East 2607.26 feet to a point on the North line of said SE/4; thence along said North line East 2911.67 feet to a point on the East line of said SE/4; thence along said East line South 02 deg. 33 min. 58 sec. West 1572.28 feet; thence South 02 deg. 37 min. 00 sec. West 1032.04 feet to a point on the South line of the SE/4; thence along said South line South 89 deg. 57 min. 19 sec. West 1458.18 feet, more or less, to the Point of Beginning.

See Exhibit "B" attached hereto and made a part hereof for additional provisions.

See Exhibit "A" attached hereto and made a part hereof for a more particular description of the right-of-way and easement granted hereby. The Grantor and Grantee agree that the width of said right-of-way grant during the construction of the pipeline(s) shall be seventy-five feet (75'), and subsequent to the construction of the pipeline(s) shall be a width of fifty feet (50').

TO HAVE AND TO HOLD said right-of-way and easement unto Grantee so long as such pipeline(s) and appurtenances, or any part thereof, shall be maintained, together with the right of ingress to and egress from said lands for the purposes herein stated at will of Grantee. Grantor retains the right to use and enjoy said lands, subject only to the right of Grantee to use the same for the purposes herein expressed. CSB MSB

Grantee agrees to lay all pipe hereunder at a sufficient depth to avoid interfering with cultivation of the soil, and to pay Grantor for damages to growing crops, fences or other improvements which may arise from the operations of Grantee. Any such damage, if not mutually agreed upon, shall be ascertained and determined by three disinterested persons, one appointed by Grantor, one by Grantee and the third chosen by the two so appointed. The written award of a majority of such three persons shall be final and conclusive upon the parties hereto.

It is agreed by Grantor that any payment of consideration due under the terms hereof may be made jointly to Grantor and any mortgagees of record at the time such payment becomes due.

IN WITNESS WHEREOF Grantor has hereunto set its hand this 9 th day of April, 1998.

Witness

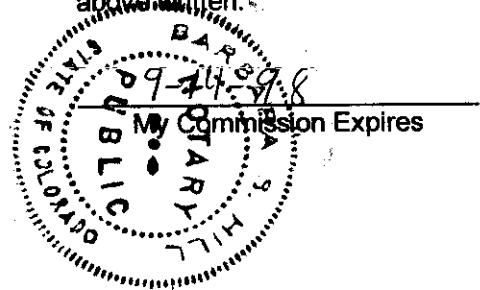

Milton E. Bartmann


Coleen S. Bartmann

STATE OF COLORADO)
) ss
COUNTY OF WELD)

On this 9th day April, 1998, before me, a notary public, in and for said county and state, personally appeared Milton E. Bartmann and Coleen S. Bartmann, husband and wife, who are personally known to me and known to me to be the same person(s) whose executed the foregoing instrument and such person(s) duly acknowledged the execution of the same and acknowledged said instrument to be (his) (their) voluntary act and deed.

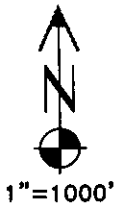
IN WITNESS WHEREOF I have hereunto set my hand and affixed my notarial seal the day and year last above written.



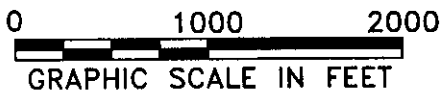
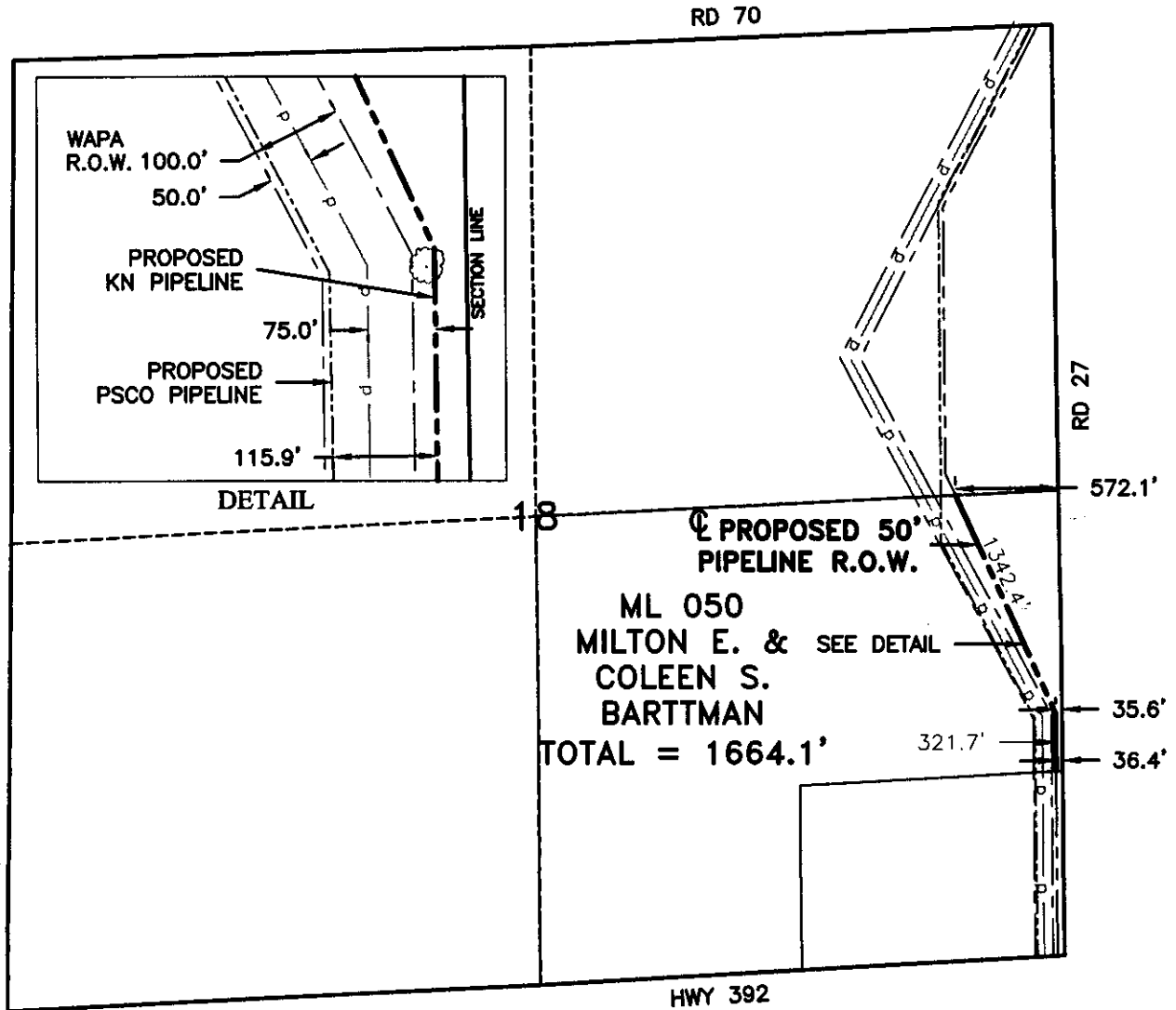
Barbara S. Hill
Notary Public
Barbara S. Hill
P.O. Box 298, Windsor, CO 80550

EXHIBIT "A"

PROPOSED PIPELINE RIGHT OF WAY



2634911 08/21/1998 10:59A Weld County CO
3 of 4 R 21.00 D 0.00 JA Suki Tsukamoto



GEO SURV

LAND SURVEYING AND MAPPING

520 STACY COURT, SUITE "B"

LAFAYETTE, CO. 80026

Ph 303 666 0379 Fx 303 665 6320

PROPOSED PIPELINE RIGHT OF WAY

PREPARED FOR

KN KN WATTENBERG TRANSMISSION LLC

FRONT RUNNER

SE 1/4 SECTION 18 T6N R66W 6th PM

WELD COUNTY, STATE OF COLORADO

Date of Survey	
Control File	97167
Job Number	97167

Drawing File: geosurv\weld\chgs\FRONT RUNNER\EXHIBIT\A\050.dwg (Joe)



2634911 08/21/1998 10:59A Weld County CO
4 of 4 R 21.00 D 0.00 JA Suki Tsukamoto

Exhibit B

Attached to and made a part of that certain Right-of-Way Grant dated April 9, 1998, by and between Milton E. Bartmann and Coleen S. Bartmann, husband and wife, as Grantor and KN Wattenberg Transmission LLC, as Grantee.

1. It is agreed that the pipeline ditch will be waterpacked during construction restoration and that the ground will be ripped after the surface has been re-contoured. In addition, it is understood that the soils on these lands are sandy and may erode and settle. In the event there is erosion or settling within the right-of-way, KN agrees to provide topsoil, if required, and restore the surface to its original condition.
2. It is understood and agreed that compensation for the current year's alfalfa crop is not included in the surface damage and crop loss payment that is being made at this time. If construction takes place during the current year's growing season KN agrees to pay crop loss at the current value of delivered hay containing the same nutrient test value as Grantor's other hay on these lands. It is further agreed that KN will calculate the crop loss on a 6 acre area, which includes the 75 foot construction easement area and lands adjacent to the easement area.
3. In the event a pipeline is not installed within the easement within 18 months of FERC approval or denial the Right-of-Way Grant will be null and void and the easement will revert back to the surface owners. It is further agreed that FERC approval must be received and construction of the pipeline completed within a three year period from date of execution to maintain the Right-of-Way Grant in full force and effect.
4. It is agreed that this easement may not be assigned to any other party until construction has been completed and the surface restored to the original condition without the prior written consent of the Grantors.
5. It is agreed that there will be no above ground appurtenances without the prior written consent of the Grantor.

Signed for identification:


Milton E. Bartmann


Coleen S. Bartmann



3549935 04/25/2008 03:41P Weld County, CO
1 of 6 R 31.00 D 0.00 Steve Moreno Clerk & Recorder

935

PIPELINE EASEMENT

Kinder Morgan Interstate Gas Transmission LLC

KNOW ALL MEN BY THESE PRESENTS:

Vaughn Cook, a married man and Harmony Farm, LLC, a Colorado limited liability company, whose address is 5412 East County Road 32E Fort Collins, Colorado 80528 ("Grantor"), for themselves, their heirs, successors and assigns, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and adequacy of which is hereby acknowledged, do(es) hereby grant, convey and confirm unto **Kinder Morgan Interstate Gas Transmission LLC, a Colorado limited liability company**, whose address is P.O. Box 281304, Lakewood, CO 80228-8304, its successors and assigns ("Grantee"), a permanent, temporary, and additional work space easement, as described and depicted on Exhibit A attached hereto and made a part hereof (collectively referred to as the "Easements") to survey, construct, reconstruct, maintain, operate, inspect, renew, repair, remove, replace, change the size of, upgrade, and remove a natural gas pipeline and all related above and below ground appurtenances including cathodic protection (collectively the "Pipeline"), in, on, over, under, across, upon and through the following described property situated in the County of Weld, State of Colorado, to wit

Lots A and B of Amended RE-0805-18-4-AMRE 2877 being part of SE/4 Section 18: T6N66W

More fully described in that certain document recorded December 9, 2005, in Weld County as Reception number, 3349839

See Attached EXHIBIT "A" EASEMENT PLAT

The Grantor reserves the right to cultivate, use and occupy said property for any purpose consistent with the rights and privileges herein granted and, in the sole opinion of the Grantee, which will not interfere with or endanger any of the Pipeline facilities therein or use thereof by the Grantee, its agents or contractors. Such reservation by the Grantor shall in no event include the right to construct any buildings or structures, to impound any water, or to plant any trees or shrubs upon the permanent easement. The Grantee, at all times, shall have the perpetual right of ingress and egress over the permanent easement and from all roads and/or trails on the Grantor's property or by other routes mutually agreeable to the parties in order that the Grantee may access its Easements.

The permanent easement shall be in perpetuity. The temporary easement and additional work space easement shall expire upon completion of the initial pipeline construction and restoration of the Easements.

The above sum is acknowledged by the undersigned as full consideration for the Easements and also for damages to both land and growing crops occasioned by the initial installation of facilities. Grantee shall pay Grantor for actual physical damages to land and growing crops occasioned by any future installations, construction,



3549935 04/25/2008 03:41P Weld County, CO
2 of 6 R 31.00 D 0.00 Steve Moreno Clerk & Recorder

reconstruction, maintenance, operation, inspection, replacement, repair, change in size, upgrade or removal of the Pipeline in the permanent easement. Grantor agrees to execute such other documents as may be reasonably necessary or desirable to give full effect to the intent of the parties hereto and to refrain from any action that is inconsistent with those rights being conveyed herein.

Grantee shall restore the surface of the Easements, as nearly as practicable and permissible, to its prior condition and contour following any disturbance occasioned by construction or use of the Easements by the Grantee, its contractors, or agents.

After the completion and installation of the Pipeline Grantee shall clearly mark the location of its Pipeline with permanent above ground markers in accordance with Federal Department of Transportation regulations.

By entering into this Pipeline Easement, Grantor(s) warrants that he/she/it is the sole fee owner(s) of the property herein described and that he/she/it has the authority to convey said rights and interests to the Grantee. Grantor further agrees to defend, indemnify, and hold harmless the Grantee, its successors and assigns from any and all claims disputing Grantor's legal right to convey this Pipeline Easement to the Grantee as well as all claims for payment or restitution for damages made by a third party. Grantor agrees to reimburse Grantee for its costs, including attorney's fees, in asserting or defending all claims made which disputes the Grantor's legal right to convey its interest pursuant to this Pipeline Easement.

Grantors agree to accept the aforementioned consideration on behalf of themselves and their Tenant, if any, and to take full responsibility for compensating Grantors' Tenant for any damage or loss that is owed to the Tenant as a result of this conveyance and the Grantee's use of the Easements. By agreeing to accept Grantee's consideration, Grantors agree to indemnify and hold harmless the Grantee, its officers, agents, and employees, from any claim asserted by the Grantors' Tenant, Tenant's successor in interest, or Tenant's heirs, for compensation, restitution, crop loss, consideration, or damage of any kind that the Tenant, if any, may be lawfully entitled to as a result of the Grantee's property acquisition and construction activity within the Easements.

This Pipeline Easement may be assigned in whole or in part by either party.

This Pipeline Easement may be signed in counterparts and all such counterparts shall be deemed as originals and binding upon each party executing any counterpart and upon their respective heirs, personal representatives, successors and assigns.

This Pipeline Easement shall be interpreted and enforced in the state where the property described herein is located. If the Pipeline Easement covers property located in more than one county, venue shall be in the county where the majority of the property geographically exists.

To Have And To Hold the said Pipeline Easement unto the said Grantee, their successors and assigns, so long as the same shall be used or useful for the purposes of the Grantee or its assignee.

IN WITNESS WHEREOF, Grantor has hereunto set his hand this 5th day of Sept 2007.

GRANTORS:

BY: Vaughn Cook
Vaughn Cook

Harmony Farm LLC

BY: Jill S. Cook
Jill S. Cook, Managing Partner

STATE OF COLORADO)
COUNTY OF WELD) ss.

The foregoing instrument was acknowledged before me this 5th day of Sept 2007, by Vaughn Cook.

Witness my hand and official seal.
NOTARY PUBLIC
My commission expires 10/03/2010

Barbara S. Hill
Notary Public

STATE OF COLORADO)
COUNTY OF WELD) ss.

The foregoing instrument was acknowledged before me this 5th day of Sept 2007, by Jill S. Cook as Managing Partner of Harmony Farms, LLC, a Colorado Limited Liability Company.

Witness my hand and official seal.

My commission expires: _____

BARBARA S. HILL
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 10/03/2010

Barbara S. Hill
Notary Public
Barbara S. Hill
8952 Gander Valley Ln.
Windsor, Co 80950



3549935 04/25/2008 03:41P Weld County, CO
4 of 6 R 31.00 D 0.00 Steve Moreno Clerk & Recorder

EXHIBIT "A-1"

VAUGHN COOK & HARMONY FARM, LLC.
50 FOOT WIDE PERMANENT EASEMENT AND RIGHT OF WAY
SECTION 18, T6N, R66W of the 6TH P.M.
WELD COUNTY, COLORADO

DESCRIPTION OF A 50 FOOT WIDE PERMANENT EASEMENT AND RIGHT OF WAY, SITUATED IN THE NORTHEAST QUARTER SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 6 NORTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO AND BEING A PORTION OF THOSE CERTAIN TRACTS OF LAND DESCRIBED IN AND CONVEYED TO VAUGHN COOK & HARMONY FARM, LLC., BY INSTRUMENT RECORDED UNDER RECEPTION No. 3349839 OF THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER, WELD COUNTY, COLORADO, SAID 50 FOOT WIDE PERMANENT EASEMENT AND RIGHT OF WAY BEING SITUATED 25 FEET ON EACH SIDE OF THE HEREINAFTER DESCRIBED CENTERLINE, HAVING THE SIDE LINES EXTENDED OR SHORTENED AS NEEDED TO INTERSECT WITH THE SAID SECTION LINES AND SAID NORTH AND SOUTH LINES OF THE TRACT OF LAND DESCRIBED IN RECEPTION No. 3349839, WELD COUNTY RECORDS, SAID CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: WITH ALL BEARINGS HEREIN BEING BASED UPON THE COLORADO NORTH ZONE, NAD83 GRID NORTH AS DERIVED BY GLOBAL POSITIONING SYSTEM (GPS) SURVEY AND TIED TO THIS DESCRIPTION THROUGH THE BEARING OF SOUTH 00°40' EAST BETWEEN THE FOUND MONUMENT AT THE EAST QUARTER OF SAID SECTION 18 AND THE FOUND MONUMENT AT THE SOUTHEAST CORNER OF SAID SECTION 18;

50 FOOT WIDE PERMANENT EASEMENT AND RIGHT OF WAY

BEGINNING at a point on the north line of the Tract of land described in Reception No. 3172843 recorded in Weld County Clerk and Records Office, from which the East Quarter Corner of said Section 18 bears North 88°02' East, a distance of 552.7 feet more or less;

THENCE South 15°29' East, a distance of 56.7 feet;

THENCE South 23°38' East, a distance of 1176.4 feet;

THENCE South 56°31' West, a distance of 161.6 feet;

THENCE South 27°35' East, a distance of 55.5 feet;

THENCE South 01°07' East, a distance of 22.1 feet, to the **POINT OF TERMINUS**, on a Southerly line of the Northeast Quarter Southeast Quarter of said Section 18, from which the South Sixteenth Corner (a found MONUMENT), bears North 87°06' East, a distance of 189.6 feet more or less.

Said centerline having a length of 1472.3 feet or 89.2 rods and containing 1.690 acres more or less.

TEMPORARY EASEMENT

A strip of land being 25 feet in width, adjoined to and parallel with the easterly and southerly line of the above described 50 foot PERMANENT EASEMENT AND RIGHT OF WAY, extending and shortening the sidelines therefore to intersect with the said section line and the north and south lines of the tract described in Reception No. 3172843 of the Weld County Records;

Said strip being approximately 1469.1 feet or 89.0 rods in length and containing 0.844 acres more or less.

TEMPORARY USE AREA

A tract of land containing 0.115 acres as shown on Exhibit "A-3".

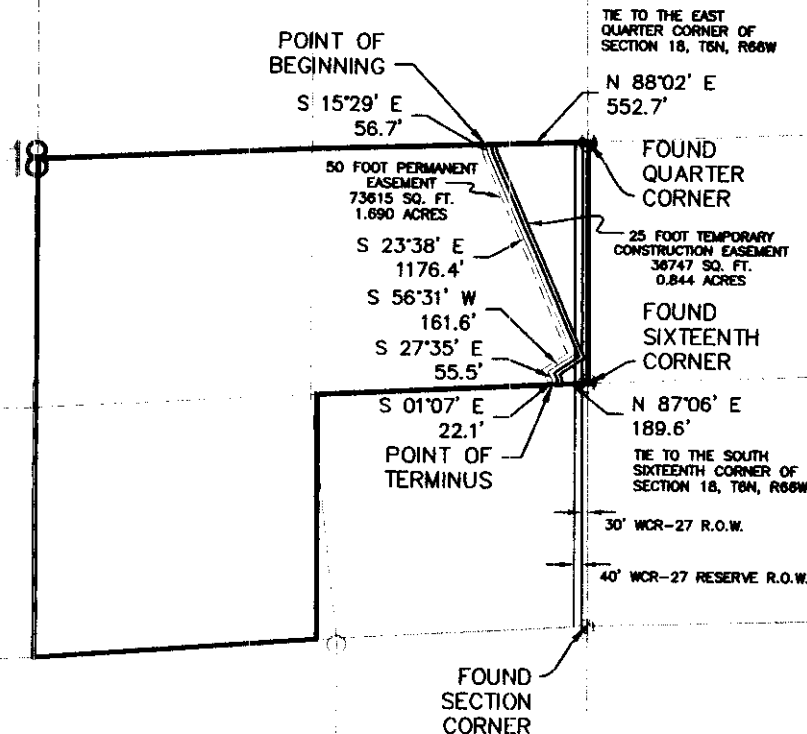
FOR AND ON THE BEHALF OF
KINDER MORGAN INTERSTATE GAS TRANSMISSION LLC

CALVIN HEINLY, PLS
COLORADO LS # 23501

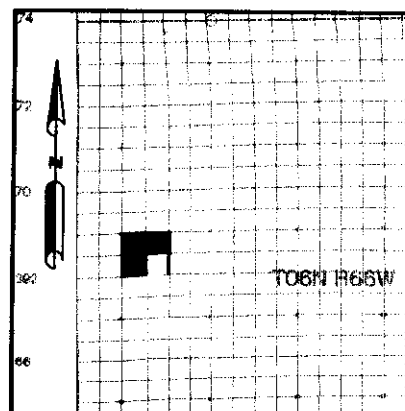


3549935 04/25/2008 03:41P Weld County, CO
5 of 6 R 31.00 D 0.00 Steve Moreno Clerk & Recorder

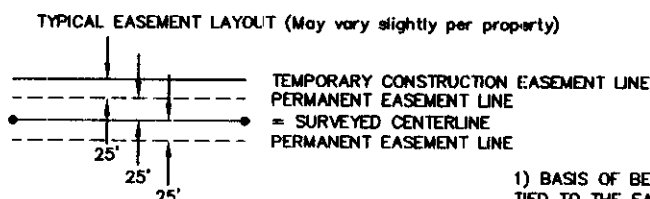
EXHIBIT "A-2"
50 FOOT PERMANENT EASEMENT
VAUGHN COOK AND HARMONY FARM, LLC.
SECTION 18, T6N, R66W, 6th PRINCIPAL MERIDIAN
BEING 1472.3 FEET OR 89.2 RODS IN LENGTH, CONTAINING 1.690 ACRES MORE OR LESS



TRACT ML-96
VAUGHN COOK &
HARMONY FARM, LLC.
PART OF SOUTHEAST 1/4
SECTION 18, T6N, R66W
6th PRINCIPAL MERIDIAN
WELD COUNTY, COLORADO



VICINITY MAP
NOT TO SCALE



LEGEND:

- ⊗ = FOUND MONUMENT
- = PROJECTED CORNER LOCATION
- = PROPOSED TEMPORARY WORKSPACE

- 1) BASIS OF BEARING: COLORADO NORTH ZONE (NAD83) GRID NORTH TIED TO THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 18, T6N R66W USING GPS METHODS. SAID EAST LINE HAVING A BEARING OF S00°40'E BETWEEN A FOUND MONUMENT AT THE EAST 1/4 CORNER AND A FOUND MONUMENT AT THE SOUTHEAST CORNER.
- 2) DATE FIELD SURVEY: 4/2007
- 3) THIS DRAWING IS FOR INFORMATIONAL PURPOSES ONLY AND IS TO DEPICT THE LEGAL DESCRIPTION SHOWN HEREON AND IS NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY.

SCALE 1"=1000'
0 500' 1000 FEET
COLORADO NORTH ZONE
US SURVEY FEET
NAD 83

PREPARED BY:



Alliance Engineering
A Wood Group Company

KINDER MORGAN

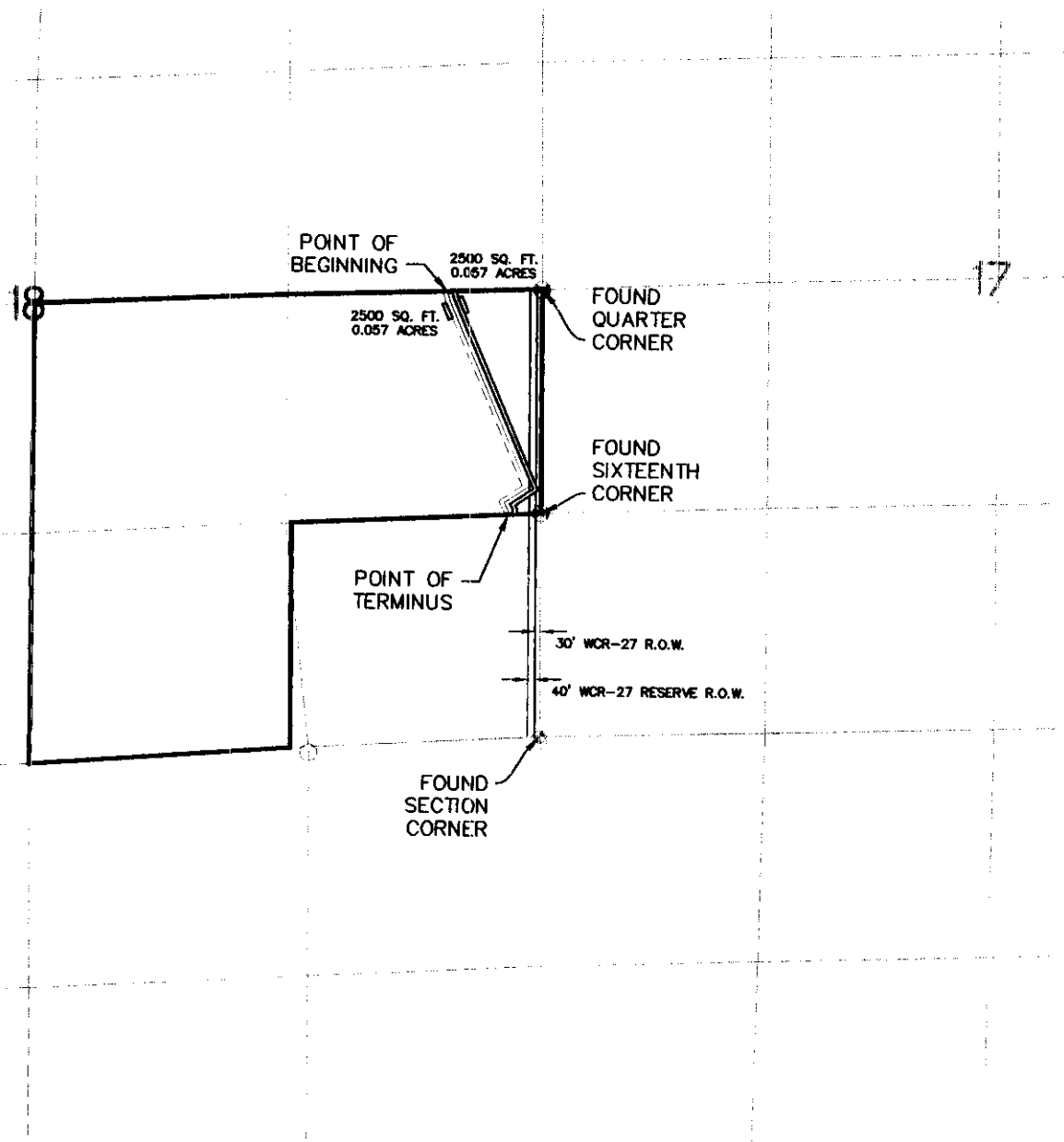
SCALE 1"=1000'	DATE 06/19/07	REV. B
W.O. # XXXXX	DRAWN J. KIRKPATRICK	CHK. DR. C. HEINLY
CON. JOB # 10700400	PROJECT ENGR. B. PELEPCHAN	PROJECT MGR. J. TRUJILLO

COLORADO LATERAL
VAUGHN COOK & HARMONY FARM, LLC.
SEC. 18, T6N, R66W, 6th P.M.
WELD COUNTY, COLORADO
SHEET 1 OF 1

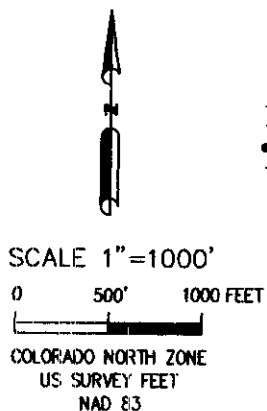
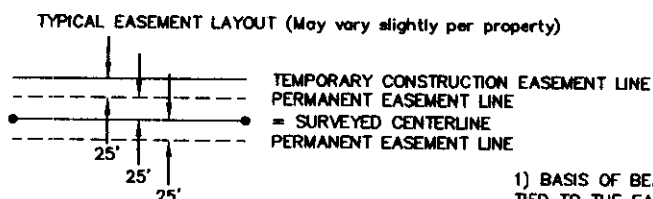
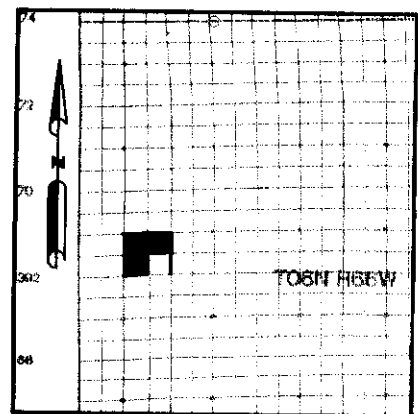
FILE NO. **651-P-095**

3549935 04/25/2008 03:41P Weld County, CO
6 of 6 R 31.00 D 0.00 Steve Moreno Clerk & Recorder

EXHIBIT "A-3"
TEMPORARY USE AREA
VAUGHN COOK AND HARMONY FARM, LLC.
SECTION 18, T6N, R66W, 6th PRINCIPAL MERIDIAN
CONTAINING 0.115 ACRES MORE OR LESS



TRACT ML-96
VAUGHN COOK &
HARMONY FARM, LLC.
PART OF SOUTHEAST 1/4
SECTION 18, T6N, R66W
6th PRINCIPAL MERIDIAN
WELD COUNTY, COLORADO



LEGEND:

- ⊗ = FOUND MONUMENT
- = PROJECTED CORNER LOCATION
- = PROPOSED TEMPORARY WORKSPACE

- 1) BASIS OF BEARING: COLORADO NORTH ZONE (NAD83) GRID NORTH TIED TO THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 18, T6N R66W USING GPS METHODS. SAID EAST LINE HAVING A BEARING OF S00°40'E BETWEEN A FOUND MONUMENT AT THE EAST 1/4 CORNER AND A FOUND MONUMENT AT THE SOUTHEAST CORNER.
- 2) DATE FIELD SURVEY: 4/2007
- 3) THIS DRAWING IS FOR INFORMATIONAL PURPOSES ONLY AND IS TO DEPICT THE LEGAL DESCRIPTION SHOWN HEREON AND IS NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY.

PREPARED BY:



Alliance Engineering
A Wood Group Company

KINDER MORGAN

SCALE 1"=1000'	DATE 06/19/07	REV. B
W.O. # XXXXX	DRAWN J. KIRKPATRICK	CHK. DR. C. HEINLY
CON. JOB # 10700400	PROJECT ENGR. B. PELEPCHAN	PROJECT MGR. J. TRUJILLO

COLORADO LATERAL
VAUGHN COOK & HARMONY FARM, LLC.
SEC. 18, T6N, R66W, 6th P.M.
WELD COUNTY, COLORADO
SHEET 1 OF 1

FILE NO. **651-P-095**

3608098 02/27/2009 04:06P Weld County, CO
1 of 3 R 16.00 D 0.00 Steve Moreno Clerk & Recorder

Amendment to Pipeline Easement

WHEREAS, Vaughn Cook, a married man dealing in his sole and separate property and Harmony Farm, LLC, a Colorado limited liability company hereinafter referred to as "Grantor" granted and conveyed to Kinder Morgan Interstate Gas Transmission LLC, a Colorado limited liability company, whose address is 370 Van Gordon, P. O. Box 281304, Lakewood, Colorado 80228 - 8304, hereinafter referred to as "Grantee", that certain Pipeline Easement dated September 5, 2007 and recorded at Reception Number 3549935 in the records of Weld County, State of Colorado and covering certain lands in Section 18, Township 6 North, Range 66 West, Weld County, Colorado and

WHEREAS, the above referenced Grantor and Grantee desire to amend the Pipeline Easement, and

WHEREAS, the above referenced Grantor and Grantee desire to revise and change the location of the easement located on a portion of the lands, as more particularly described on the attached Exhibit "A-1" and "A-2".

Now, Therefore, for and in consideration of the sum of Ten Dollars (\$10.00) and more, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned hereby agree to modify and amend the above referenced Pipeline Easement as follows:

The attached Exhibits "A-1" and "A-2" are hereby incorporated into and made a part of the above referenced Pipeline Easement dated September 5, 2007. To the extent, if any, that the attached exhibits conflict with the exhibits to the original Pipeline Easement, the attached Exhibits "A-1" and "A-2" shall take precedence.

Except as specifically herein modified and amended, all terms, provisions and conditions of the Pipeline Easement are and shall remain in full force and effect. This Amendment to Pipeline Easement shall be binding upon the Grantor's and Grantee's respective heirs, successors and assigns.

This Amendment to Pipeline Easement is executed as of February 26th, 2009, but effective for all purposes as of September 5, 2007, as if originally contained in and a part of the Pipeline Easement.

Grantors:

Vaughn Cook
Vaughn Cook

Harmony Farm, LLC

BY: Jill S. Cook
Jill S. Cook, Managing Partner

STATE OF COLORADO)
) ss
COUNTY OF WELD)

The foregoing instrument was acknowledged before me this 26th day of February, 2009, by Vaughn Cook, a married man dealing in his sole and separate property.

Witness my hand and official seal.

My commission expires: 10/03/2010
BARBARA S. HILL
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 10/03/2010

Barbara S. Hill
Barbara S. Hill Notary Public
8952 Gander Valley Ln.
Windsor, CO 80550

STATE OF COLORADO)
) ss
COUNTY OF WELD)

The foregoing instrument was acknowledged before me this 26th day of February, 2009, by Jill S. Cook as Managing Partner of Harmony Farm, LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 10/03/2010
BARBARA S. HILL
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 10/03/2010

Barbara S. Hill
Barbara S. Hill Notary Public

EXHIBIT "A-1"

VAUGHN COOK & HARMONY FARM, LLC.
50 FOOT WIDE PERMANENT EASEMENT AND RIGHT OF WAY
SECTION 18, T6N, R66W of the 6TH P.M.
WELD COUNTY, COLORADO

DESCRIPTION OF A 50 FOOT WIDE PERMANENT EASEMENT AND RIGHT OF WAY, SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 6 NORTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO AND BEING A PORTION OF THOSE CERTAIN TRACTS OF LAND DESCRIBED IN AND CONVEYED TO VAUGHN COOK & HARMONY FARM, LLC., BY INSTRUMENT RECORDED UNDER RECEPTION No. 3172843 OF THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER, WELD COUNTY, COLORADO, SAID 50 FOOT WIDE PERMANENT EASEMENT AND RIGHT OF WAY BEING SITUATED 25 FEET ON EACH SIDE OF THE HEREINAFTER DESCRIBED CENTERLINE, HAVING THE SIDE LINES EXTENDED OR SHORTENED AS NEEDED TO INTERSECT WITH THE SAID SECTION LINES AND SAID NORTH AND SOUTH LINES OF THE TRACT OF LAND DESCRIBED IN RECEPTION No. 3172843, WELD COUNTY RECORDS, SAID CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: WITH ALL BEARINGS HEREIN BEING BASED UPON THE COLORADO NORTH ZONE, NAD83 GRID NORTH AS DERIVED BY GLOBAL POSITIONING SYSTEM (GPS) SURVEY AND TIED TO THIS DESCRIPTION THROUGH THE BEARING OF SOUTH 00°40' EAST BETWEEN THE FOUND MONUMENT AT THE EAST QUARTER OF SAID SECTION 18 AND THE FOUND MONUMENT AT THE SOUTHEAST CORNER OF SAID SECTION 18;

50 FOOT WIDE PERMANENT EASEMENT AND RIGHT OF WAY

BEGINNING at a point on the north line of the Tract of land described in Reception No. 3172843 recorded in Weld County Clerk and Records Office, from which the East Quarter Corner of said Section 18 bears North 86°48' East, a distance of 549.9 feet more or less;

THENCE South 15°29' East, a distance of 44.7 feet;

THENCE South 23°38' East, a distance of 1176.3 feet;

THENCE South 56°31' West, a distance of 161.6 feet;

THENCE South 27°35' East, a distance of 55.5 feet;

THENCE South 01°07' East, a distance of 294.1 feet, to the **POINT OF TERMINUS**, on a Southerly line of the Northeast Quarter Southeast Quarter of said Section 18, from which the South Sixteenth Corner (a found MONUMENT), bears North 33°10' East, a distance of 336.3 feet more or less.

Said centerline having a length of 1732.3 feet or 104.9 rods and containing 1.988 acres more or less.

TEMPORARY EASEMENT

A strip of land being 25 feet in width, adjoined to and parallel with the easterly and southerly line of the above described 50 foot PERMANENT EASEMENT AND RIGHT OF WAY, extending and shortening the sidelines therefore to intersect with the said section line and the north and south lines of the tract described in Reception No. 3172843 of the Weld County Records;

Said strip being approximately 1695.3 feet or 102.7 rods in length and containing 0.973 acres more or less.

FOR AND ON THE BEHALF OF
KINDER MORGAN INTERSTATE GAS TRANSMISSION LLC

CALVIN HEINLY, PLS
COLORADO LS # 23501

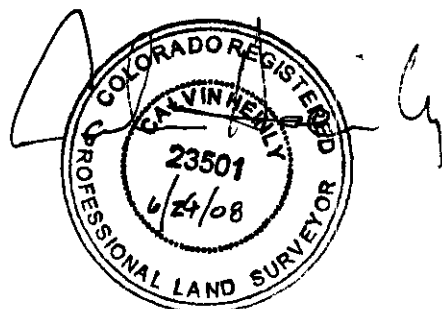
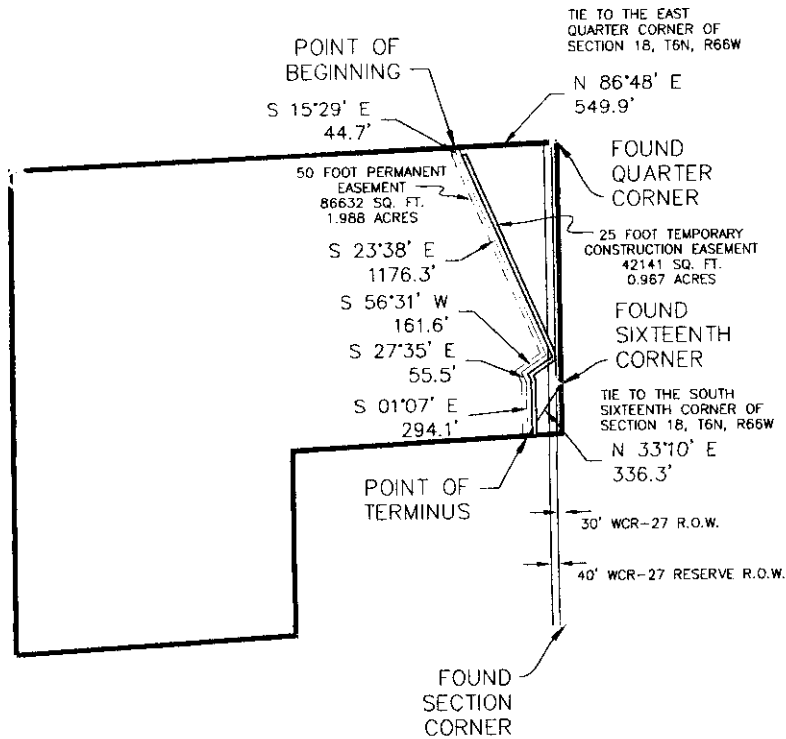
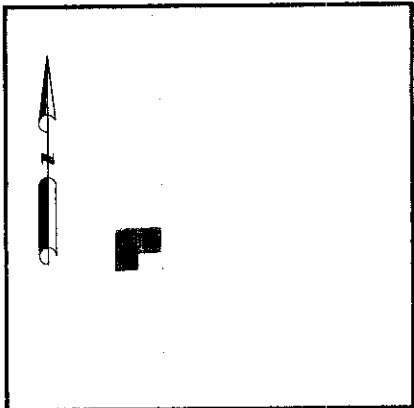


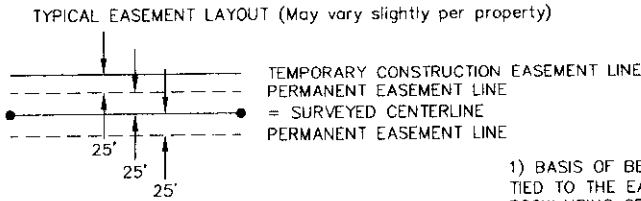
EXHIBIT "A-2"
50 FOOT PERMANENT EASEMENT
VAUGHN COOK AND HARMONY FARM, LLC.
SECTION 18, T6N, R66W, 6th PRINCIPAL MERIDIAN
BEING 1732.3 FEET OR 104.9 RODS IN LENGTH, CONTAINING 1.988 ACRES MORE OR LESS



TRACT ML-96
VAUGHN COOK &
HARMONY FARM, LLC.
PART OF SOUTHEAST 1/4
SECTION 18, T6N, R66W
6th PRINCIPAL MERIDIAN
WELD COUNTY, COLORADO



VICINITY MAP
NOT TO SCALE



SCALE 1"=1000'
0 500' 1000 FEET
COLORADO NORTH ZONE
US SURVEY FEET
NAD 83

LEGEND:
⊗ = FOUND MONUMENT
○ = PROJECTED CORNER LOCATION
□ = PROPOSED TEMPORARY WORKSPACE

- 1) BASIS OF BEARING: COLORADO NORTH ZONE (NAD83) GRID NORTH TIED TO THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 18, T6N R66W USING GPS METHODS. SAID EAST LINE HAVING A BEARING OF S00°40'E BETWEEN A FOUND MONUMENT AT THE EAST 1/4 CORNER AND A FOUND MONUMENT AT THE SOUTHEAST CORNER.
- 2) DATE FIELD SURVEY: 4/2007
- 3) THIS DRAWING IS FOR INFORMATIONAL PURPOSES ONLY AND IS TO DEPICT THE LEGAL DESCRIPTION SHOWN HEREON AND IS NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY.

PREPARED BY:

Alliance Engineering
A Wood Group Company

KINDER MORGAN		
SCALE 1"=1000'	DATE 06/19/07	REV. C
W.O. # XXXXX	DRAWN J. KIRKPATRICK	CHK. DR. C. HEINLY
CON. JOB # 10700400	PROJECT ENGR. B. PELEPCHAN	PROJECT MGR. J. TRUJILLO

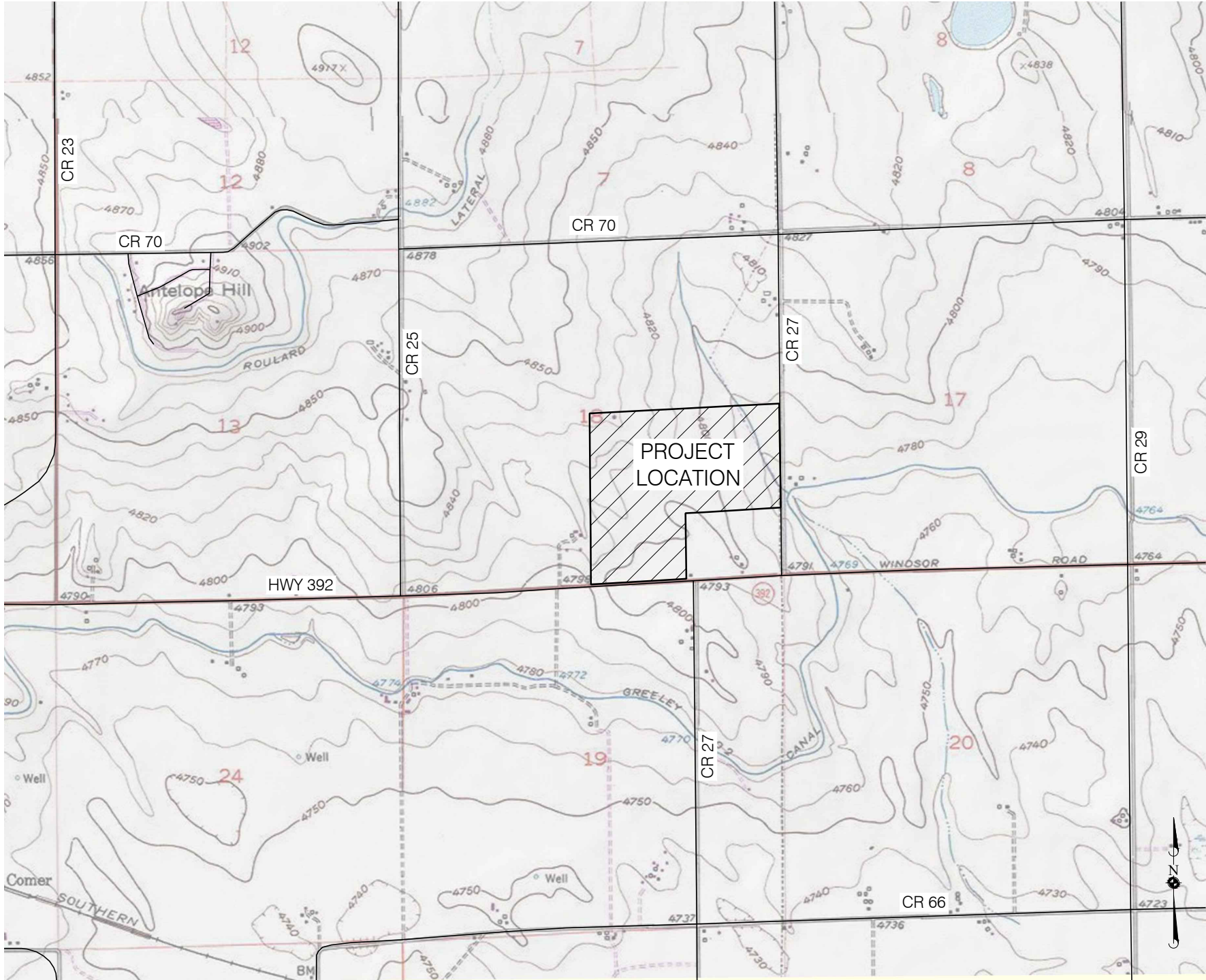
COLORADO LATERAL
VAUGHN COOK & HARMONY FARM, LLC.
SEC. 18, T6N, R66W, 6th P.M.
WELD COUNTY, COLORADO
SHEET 1 OF 1

FILE NO. **651-P-095**

Exhibit B

Index Map

See attached map.




 AGPROfessionals DEVELOPERS OF AGRICULTURE 3050 67th Avenue, Suite 200, Greeley, CO 80634 (970) 535-9318 - fax: (970) 535-9854	213 Canyon Crest Dr, Suite 100, Twin Falls, ID 83301 (208) 595-5301	LTS PERFORMANCE HORSES LLC		DATE: 9/18/24
		EXHIBIT B - INDEX MAP		SCALE: 1" = 1,000'
		WELD COUNTY, CO		

Exhibit C

Pre-Mining and Mining Plan Maps of Affected Lands

See attached maps.

EXHIBIT C - PRE-MINING & MINING PLAN MAP



LEGEND

4782

EXISTING GROUND SURFACE CONTOUR AND ELEVATION, FT

AFFECTED LAND

EXISTING PROPERTY BOUNDARY

EXISTING ADJACENT BOUNDARY

EXISTING RIGHT-OF-WAY

EXISTING WATER FEATURE

SECTION LINE

EXISTING FENCE

FO

EXISTING FIBER OPTIC

OHE

EXISTING OVERHEAD ELEC

GAS

EXISTING GAS LINE

W

EXISTING WATER LINE

UGE

EXISTING UNDERGROUND ELEC

EXISTING STORM DRAIN

EXISTING UTILITY POLE

EXISTING TRANSMISSION POLE

EXISTING GAS WELL

EXISTING WATER WELL

EXISTING TELEPHONE PED

EXISTING WATER METER

EXISTING GAS

EXISTING FO

EXISTING SIGN

EXISTING TREES

EXISTING STRUCTURE

IRRIGATED CROPLAND

NATIVE GRASS

NOTES

1. TOTAL AREA = 133.90 ACRES

2. MINING AREA = 83.41 ACRES

3. VEGETATION ON SITE IS LIMITED TO IRRIGATED CROPS, NATIVE GRASSES, AND LOW SHRUBS. THERE ARE TREES ALONG THE ACCESS ROAD.

4. MINING DEPTH OF EACH PHASE IS 10-14 INCHES OF TOPSOIL.

5. EACH PHASE OF MINING WILL BE COMPLETED WITHIN A PERIOD OF 12-18 MONTHS.

ABBREVIATIONS

OB

OUT BUILDING

RES

RESIDENCE

TP

TRANSMISSION POLE

PERMANENT STRUCTURES				
Key	Structure	Owner	Easement / ID	Location
A	Pipeline	Public Service Company, D/B/A Excel Energy	50' Public Service Company Easement, Reception No. 2599013	East of area of disturbance. Access road crosses the easement.
B	Archer-Weld Transmission Line	Transmission Division, Colorado River Storage Project, Bureau of Reclamation, Department of the Interior	100' Electric Transmission Line Easement, Reception No. 1561327	More than 200-feet east of area of disturbance. Access road crosses the easement.
C	Pipeline	Black Hills Gas Distribution, LLC, D/B/A Black Hills Energy	50' Pipeline Easement, Reception No. 2634911, KN Wattenberg Transmission, LLC	East of area of disturbance. Access road crosses the easement.
D	Pipeline	Tall Grass Interstate Gas Transmission LLC, D/B/A Tallgrass Energy	50' Pipeline Easement, Reception No. 3549935, and Amended Pipeline Easement, Reception No. 3608098, Kinder Morgan Interstate Gas Transmission LLC	East of area of disturbance. Access road crosses the easement.
E	Pipeline(s)	Chevron Corporation	30' Right-of-Way Grant, Reception No. 4162720, XTR Midstream, LLC	East of area of disturbance. Access road crosses the easement.
F	Pipeline	DCP Midstream, LP / Phillips 66	35' Pipeline Right-of-Way Grant, Reception No. 1923866, Associated Natural Gas Inc	Along CR 27. Access road crosses the easement.
G	Waterline	North Weld County Water District	Valve Site Contract, Reception No. 3013241	Along CR 27. Access road crosses the easement.
H	Pipeline	Suncor Energy (U.S.A.) Pipeline Company	ROW Contract, Reception No. 800076, Weld County LAP22-0011, Reception No. 4953067 (Blanket Easements)	South of the staging area. Location of proposed pipeline shown is per LAP22-0011 design drawings.
I	Pipeline	DCP Midstream, LP / Phillips 66	30' Pipeline Easement, Reception No. 4296169, DCP Lucerne 2 Plant LLC	South and east of the area of disturbance
J	Waterline	North Weld County Water District	20' Waterline Easement, Reception No. 1450757	Runs through pivot irrigated area
K	Irrigation Pond	LTS Performance Horses LLC	N/A	Northwest of pivot irrigated area
L	Pivot Concrete Pad	LTS Performance Horses LLC	N/A	South and east of the area of disturbance
M	P&A O&G Well	Chevron Corporation	API Label: 05-123-11130 Well Name: 33-18 Carlson	In pivot irrigated area
N	P&A O&G Well	Chevron Corporation	API Label: 05-123-22792 Well Name: 18-41 Carlson	In pivot irrigated area
O	P&A O&G Well	Chevron Corporation	API Label: 05-123-22793 Well Name: 18-43 Carlson	In pivot irrigated area
P	Overhead Electric Distribution Line	PVREA	N/A	West of the area of disturbance
Q	Overhead Electric Distribution Line	PVREA	N/A	Along CR 27

Map Unit Legend

32

32

Kim loam, 1 to 3 percent slopes

33

33

Kim loam, 3 to 5 percent slopes

37

37

Nelson fine sandy loam, 0 to 3 percent slopes

38

38

Nelson fine sandy loam, 3 to 9 percent slopes

LTS PERFORMANCE HORSES LLC EXHIBIT C - PRE-MINING & MINING PLAN MAP

AGPROfessionals
DEVELOPERS OF AGRICULTURE

3050 67th Avenue, Suite 200,
Greeley, CO 80634
(970) 535-9318 • fax: (970) 535-9854

811
CALL 811
(.COM)

DATE: September 19, 2024
DRAWN BY: AGPRO
ISSUE / REVISION:
A
ISSUED FOR REVIEW
08/2024

Exhibit F

Reclamation Plan Map

See attached map.



Buffalo Grass (Texoka, Sharps Improved)	1.5 lbs pls/acre
Little Bluestem (Blaze, Cimarron, Camper)	1.5 lbs pls/acre
Sideoats Grama (Vaughn, Butte, Niner, El Reno, Haskell)	2 lbs pls/acre
Blue Grama (Hachital, Lovington)	3.5 lbs pls/acre
Western wheatgrass (Arriba, Barton, Rosana)	3 lbs pls/acre
Switchgrass (Nebraska 28, Blackwell)	1.5 lbs pls/acre
Perennial Ryegrass (Calibra or Garibaldi tetraploid)	0.75 lbs pls/acre
Sand dropseed	0.25 lbs pls/acre
Total: 14.00 pounds pls/acre	

MP-2

Mining Plan

Introduction

LTS Performance Horses LLC (LTS) is requesting this Construction Material Regular (112) Operation Reclamation Permit for the removal of 10-14 inches of topsoil from irrigated farmland. The property is described as Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

The approximately 132-acre site contains approximately 105-acres of active agricultural land under a center pivot irrigation system and 27-acres of “dry corners” outside of the center pivot irrigation range. LTS proposes to mine topsoil from approximately 78-acres. Topsoil will be taken off-site for use on various oil and gas sites throughout Weld County. Reclamation of the site will consist of re-grading to support an appropriate seedbed for revegetation. Following mining activities, the disturbed area will be regraded, tilled, and re-planted and will continue to be leased for growing corn.

LTS is proposing to mine the upper 50-80 percent of topsoil from the irrigated portion of the site. Approximately 10-14 inches of topsoil will be removed, leaving at least 3-6 inches on site for reclamation purposes. The goal is to remove approximately 157,480 tons of topsoil over the course of two years.

Mining Methods and Earthmoving

A variety of earthmoving equipment will be used, including loaders, dozers, scrapers, and haul trucks. Water trucks will be used as necessary for dust control. Mined topsoil will be temporarily stockpiled in the northeast corner along the existing access road and Weld County Road 27. The topsoil will be loaded onto haul trucks for transport to the end user. No explosives will be used for extraction operations.

Water Diversions and Impoundments

The topsoil will be dry mined and will not result in the need for dewatering. The operation will not require any water diversions or impoundments.

Mining Limits

Topsoil excavation will occur within the boundary of Lot B 2AMRECX19-01-2877. The mining limits are shown on Exhibit C - Pre-Mining and Mining Plan Maps of Affected Lands and are generally described as that portion of the site irrigated by the center pivot. Within that irrigated area the mining limits are further restricted by setbacks from property lines and existing structures and easements. The mined area will encompass approximately 78-acres of the 132-acre site.

Mine Phasing

Topsoil excavation will occur in two phases, as depicted on Exhibit C - Pre-Mining and Mining Plan Maps of Affected Lands. Phase 1 will be the northeastern half of the site and Phase 2 will be the southwestern half of the site. Phase 1 is expected to be mined in year one and reclaimed concurrently. Phase 2 is expected to be mined in years one and two and reclaimed concurrently. Final reclamation is expected to be completed within one to two years from the end of excavation for each phase, but not more than five years from the date each phase has commenced.

Commodities and Intended Use

Topsoil will be the only product mined. No secondary commodities or incidental products are anticipated. The topsoil will be taken off-site for use at various oil and gas sites throughout Weld County.

Roadways

There is an existing roadway that runs along the northern portion of the site which will be used for the mining activities. The access point for this roadway is on Weld County Road 27, approximately ½ mile north of Highway 392. As the roadway currently supports heavy agricultural equipment, no on-site roadway improvements are anticipated. No off-site roadway improvements are anticipated as Weld County Road 27 is a paved arterial and Highway 392 is a paved state highway.

Reclamation Plan

Introduction

LTS Performance Horses LLC (LTS) is proposing the removal of 10-14 inches of topsoil from irrigated farmland through the Construction Material Regular (112) Operation Reclamation Permit process. The property is described as Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

The approximately 132-acre site contains approximately 105-acres of active agricultural land under a center pivot irrigation system and 27-acres of “dry corners” outside of the center pivot irrigation range. LTS proposes to mine topsoil from approximately 78-acres. Topsoil will be taken off-site for use on various oil and gas sites throughout Weld County. Reclamation of the site will consist of re-grading to support an appropriate seedbed for revegetation. Following mining activities, the disturbed area will be re-graded, tilled, and re-planted and will continue to be leased for growing corn.

This Reclamation Plan has been developed in accordance with the requirements of 6.4.5 Exhibit E – Reclamation Plan in the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules). This plan describes procedures necessary for reclamation of the disturbed area. This plan will address re-grading, re-seeding, weed control, stormwater mitigation, monitoring, annual reporting, post-reclamation inspection and release of warranties. The operator, and all personnel working on this project, should be familiar with this Reclamation Plan prior to the commencement of mining activities.

Existing Conditions

Location:	Northwest corner of Highway 392 and Weld County Road 37 Part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6 th P.M., Weld County, Colorado Weld County parcel no. 080518400004
Size:	Total property area: 131.897-acres Total area of disturbance: 83.41-acres

Current Land Use:	Agriculture
Vegetation:	Existing: Irrigated cropland Following Reclamation: Irrigated cropland
Soils:	Loam to fine sandy loam. Dominant soil types include Kim loam, Nelson fine sandy loam, and Olney fine sandy loam.
Climate:	Mean annual precipitation: 12 to 16 inches Mean annual air temperature: 46 to 55 degrees Fahrenheit Frost-free period: 130 to 170 days
Water Resources:	An existing irrigation pond is located in the northwestern corner of the site, approximately 50-feet from the proposed area of disturbance. There is a field ditch crossing the northeastern portion of the property, which ties into the Greeley Number 2 Canal on the east side of Weld County Road 27. The field ditch is approximately 250-feet from the proposed area of disturbance.
Wildlife:	No critical wildlife habitat or wildlife species will be impacted by the proposed operation.

Project Description

LTS is proposing to mine the upper 50-80 percent of topsoil from the irrigated portion of the site. Approximately 10-14 inches of topsoil will be removed, leaving at least 3-6 inches on site for reclamation purposes. The goal is to remove approximately 157,480 tons of topsoil in two phases over the course of two years. LTS is the landowner and operator of the mining activity and will be responsible for reclamation of the disturbed area.

Reclamation Methods

Mining and reclamation will occur in two phases:

- Phase 1: northeastern half (36.6-acres) (mined in year one and reclaimed concurrently)
- Phase 2: southwestern half (41.76-acres) (mined in years one and two and reclaimed concurrently)

Phasing is depicted on Exhibit F Reclamation Plan Map. Within the first year following permit approval, the operator will mine topsoil from the northeastern portion of the site then commence reclamation procedures. Active farming will continue on the southwestern portion of the site during Phase 1. Upon completion of topsoil excavation from the northeastern portion of the site, the operator will mine topsoil from the southwestern half of the site then commence reclamation procedures. Backfilling and grading will be completed as soon as feasible after the mining

process is complete. Phase 2 may start in year one, depending on how quickly Phase 1 is completed. The mining operation is expected to be completed within two years.

Long-term stockpiling and stabilization of topsoil will not be necessary. The extracted material will be removed from site and sold to a third party. During this process, the topsoil will be handled as little as possible to maintain soil health and fertility.

Staging

A staging area will be located in the northeastern corner of the site near the site access road. The staging area is approximately 5-acres and will provide an area for equipment storage and loading operations. The inclusion of a staging area will minimize soil compaction across the disturbance area.

Grading and Erosion Control

During active mining, erosion prevention and sediment control Best Management Practices (BMPs) will be installed to minimize erosion from disturbed surfaces and to capture sediment on-site. The proposed BMPs will be included on the final Grading Plan in conjunction with the Colorado Department of Public Health & Environment (CDPHE) Storm Water Discharge Permit and Stormwater Management Plan (SWMP).

Final grading will support an appropriate seedbed for revegetation and will be traversable by farm machinery. Manure and fertilizer will be applied as necessary to support crop growth. All grading shall be done in a manner to control erosion and siltation of the affected lands and to protect areas outside the affected land from slides and other damage. The anticipated post reclamation slope gradient will be similar to the present slope. As required, the maximum gradient will not exceed a 3:1 slope.

Seeding and Revegetation

Following mining activities, the Phase 1 and Phase 2 areas will be revegetated to establish diverse, effective, and long-lasting vegetative cover. The operator will till the disturbed areas to prepare an appropriate seedbed for crop planting. Soil samples are recommended to identify nutrient deficiencies and determine if fertilizer application or soil amendments are needed. Planting corn typically occurs between mid-April to late-May, weather dependent. Planting will be done with typical farming techniques. The planted field will continue to be irrigated by the center pivot irrigation system.

In the staging area, stockpiling of material will take place on undisturbed ground and topsoil won't be removed. Once the temporary stockpile material and equipment has been removed, the site will be re-graded to approximate pre-disturbance grade. No root zones need to be created as the underlying material is soil. The seedbed shall be firm and free of weeds. In areas where there is excessive compaction, tillage, such as chiseling and disking, shall be

done to break up the compaction then harrowed down. The area will then be re-seeded using an approved seed mixture. Dormant planting is possible any time after October 15th or when temperatures are cold enough to prevent seed germination. Seeding on frozen soils will be avoided. Planting may also be done in the print until the end of April or early May and between July 1st and September 1st. The recommended reclamation seeding mix of the stockpile area is the Weld County General Seed Mix for areas north of County Road 68. The seed mix is as follows:

• Buffalo Grass (Taxoka, Sharps Improved)	1.5 lbs pls/acre
• Little Bluestem (Blaze, Cimarron, Camper)	1.5 lbs pls/acre
• Sideoats Grama (Vaughn, Butte, Niner, El Reno, Haskell)	2 lbs pls/acre
• Blue Grama (Hachital, Lovington)	3.5 lbs pls/acre
• Western Wheatgrass (Arriba, Barton, Rosana)	3 lbs pls/acre
• Switchgrass (Nebraska 28, Blackwell)	1.5 lbs pls/acre
• Perennial Ryegrass (Calibra or Garibaldi tetraploid)	0.75 lbs pls/acre
• Sand Dropseed	0.25 lbs pls/acre

Total: 14 pounds pls/acre

Seeds will be planted immediately following completion of mining activities to decrease competition from noxious weed species. Seeds will be planted using drill seeding at the appropriate depths. A one-time application of manure/compost mix will be applied to the seeded area for stabilization and fertilization. The seeded areas will not be irrigated.

Noxious Weed Management

Various state and local regulations require management of noxious weeds. If established quickly, crop cover and standard farming practices will help suppress weed growth. The operator will monitor disturbed areas for noxious weeds during the mining operation. Currently, there are no noxious weeds identified on the subject property. The majority of the site has been under continuous crop cultivation. The greatest period of susceptibility for weeds to establish themselves is during temporary stockpiling and the start of reclamation procedures. Operator will survey the site regularly and monitor weed conditions. Should noxious weeds be identified, the operator will work to eradicate the weeds. Mechanical control methods such as pulling, mowing, and tilling and chemical control methods with the use of herbicides will be used. Proper identification of the suspected noxious weed will ensure the appropriate control methods are utilized. A complete list of Colorado noxious weeds can be found at <https://ag.colorado.gov/conservation/noxious-weeds/species-id>.

If excavation activities are completed before the growing season begins, preventative measures such as spraying will be taken. Establishment of crop cover will be the most effective method of long-term weed suppression.

Upon completion of the mining activities, the stockpile area will be reseeded with native grass according to the recommended seeding procedures and seed mix described above.

Trash, Debris, and Materials Handling

Trash and debris will be collected in a covered dumpster, removed from the site at an appropriate rate, and properly disposed of. No explosives or hazardous materials will be needed to extract topsoil.

Water

Pursuant to Rule 3.1.6 and Rule 3.1.7 compliance with applicable federal and Colorado water quality laws and regulations, including statewide water quality standards and site-specific classifications and standards adopted by the Water Quality Control Commission, and applicable federal and Colorado dredge and fill requirements is required. Given the limited depth of topsoil removal, the proposed mining activities are not expected to have an impact on water quality. Compliance with applicable laws shall be adhered to.

Wildlife

All mining and reclamation activities shall take into account the safety and protection of wildlife. As the reclamation procedures will return the site to current conditions, the post-reclamation conditions for wildlife are expected to be similar to current conditions for wildlife. Additional wildlife information is presented in Exhibit H.

Signs and Markers

Pursuant to Rule 3.1.12, the Operator shall post a sign at a minimum size of eleven (11) by seventeen (17) inch with appropriate font size, including the name of the Operator and the operation name, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board, and the permit number. The boundaries of the affected area will be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries.

Spill Reporting

Pursuant to Rule 3.1.13, the operator will report any spill of hazardous or toxic substance to the Office of Mined Land Reclamation (Office) within twenty-four (24) hours.

Post Mining Land Use

The proposed post mining land use is the current land use, irrigated cropland. The subject property is zoned agricultural and surrounded by farmland. The post mining land use is consistent with Weld County's allowed uses in the Agricultural Zone District as farming is a use by right activity. No public use of the property is expected in the foreseeable future.

Schedule

Reclamation is expected to be completed within one to two years from the end of excavation, but not more than five years from the date each phase has commenced.

Financial Warranty

The Operator will supply to the Office a Performance and Financial Warranty in accordance with Rule 4. Refer to Exhibit L – Reclamation Costs.

Annual Report and Fees

Pursuant to Rule 1.15 Annual Report Inclusions, the Annual Report shall include all information specified on the Annual Report Form, in the format required by the Office, including the following:

- An updated statement regarding the sufficiency of the value of the Financial Warranty.
- A map that accurately depicts the permit boundary, current affected area boundary, location of the acres affected during the current report year, acres reclaimed during the current report year, estimated new acreage to be affected in the next report year, and acres to be reclaimed in the next report year.
- On the anniversary date of the Notice of Intent (NOI) approval, the operator shall submit to the Office an annual fee, as specified in Section 34-32.5-125, C.R.S.

Change in Address, Ownership, and Business Name

Pursuant to Rule 1.16 the Operator shall promptly notify the office of any change in mailing address, transfer of land ownership, and official business name associated with the Performance and Financial Warranty. Where an Operator files a petition of bankruptcy, the Operator shall immediately notify the Office via certified mail of such filing.

Post-Reclamation Inspection and Release of Warranties

Each Phase will be reclaimed pursuant to the Rules. Pursuant to Rule 3.1.3, all reclamation shall be carried to completion by the Operator with all reasonable diligence, and each phase or reclamation shall be completed within five (5) years from the date the Operator informs the Board of Office that such phase has commenced, or from the date the Office has evidence that mining or exploration has ceased, unless extended by the Board or Office. The 5-year period may be applied separately to each phase as it is commenced throughout the life of the mine.

Pursuant to Rule 4.17.1, the Operator or any mining operation processing a 110 Limited Impact Permit, or a 111 Special Operations Permit, or a 112 Reclamation Permit may file a written notice of completion of reclamation and request for release of reclamation responsibility with the Office whenever an Operator believes any or all requirements of the Act, the Rules and Regulations, and the approved reclamation plan have been completed with respect to any or all

of the Affected Lands. The Operator shall include in the notice of the Office the names and addresses and phone numbers of all owners of record to the affected land. The written notice requesting release shall be sent by Certified Mail and be separate from other types of communication to the Office. Such notice shall contain a signed statement by the Operator or their agent that all applicable portions of the Reclamation Plan requirements have been satisfied in accordance with the Rules and all applicable requirements under the Act.

Pursuant to Rule 4.17.2, the Office upon receipt of said notice of completion of reclamation, shall immediately provide notice to all owners of record of the affected land and to the county(s). The Office shall, within sixty (60) calendar days after receiving said notice, or as soon thereafter as weather conditions permit, inspect the lands and reclamation described in the notice to determine if the Permittee has complied with all applicable requirements. If the Office fails to conduct an inspection within the time specified in Rule 4.17.2(2) or fails to advise the Permittee of deficiencies within the time specified in Rule 4.17.2(4), then all Financial Warranties applicable to reclamation described in the notice shall be deemed released as a matter of law. Where the Office finds that a Permittee has not complied with the applicable requirements of the Act, Rules and Regulations, or the approved reclamation plan, it shall advise the Permittee of such non-compliance not more than sixty (60) calendar days after the date of the inspection. Where the Office finds that a Permittee has successfully complied with the requirements of the Act, Rules and Regulations, and the approved reclamation plan, the Office shall release all applicable performance and financial warranties. Release (pending an appeal) shall be in writing and mailed within thirty (30) calendar days to the Permittee after the date of such findings. However, an appeal to the release of the financial and performance warranties shall stay the release on the thirtieth (30) day pending a Form Board Hearing.

October 15, 2024

CERTIFIED MAIL/RETURN RECEIPT REQUESTED #9414 8112 0620 5482 6091 16

Tall Grass Interstate Gas Transmission LLC
370 Van Gordon Street
Lakewood, CO 80228

Re: AGPRO Project #2253-01
LTS Performance Horses, LLC Topsoil Mine

To Whom It May Concern:

This letter is to inform you that LTS Performance Horses, LLC (Applicant) is filing for a Colorado Division of Reclamation, Mining, and Safety (DRMS) Construction Material Regular (112) Operation Reclamation Permit for the removal of 10-14 inches of topsoil from irrigated farmland. Applicant's property more particularly described below.

Legal Description:

Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

You may have an interest in the pipeline crossing the Applicant's property per the 50' KN Wattenberg Transmission LLC right-of-way grant recorded on August 21, 1998, at reception no. 2634911, the Kinder Morgan Interstate Gas Transmission LLC 50' pipeline easement recorded on April 25, 2008, at reception no. 3549935, and the Kinder Morgan Interstate Gas Transmission LLC amendment to pipeline easement recorded on February 27, 2009, at reception no. 3608098. The private access road that will be used for the grading activities crosses said easement(s).

The proposed grading activities are situated outside of your easement area and the existing access road will be utilized. The access road is part of the 'Affected Land' of the mining activities. Pursuant to the DRMS regulations for 112 permits for permanent man-made structures within 200-feet of the 'Affected Land,' we are requesting a notarized letter on your letterhead stating that the mining and reclamation activities, as proposed, will not have a negative effect on your utility.

Enclosed are the right-of-way grant, pipeline easement, amendment to pipeline easement, draft Mining Maps, draft Mining Plan, and draft Reclamation Plan for reference.

If you have any questions, please feel free to contact us at (970) 535-9318, or kbruxvoort@agpros.com. We will be representing the Applicant throughout the application process.

Sincerely,

Kelsey Bruxvoort

Kelsey Bruxvoort
Land Planner

Enclosures:

1. Right-of-Way Grant
2. Pipeline Easement
3. Amendment to Pipeline Easement
4. Mining Maps
5. Mining Plan
6. Reclamation Plan

911
RIGHT-OF-WAY GRANT

2634911 08/21/1998 10:59A Weld County CO
1 of 4 R 21.00 D 0.00 JA Suki Tsukamoto

KNOW ALL MEN BY THESE PRESENTS:

CSB
MSB
That Milton E. Bartmann and Coleen S. Bartmann, husband and wife whose address is 33499 WCR 27, Greeley, CO 80631("Grantor"), for themselves, their heirs, successors, or assigns, for and in consideration of the sum of Ten Dollars And No Cents (\$10.00), the receipt and adequacy of which is hereby acknowledged, do hereby grant, convey and confirm unto KN Wattenberg Transmission LLC, 370 Van Gordon Street, Lakewood, CO 802288304 ,its successors and assigns (collectively, "Grantee"), the right-of-way and easement to survey, construct, install, inspect, maintain, renew, repair, remove, replace and operate the pipeline(s) and appurtenances thereto, for the transportation of natural gas, gasoline, oil, petroleum products, or any other substance which can be transported by pipeline, in, on, over, under, upon and through the following-described lands, located in County of WELD and State of COLORADO, to wit:

Township 6 North, Range 66 West, 6th P.M.

Section 18: That portion of the SE/4 being more particularly described as follows: Considering the South line of said SE/4 as bearing South 89 deg. 57 min. 19 sec. West and with all bearings contained hereby relative thereto: Beginning at the Southwest corner of said SE/4; thence along the West line of said SE/4 North 02 deg. 40 min 01 sec. East 2607.26 feet to a point on the North line of said SE/4; thence along said North line East 2911.67 feet to a point on the East line of said SE/4; thence along said East line South 02 deg. 33 min. 58 sec. West 1572.28 feet; thence South 02 deg. 37 min. 00 sec. West 1032.04 feet to a point on the South line of the SE/4; thence along said South line South 89 deg. 57 min. 19 sec. West 1458.18 feet, more or less, to the Point of Beginning.

See Exhibit "B" attached hereto and made a part hereof for additional provisions.

See Exhibit "A" attached hereto and made a part hereof for a more particular description of the right-of-way and easement granted hereby. The Grantor and Grantee agree that the width of said right-of-way grant during the construction of the pipeline(s) shall be seventy-five feet (75'), and subsequent to the construction of the pipeline(s) shall be a width of fifty feet (50').

TO HAVE AND TO HOLD said right-of-way and easement unto Grantee so long as such pipeline(s) and appurtenances, or any part thereof, shall be maintained, together with the right of ingress to and egress from said lands for the purposes herein stated at will of Grantee. Grantor retains the right to use and enjoy said lands, subject only to the right of Grantee to use the same for the purposes herein expressed. CSB MSB

Grantee agrees to lay all pipe hereunder at a sufficient depth to avoid interfering with cultivation of the soil, and to pay Grantor for damages to growing crops, fences or other improvements which may arise from the operations of Grantee. Any such damage, if not mutually agreed upon, shall be ascertained and determined by three disinterested persons, one appointed by Grantor, one by Grantee and the third chosen by the two so appointed. The written award of a majority of such three persons shall be final and conclusive upon the parties hereto.

It is agreed by Grantor that any payment of consideration due under the terms hereof may be made jointly to Grantor and any mortgagees of record at the time such payment becomes due.

IN WITNESS WHEREOF Grantor has hereunto set its hand this 9 th day of April, 1998.

Witness

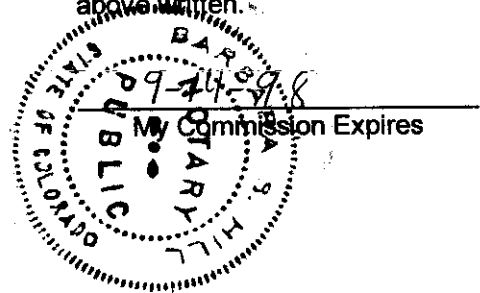

Milton E. Bartmann


Coleen S. Bartmann

STATE OF COLORADO)
) ss
COUNTY OF WELD)

On this 9th day April, 1998, before me, a notary public, in and for said county and state, personally appeared Milton E. Bartmann and Coleen S. Bartmann, husband and wife, who are personally known to me and known to me to be the same person(s) whose executed the foregoing instrument and such person(s) duly acknowledged the execution of the same and acknowledged said instrument to be (his) (their) voluntary act and deed.

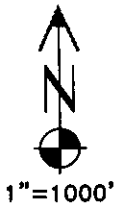
IN WITNESS WHEREOF I have hereunto set my hand and affixed my notarial seal the day and year last above written.



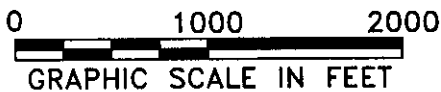
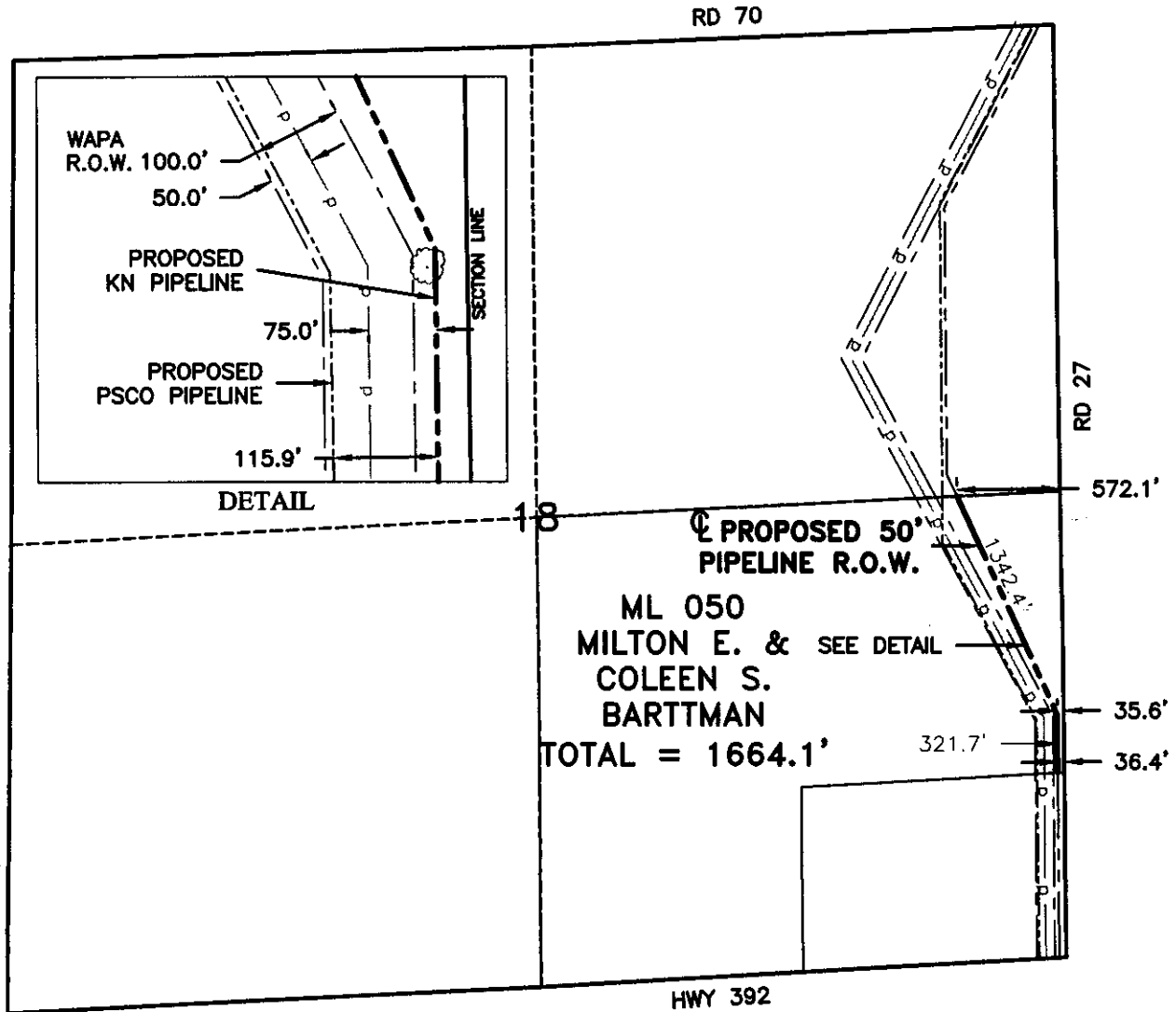
Barbara S. Hill
Notary Public
Barbara S. Hill
P.O. Box 298, Windsor, CO 80550

EXHIBIT "A"

PROPOSED PIPELINE RIGHT OF WAY



2634911 08/21/1998 10:59A Weld County CO
3 of 4 R 21.00 D 0.00 JA Suki Tsukamoto



GEO SURV

LAND SURVEYING AND MAPPING

520 STACY COURT, SUITE "B"

LAFAYETTE, CO. 80026

Ph 303 666 0379 Fx 303 665 6320

PROPOSED PIPELINE RIGHT OF WAY

PREPARED FOR

KN WATTENBERG TRANSMISSION LLC

FRONT RUNNER

SE 1/4 SECTION 18 T6N R66W 6th PM

WELD COUNTY, STATE OF COLORADO

Date of Survey	
Control File	97167
Job Number	97167

Drawing File: geosurv\weld\chgs\FRONT RUNNER\EXHIBIT\A\050.dwg (Joe)



2634911 08/21/1998 10:59A Weld County CO
4 of 4 R 21.00 D 0.00 JA Suki Tsukamoto

Exhibit B

Attached to and made a part of that certain Right-of-Way Grant dated April 9, 1998, by and between Milton E. Bartmann and Coleen S. Bartmann, husband and wife, as Grantor and KN Wattenberg Transmission LLC, as Grantee.

1. It is agreed that the pipeline ditch will be waterpacked during construction restoration and that the ground will be ripped after the surface has been re-contoured. In addition, it is understood that the soils on these lands are sandy and may erode and settle. In the event there is erosion or settling within the right-of-way, KN agrees to provide topsoil, if required, and restore the surface to its original condition.
2. It is understood and agreed that compensation for the current year's alfalfa crop is not included in the surface damage and crop loss payment that is being made at this time. If construction takes place during the current year's growing season KN agrees to pay crop loss at the current value of delivered hay containing the same nutrient test value as Grantor's other hay on these lands. It is further agreed that KN will calculate the crop loss on a 6 acre area, which includes the 75 foot construction easement area and lands adjacent to the easement area.
3. In the event a pipeline is not installed within the easement within 18 months of FERC approval or denial the Right-of-Way Grant will be null and void and the easement will revert back to the surface owners. It is further agreed that FERC approval must be received and construction of the pipeline completed within a three year period from date of execution to maintain the Right-of-Way Grant in full force and effect.
4. It is agreed that this easement may not be assigned to any other party until construction has been completed and the surface restored to the original condition without the prior written consent of the Grantors.
5. It is agreed that there will be no above ground appurtenances without the prior written consent of the Grantor.

Signed for identification:


Milton E. Bartmann


Coleen S. Bartmann



3549935 04/25/2008 03:41P Weld County, CO
1 of 6 R 31.00 D 0.00 Steve Moreno Clerk & Recorder

935

PIPELINE EASEMENT

Kinder Morgan Interstate Gas Transmission LLC

KNOW ALL MEN BY THESE PRESENTS:

Vaughn Cook, a married man and Harmony Farm, LLC, a Colorado limited liability company, whose address is 5412 East County Road 32E Fort Collins, Colorado 80528 ("Grantor"), for themselves, their heirs, successors and assigns, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and adequacy of which is hereby acknowledged, do(es) hereby grant, convey and confirm unto **Kinder Morgan Interstate Gas Transmission LLC, a Colorado limited liability company**, whose address is P.O. Box 281304, Lakewood, CO 80228-8304, its successors and assigns ("Grantee"), a permanent, temporary, and additional work space easement, as described and depicted on Exhibit A attached hereto and made a part hereof (collectively referred to as the "Easements") to survey, construct, reconstruct, maintain, operate, inspect, renew, repair, remove, replace, change the size of, upgrade, and remove a natural gas pipeline and all related above and below ground appurtenances including cathodic protection (collectively the "Pipeline"), in, on, over, under, across, upon and through the following described property situated in the County of Weld, State of Colorado, to wit

Lots A and B of Amended RE-0805-18-4-AMRE 2877 being part of SE/4 Section 18: T6N66W

More fully described in that certain document recorded December 9, 2005, in Weld County as Reception number, 3349839

See Attached EXHIBIT "A" EASEMENT PLAT

The Grantor reserves the right to cultivate, use and occupy said property for any purpose consistent with the rights and privileges herein granted and, in the sole opinion of the Grantee, which will not interfere with or endanger any of the Pipeline facilities therein or use thereof by the Grantee, its agents or contractors. Such reservation by the Grantor shall in no event include the right to construct any buildings or structures, to impound any water, or to plant any trees or shrubs upon the permanent easement. The Grantee, at all times, shall have the perpetual right of ingress and egress over the permanent easement and from all roads and/or trails on the Grantor's property or by other routes mutually agreeable to the parties in order that the Grantee may access its Easements.

The permanent easement shall be in perpetuity. The temporary easement and additional work space easement shall expire upon completion of the initial pipeline construction and restoration of the Easements.

The above sum is acknowledged by the undersigned as full consideration for the Easements and also for damages to both land and growing crops occasioned by the initial installation of facilities. Grantee shall pay Grantor for actual physical damages to land and growing crops occasioned by any future installations, construction,



3549935 04/25/2008 03:41P Weld County, CO
2 of 6 R 31.00 D 0.00 Steve Moreno Clerk & Recorder

reconstruction, maintenance, operation, inspection, replacement, repair, change in size, upgrade or removal of the Pipeline in the permanent easement. Grantor agrees to execute such other documents as may be reasonably necessary or desirable to give full effect to the intent of the parties hereto and to refrain from any action that is inconsistent with those rights being conveyed herein.

Grantee shall restore the surface of the Easements, as nearly as practicable and permissible, to its prior condition and contour following any disturbance occasioned by construction or use of the Easements by the Grantee, its contractors, or agents.

After the completion and installation of the Pipeline Grantee shall clearly mark the location of its Pipeline with permanent above ground markers in accordance with Federal Department of Transportation regulations.

By entering into this Pipeline Easement, Grantor(s) warrants that he/she/it is the sole fee owner(s) of the property herein described and that he/she/it has the authority to convey said rights and interests to the Grantee. Grantor further agrees to defend, indemnify, and hold harmless the Grantee, its successors and assigns from any and all claims disputing Grantor's legal right to convey this Pipeline Easement to the Grantee as well as all claims for payment or restitution for damages made by a third party. Grantor agrees to reimburse Grantee for its costs, including attorney's fees, in asserting or defending all claims made which disputes the Grantor's legal right to convey its interest pursuant to this Pipeline Easement.

Grantors agree to accept the aforementioned consideration on behalf of themselves and their Tenant, if any, and to take full responsibility for compensating Grantors' Tenant for any damage or loss that is owed to the Tenant as a result of this conveyance and the Grantee's use of the Easements. By agreeing to accept Grantee's consideration, Grantors agree to indemnify and hold harmless the Grantee, its officers, agents, and employees, from any claim asserted by the Grantors' Tenant, Tenant's successor in interest, or Tenant's heirs, for compensation, restitution, crop loss, consideration, or damage of any kind that the Tenant, if any, may be lawfully entitled to as a result of the Grantee's property acquisition and construction activity within the Easements.

This Pipeline Easement may be assigned in whole or in part by either party.

This Pipeline Easement may be signed in counterparts and all such counterparts shall be deemed as originals and binding upon each party executing any counterpart and upon their respective heirs, personal representatives, successors and assigns.

This Pipeline Easement shall be interpreted and enforced in the state where the property described herein is located. If the Pipeline Easement covers property located in more than one county, venue shall be in the county where the majority of the property geographically exists.

To Have And To Hold the said Pipeline Easement unto the said Grantee, their successors and assigns, so long as the same shall be used or useful for the purposes of the Grantee or its assignee.

IN WITNESS WHEREOF, Grantor has hereunto set his hand this 5th day of Sept 2007.

GRANTORS:

BY: Vaughn Cook
Vaughn Cook

Harmony Farm LLC

BY: Jill S. Cook
Jill S. Cook, Managing Partner

STATE OF COLORADO)
COUNTY OF WELD) ss.

The foregoing instrument was acknowledged before me this 5th day of Sept 2007, by Vaughn Cook.

Witness my hand and official seal.
NOTARY PUBLIC
My commission expires 10/03/2010

Barbara S. Hill
Notary Public

STATE OF COLORADO)
COUNTY OF WELD) ss.

The foregoing instrument was acknowledged before me this 5th day of Sept 2007, by Jill S. Cook as Managing Partner of Harmony Farms, LLC, a Colorado Limited Liability Company.

Witness my hand and official seal.

My commission expires: _____

BARBARA S. HILL
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 10/03/2010

Barbara S. Hill
Notary Public
Barbara S. Hill
8952 Gander Valley Ln.
Windsor, Co 80950



3549935 04/25/2008 03:41P Weld County, CO
4 of 6 R 31.00 D 0.00 Steve Moreno Clerk & Recorder

EXHIBIT "A-1"

VAUGHN COOK & HARMONY FARM, LLC.
50 FOOT WIDE PERMANENT EASEMENT AND RIGHT OF WAY
SECTION 18, T6N, R66W of the 6TH P.M.
WELD COUNTY, COLORADO

DESCRIPTION OF A 50 FOOT WIDE PERMANENT EASEMENT AND RIGHT OF WAY, SITUATED IN THE NORTHEAST QUARTER SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 6 NORTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO AND BEING A PORTION OF THOSE CERTAIN TRACTS OF LAND DESCRIBED IN AND CONVEYED TO VAUGHN COOK & HARMONY FARM, LLC., BY INSTRUMENT RECORDED UNDER RECEPTION No. 3349839 OF THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER, WELD COUNTY, COLORADO, SAID 50 FOOT WIDE PERMANENT EASEMENT AND RIGHT OF WAY BEING SITUATED 25 FEET ON EACH SIDE OF THE HEREINAFTER DESCRIBED CENTERLINE, HAVING THE SIDE LINES EXTENDED OR SHORTENED AS NEEDED TO INTERSECT WITH THE SAID SECTION LINES AND SAID NORTH AND SOUTH LINES OF THE TRACT OF LAND DESCRIBED IN RECEPTION No. 3349839, WELD COUNTY RECORDS, SAID CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: WITH ALL BEARINGS HEREIN BEING BASED UPON THE COLORADO NORTH ZONE, NAD83 GRID NORTH AS DERIVED BY GLOBAL POSITIONING SYSTEM (GPS) SURVEY AND TIED TO THIS DESCRIPTION THROUGH THE BEARING OF SOUTH 00°40' EAST BETWEEN THE FOUND MONUMENT AT THE EAST QUARTER OF SAID SECTION 18 AND THE FOUND MONUMENT AT THE SOUTHEAST CORNER OF SAID SECTION 18;

50 FOOT WIDE PERMANENT EASEMENT AND RIGHT OF WAY

BEGINNING at a point on the north line of the Tract of land described in Reception No. 3172843 recorded in Weld County Clerk and Records Office, from which the East Quarter Corner of said Section 18 bears North 88°02' East, a distance of 552.7 feet more or less;

THENCE South 15°29' East, a distance of 56.7 feet;

THENCE South 23°38' East, a distance of 1176.4 feet;

THENCE South 56°31' West, a distance of 161.6 feet;

THENCE South 27°35' East, a distance of 55.5 feet;

THENCE South 01°07' East, a distance of 22.1 feet, to the **POINT OF TERMINUS**, on a Southerly line of the Northeast Quarter Southeast Quarter of said Section 18, from which the South Sixteenth Corner (a found MONUMENT), bears North 87°06' East, a distance of 189.6 feet more or less.

Said centerline having a length of 1472.3 feet or 89.2 rods and containing 1.690 acres more or less.

TEMPORARY EASEMENT

A strip of land being 25 feet in width, adjoined to and parallel with the easterly and southerly line of the above described 50 foot PERMANENT EASEMENT AND RIGHT OF WAY, extending and shortening the sidelines therefore to intersect with the said section line and the north and south lines of the tract described in Reception No. 3172843 of the Weld County Records;

Said strip being approximately 1469.1 feet or 89.0 rods in length and containing 0.844 acres more or less.

TEMPORARY USE AREA

A tract of land containing 0.115 acres as shown on Exhibit "A-3".

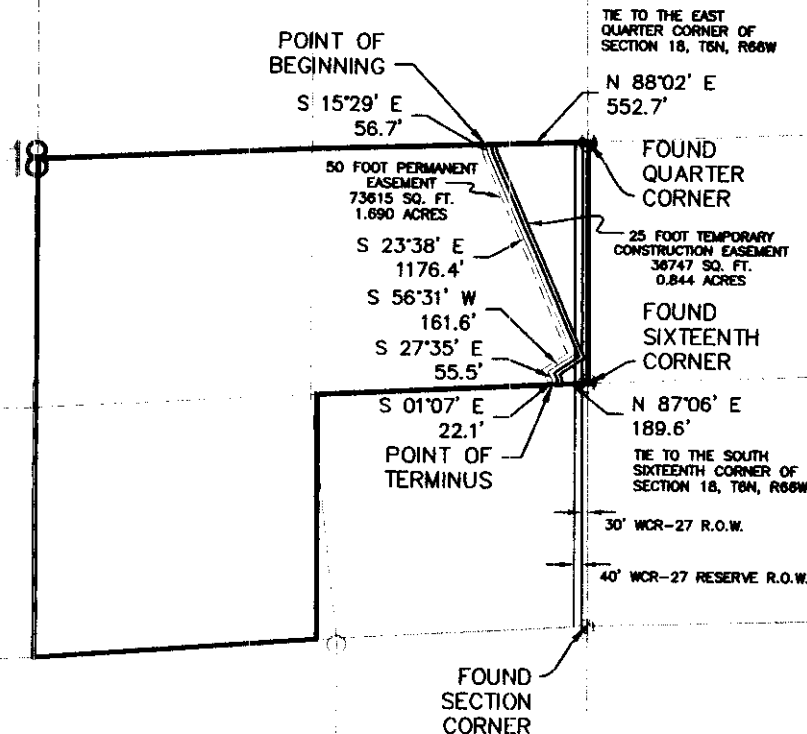
FOR AND ON THE BEHALF OF
KINDER MORGAN INTERSTATE GAS TRANSMISSION LLC

CALVIN HEINLY, PLS
COLORADO LS # 23501

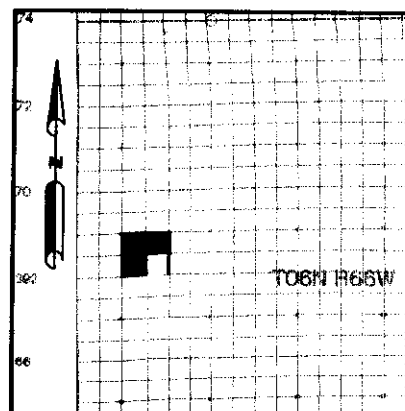


3549935 04/25/2008 03:41P Weld County, CO
5 of 6 R 31.00 D 0.00 Steve Moreno Clerk & Recorder

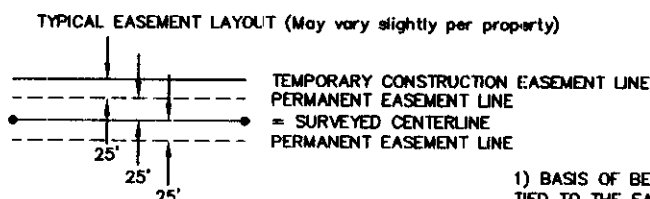
EXHIBIT "A-2"
50 FOOT PERMANENT EASEMENT
VAUGHN COOK AND HARMONY FARM, LLC.
SECTION 18, T6N, R66W, 6th PRINCIPAL MERIDIAN
BEING 1472.3 FEET OR 89.2 RODS IN LENGTH, CONTAINING 1.690 ACRES MORE OR LESS



TRACT ML-96
VAUGHN COOK &
HARMONY FARM, LLC.
PART OF SOUTHEAST 1/4
SECTION 18, T6N, R66W
6th PRINCIPAL MERIDIAN
WELD COUNTY, COLORADO



VICINITY MAP
NOT TO SCALE



LEGEND:

- ⊗ = FOUND MONUMENT
- = PROJECTED CORNER LOCATION
- = PROPOSED TEMPORARY WORKSPACE

- 1) BASIS OF BEARING: COLORADO NORTH ZONE (NAD83) GRID NORTH TIED TO THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 18, T6N R66W USING GPS METHODS. SAID EAST LINE HAVING A BEARING OF S00°40'E BETWEEN A FOUND MONUMENT AT THE EAST 1/4 CORNER AND A FOUND MONUMENT AT THE SOUTHEAST CORNER.
- 2) DATE FIELD SURVEY: 4/2007
- 3) THIS DRAWING IS FOR INFORMATIONAL PURPOSES ONLY AND IS TO DEPICT THE LEGAL DESCRIPTION SHOWN HEREON AND IS NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY.

SCALE 1"=1000'
0 500' 1000 FEET
COLORADO NORTH ZONE
US SURVEY FEET
NAD 83

PREPARED BY:



Alliance Engineering
A Wood Group Company

KINDER MORGAN

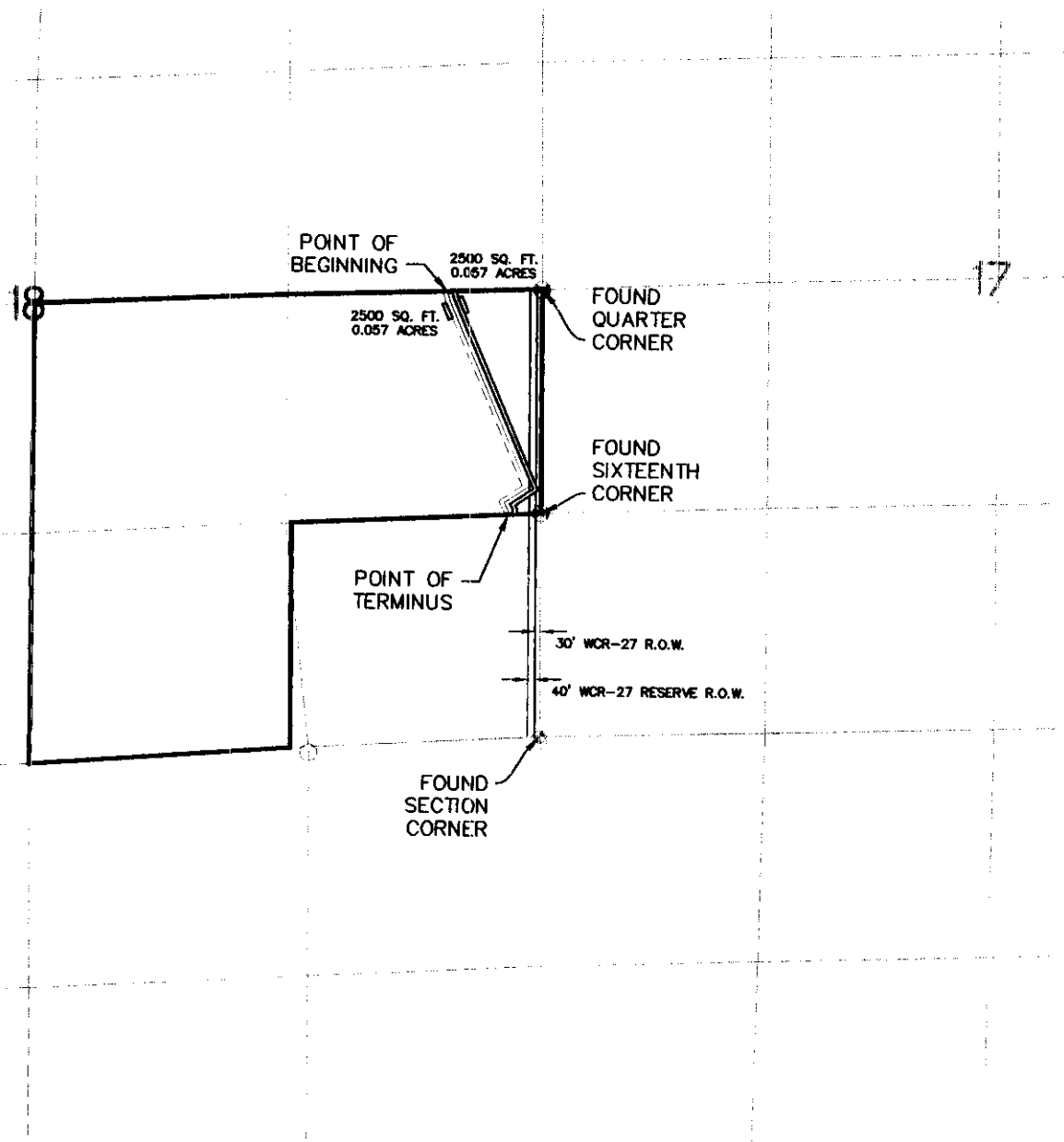
SCALE 1"=1000'	DATE 06/19/07	REV. B
W.O. # XXXXX	DRAWN J. KIRKPATRICK	CHK. DR. C. HEINLY
CON. JOB # 10700400	PROJECT ENGR. B. PELEPCHAN	PROJECT MGR. J. TRUJILLO

COLORADO LATERAL
VAUGHN COOK & HARMONY FARM, LLC.
SEC. 18, T6N, R66W, 6th P.M.
WELD COUNTY, COLORADO
SHEET 1 OF 1

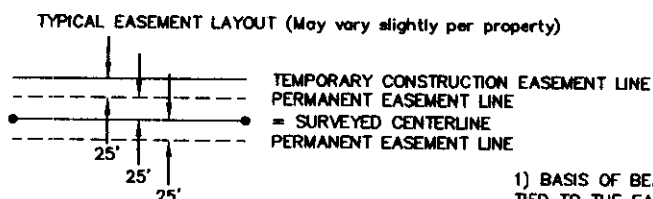
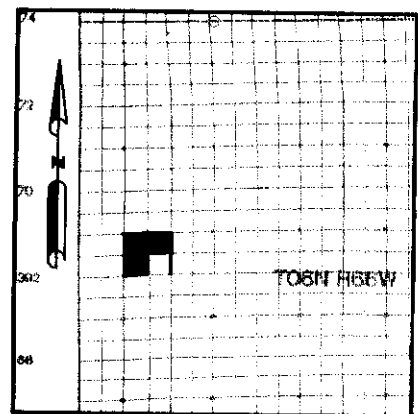
FILE NO. **651-P-095**

3549935 04/25/2008 03:41P Weld County, CO
6 of 6 R 31.00 D 0.00 Steve Moreno Clerk & Recorder

EXHIBIT "A-3"
TEMPORARY USE AREA
VAUGHN COOK AND HARMONY FARM, LLC.
SECTION 18, T6N, R66W, 6th PRINCIPAL MERIDIAN
CONTAINING 0.115 ACRES MORE OR LESS



TRACT ML-96
VAUGHN COOK &
HARMONY FARM, LLC.
PART OF SOUTHEAST 1/4
SECTION 18, T6N, R66W
6th PRINCIPAL MERIDIAN
WELD COUNTY, COLORADO



SCALE 1"=1000'
0 500' 1000 FEET
COLORADO NORTH ZONE
US SURVEY FEET
NAD 83

LEGEND:

- ⊗ = FOUND MONUMENT
- = PROJECTED CORNER LOCATION
- = PROPOSED TEMPORARY WORKSPACE

VICINITY MAP
NOT TO SCALE

- 1) BASIS OF BEARING: COLORADO NORTH ZONE (NAD83) GRID NORTH TIED TO THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 18, T6N R66W USING GPS METHODS. SAID EAST LINE HAVING A BEARING OF S00°40'E BETWEEN A FOUND MONUMENT AT THE EAST 1/4 CORNER AND A FOUND MONUMENT AT THE SOUTHEAST CORNER.
- 2) DATE FIELD SURVEY: 4/2007
- 3) THIS DRAWING IS FOR INFORMATIONAL PURPOSES ONLY AND IS TO DEPICT THE LEGAL DESCRIPTION SHOWN HEREON AND IS NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY.

PREPARED BY:



Alliance Engineering
A Wood Group Company

KINDER MORGAN

SCALE 1"=1000'	DATE 06/19/07	REV. B
W.O. # XXXXX	DRAWN J. KIRKPATRICK	CHK. DR. C. HEINLY
CON. JOB # 10700400	PROJECT ENGR. B. PELEPCHAN	PROJECT MGR. J. TRUJILLO

COLORADO LATERAL
VAUGHN COOK & HARMONY FARM, LLC.
SEC. 18, T6N, R66W, 6th P.M.
WELD COUNTY, COLORADO
SHEET 1 OF 1

FILE NO.
651-P-095

3608098 02/27/2009 04:06P Weld County, CO
1 of 3 R 16.00 D 0.00 Steve Moreno Clerk & Recorder

Amendment to Pipeline Easement

WHEREAS, Vaughn Cook, a married man dealing in his sole and separate property and Harmony Farm, LLC, a Colorado limited liability company hereinafter referred to as "Grantor" granted and conveyed to Kinder Morgan Interstate Gas Transmission LLC, a Colorado limited liability company, whose address is 370 Van Gordon, P. O. Box 281304, Lakewood, Colorado 80228 - 8304, hereinafter referred to as "Grantee", that certain Pipeline Easement dated September 5, 2007 and recorded at Reception Number 3549935 in the records of Weld County, State of Colorado and covering certain lands in Section 18, Township 6 North, Range 66 West, Weld County, Colorado and

WHEREAS, the above referenced Grantor and Grantee desire to amend the Pipeline Easement, and

WHEREAS, the above referenced Grantor and Grantee desire to revise and change the location of the easement located on a portion of the lands, as more particularly described on the attached Exhibit "A-1" and "A-2".

Now, Therefore, for and in consideration of the sum of Ten Dollars (\$10.00) and more, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned hereby agree to modify and amend the above referenced Pipeline Easement as follows:

The attached Exhibits "A-1" and "A-2" are hereby incorporated into and made a part of the above referenced Pipeline Easement dated September 5, 2007. To the extent, if any, that the attached exhibits conflict with the exhibits to the original Pipeline Easement, the attached Exhibits "A-1" and "A-2" shall take precedence.

Except as specifically herein modified and amended, all terms, provisions and conditions of the Pipeline Easement are and shall remain in full force and effect. This Amendment to Pipeline Easement shall be binding upon the Grantor's and Grantee's respective heirs, successors and assigns.

This Amendment to Pipeline Easement is executed as of February 26th, 2009, but effective for all purposes as of September 5, 2007, as if originally contained in and a part of the Pipeline Easement.

Grantors:

Vaughn Cook
Vaughn Cook

Harmony Farm, LLC

BY: Jill S. Cook
Jill S. Cook, Managing Partner

STATE OF COLORADO)
) ss
COUNTY OF WELD)

The foregoing instrument was acknowledged before me this 26th day of February, 2009, by Vaughn Cook, a married man dealing in his sole and separate property.

Witness my hand and official seal.

My commission expires: 10/03/2010
BARBARA S. HILL
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 10/03/2010

Barbara S. Hill
Barbara S. Hill Notary Public
8952 Gander Valley Ln.
Windsor, CO 80550

STATE OF COLORADO)
) ss
COUNTY OF WELD)

The foregoing instrument was acknowledged before me this 26th day of February, 2009, by Jill S. Cook as Managing Partner of Harmony Farm, LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 10/03/2010
BARBARA S. HILL
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 10/03/2010

Barbara S. Hill
Barbara S. Hill Notary Public

EXHIBIT "A-1"

VAUGHN COOK & HARMONY FARM, LLC.
50 FOOT WIDE PERMANENT EASEMENT AND RIGHT OF WAY
SECTION 18, T6N, R66W of the 6TH P.M.
WELD COUNTY, COLORADO

DESCRIPTION OF A 50 FOOT WIDE PERMANENT EASEMENT AND RIGHT OF WAY, SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 6 NORTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO AND BEING A PORTION OF THOSE CERTAIN TRACTS OF LAND DESCRIBED IN AND CONVEYED TO VAUGHN COOK & HARMONY FARM, LLC., BY INSTRUMENT RECORDED UNDER RECEPTION No. 3172843 OF THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER, WELD COUNTY, COLORADO, SAID 50 FOOT WIDE PERMANENT EASEMENT AND RIGHT OF WAY BEING SITUATED 25 FEET ON EACH SIDE OF THE HEREINAFTER DESCRIBED CENTERLINE, HAVING THE SIDE LINES EXTENDED OR SHORTENED AS NEEDED TO INTERSECT WITH THE SAID SECTION LINES AND SAID NORTH AND SOUTH LINES OF THE TRACT OF LAND DESCRIBED IN RECEPTION No. 3172843, WELD COUNTY RECORDS, SAID CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: WITH ALL BEARINGS HEREIN BEING BASED UPON THE COLORADO NORTH ZONE, NAD83 GRID NORTH AS DERIVED BY GLOBAL POSITIONING SYSTEM (GPS) SURVEY AND TIED TO THIS DESCRIPTION THROUGH THE BEARING OF SOUTH 00°40' EAST BETWEEN THE FOUND MONUMENT AT THE EAST QUARTER OF SAID SECTION 18 AND THE FOUND MONUMENT AT THE SOUTHEAST CORNER OF SAID SECTION 18;

50 FOOT WIDE PERMANENT EASEMENT AND RIGHT OF WAY

BEGINNING at a point on the north line of the Tract of land described in Reception No. 3172843 recorded in Weld County Clerk and Records Office, from which the East Quarter Corner of said Section 18 bears North 86°48' East, a distance of 549.9 feet more or less;

THENCE South 15°29' East, a distance of 44.7 feet;

THENCE South 23°38' East, a distance of 1176.3 feet;

THENCE South 56°31' West, a distance of 161.6 feet;

THENCE South 27°35' East, a distance of 55.5 feet;

THENCE South 01°07' East, a distance of 294.1 feet, to the **POINT OF TERMINUS**, on a Southerly line of the Northeast Quarter Southeast Quarter of said Section 18, from which the South Sixteenth Corner (a found MONUMENT), bears North 33°10' East, a distance of 336.3 feet more or less.

Said centerline having a length of 1732.3 feet or 104.9 rods and containing 1.988 acres more or less.

TEMPORARY EASEMENT

A strip of land being 25 feet in width, adjoined to and parallel with the easterly and southerly line of the above described 50 foot PERMANENT EASEMENT AND RIGHT OF WAY, extending and shortening the sidelines therefore to intersect with the said section line and the north and south lines of the tract described in Reception No. 3172843 of the Weld County Records;

Said strip being approximately 1695.3 feet or 102.7 rods in length and containing 0.973 acres more or less.

FOR AND ON THE BEHALF OF
KINDER MORGAN INTERSTATE GAS TRANSMISSION LLC

CALVIN HEINLY, PLS
COLORADO LS # 23501

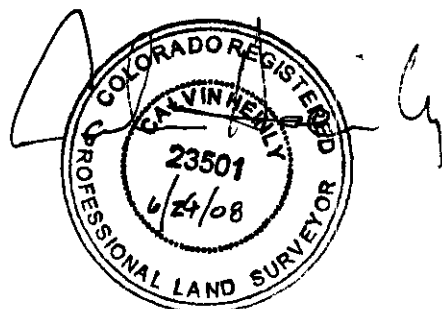
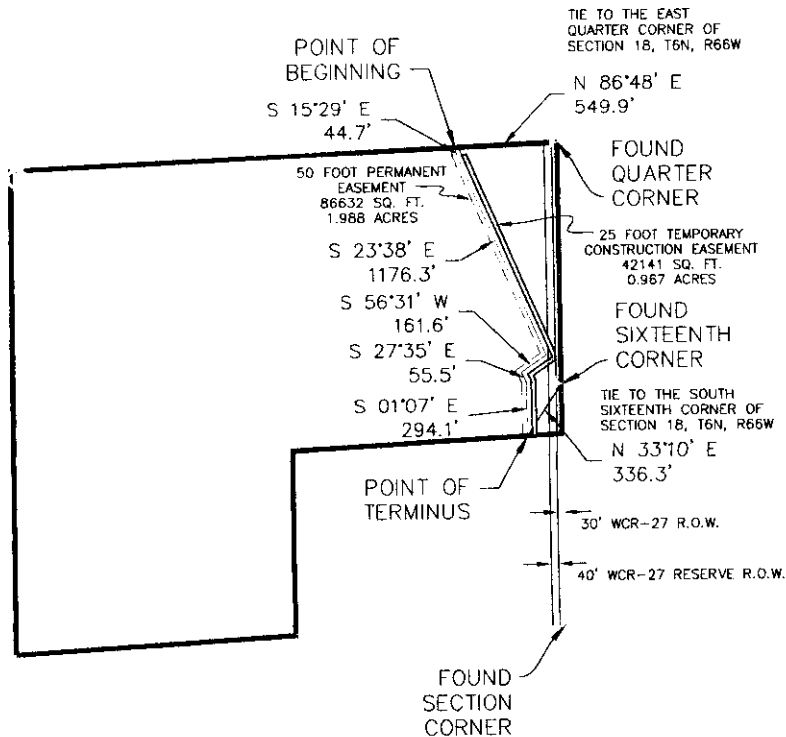
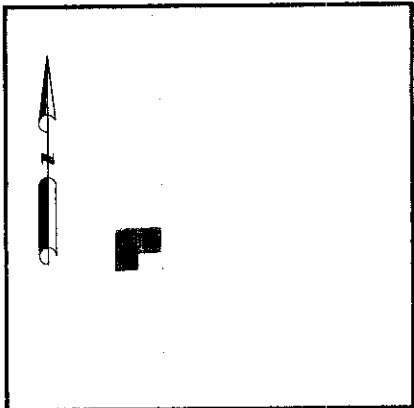


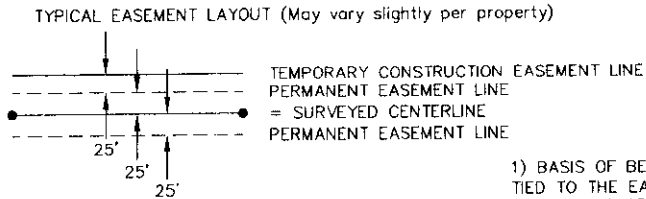
EXHIBIT "A-2"
50 FOOT PERMANENT EASEMENT
VAUGHN COOK AND HARMONY FARM, LLC.
SECTION 18, T6N, R66W, 6th PRINCIPAL MERIDIAN
BEING 1732.3 FEET OR 104.9 RODS IN LENGTH, CONTAINING 1.988 ACRES MORE OR LESS



TRACT ML-96
VAUGHN COOK &
HARMONY FARM, LLC.
PART OF SOUTHEAST 1/4
SECTION 18, T6N, R66W
6th PRINCIPAL MERIDIAN
WELD COUNTY, COLORADO



VICINITY MAP
NOT TO SCALE



SCALE 1"=1000'
0 500' 1000 FEET
COLORADO NORTH ZONE
US SURVEY FEET
NAD 83

LEGEND:

- ⊗ = FOUND MONUMENT
- = PROJECTED CORNER LOCATION
- = PROPOSED TEMPORARY WORKSPACE

- 1) BASIS OF BEARING: COLORADO NORTH ZONE (NAD83) GRID NORTH TIED TO THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 18, T6N R66W USING GPS METHODS. SAID EAST LINE HAVING A BEARING OF S00°40'E BETWEEN A FOUND MONUMENT AT THE EAST 1/4 CORNER AND A FOUND MONUMENT AT THE SOUTHEAST CORNER.
- 2) DATE FIELD SURVEY: 4/2007
- 3) THIS DRAWING IS FOR INFORMATIONAL PURPOSES ONLY AND IS TO DEPICT THE LEGAL DESCRIPTION SHOWN HEREON AND IS NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY.



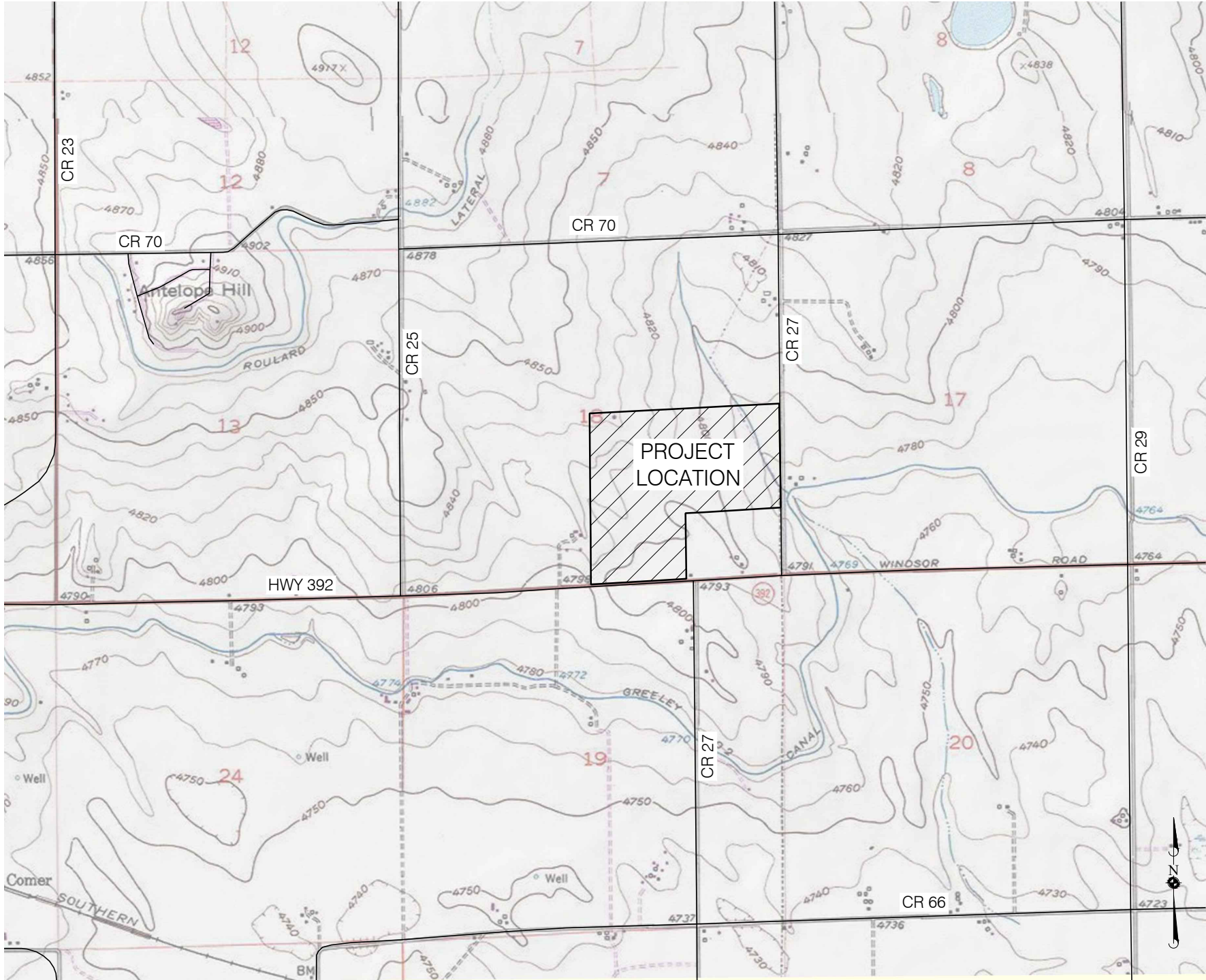
<div>PREPARED BY:</div> <div> Alliance Engineering A Wood Group Company</div>	<div></div>			<div>COLORADO LATERAL VAUGHN COOK & HARMONY FARM, LLC. SEC. 18, T6N, R66W, 6th P.M. WELD COUNTY, COLORADO SHEET 1 OF 1</div>	
	SCALE 1"=1000'	DATE 06/19/07	REV. C	FILE NO. 651-P-095	
	W.O. # XXXXX	DRAWN J. KIRKPATRICK	CHK. DR. C. HEINLY		
	CON. JOB # 10700400	PROJECT ENGR. B. PELEPCHAN	PROJECT MGR. J. TRUJILLO		

Exhibit B

Index Map

See attached map.




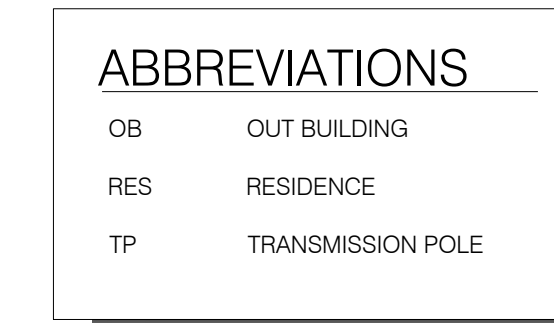
 AGPROfessionals DEVELOPERS OF AGRICULTURE 3050 67th Avenue, Suite 200, Greeley, CO 80634 (970) 535-9318 - fax: (970) 535-9854	LTS PERFORMANCE HORSES LLC EXHIBIT B - INDEX MAP WELD COUNTY, CO	DATE: 9/18/24
		SCALE: 1" = 1,000'

Exhibit C

Pre-Mining and Mining Plan Maps of Affected Lands

See attached maps.



PERMANENT STRUCTURES				
Key	Structure	Owner	Easement / ID	Location
A	Pipeline	Public Service Company, D/B/A Excel Energy	50' Public Service Company Easement, Reception No. 2509013	East of area of disturbance. Access road crosses the easement.
B	Archer-Weld Transmission Line	Transmission Division, Colorado River Storage Project, Bureau of Reclamation, Department of the Interior	100' Electric Transmission Line Easement, Reception No. 1561327	More than 200-feet east of area of disturbance. Access road crosses the easement.
C	Pipeline	Black Hills Gas Distribution, LLC, D/B/A Black Hills Energy	50' Pipeline Easement, Reception No. 2634911, KN Wattenberg Transmission, LLC	East of area of disturbance. Access road crosses the easement.
D	Pipeline	Tall Grass Interstate Gas Transmission LLC, D/B/A Tallgrass Energy	50' Pipeline Easement, Reception No. 3549935, and Amended Pipeline Easement, Reception No. 3608098, Kinder Morgan Interstate Gas Transmission LLC	East of area of disturbance. Access road crosses the easement.
E	Pipeline(s)	Chevron Corporation	30' Right-of-Way Grant, Reception No. 4162720, XTR Midstream, LLC	East of area of disturbance. Access road crosses the easement.
F	Pipeline	DCP Midstream, LP / Phillips 66	35' Pipeline Right-of-Way Grant, Reception No. 1923866, Associated Natural Gas Inc	Along CR 27, Access road crosses the easement.
G	Waterline	North Weld County Water District	Valve Site Contract, Reception No. 3013241	Along CR 27, Access road crosses the easement.
H	Pipeline	Suncor Energy (U.S.A.) Pipeline Company	ROW Contract, Reception No. 800076, Weld County LAP22-0011, Reception No. 4953067 (Blanket Easements)	South of the staging area. Location of proposed pipeline shown is per LAP22-0011 design drawings.
I	Pipeline	DCP Midstream, LP / Phillips 66	30' Pipeline Easement, Reception No. 4296169, DCP Lucerne 2 Plant LLC	South and east of the area of disturbance
J	Waterline	North Weld County Water District	20' Waterline Easement, Reception No. 1450757	Runs through pivot irrigated area
K	Irrigation Pond	LTS Performance Horses LLC	N/A	Northwest of pivot irrigated area
L	Pivot Concrete Pad	LTS Performance Horses LLC	N/A	South and east of the area of disturbance
M	P&A O&G Well	Chevron Corporation	API Label: 05-123-11130 Well Name: 33-18 Carlson	In pivot irrigated area
N	P&A O&G Well	Chevron Corporation	API Label: 05-123-22792 Well Name: 18-41 Carlson	In pivot irrigated area
O	P&A O&G Well	Chevron Corporation	API Label: 05-123-22793 Well Name: 18-43 Carlson	In pivot irrigated area
P	Overhead Electric Distribution Line	PVREA	N/A	West of the area of disturbance
Q	Overhead Electric Distribution Line	PVREA	N/A	Along CR 27

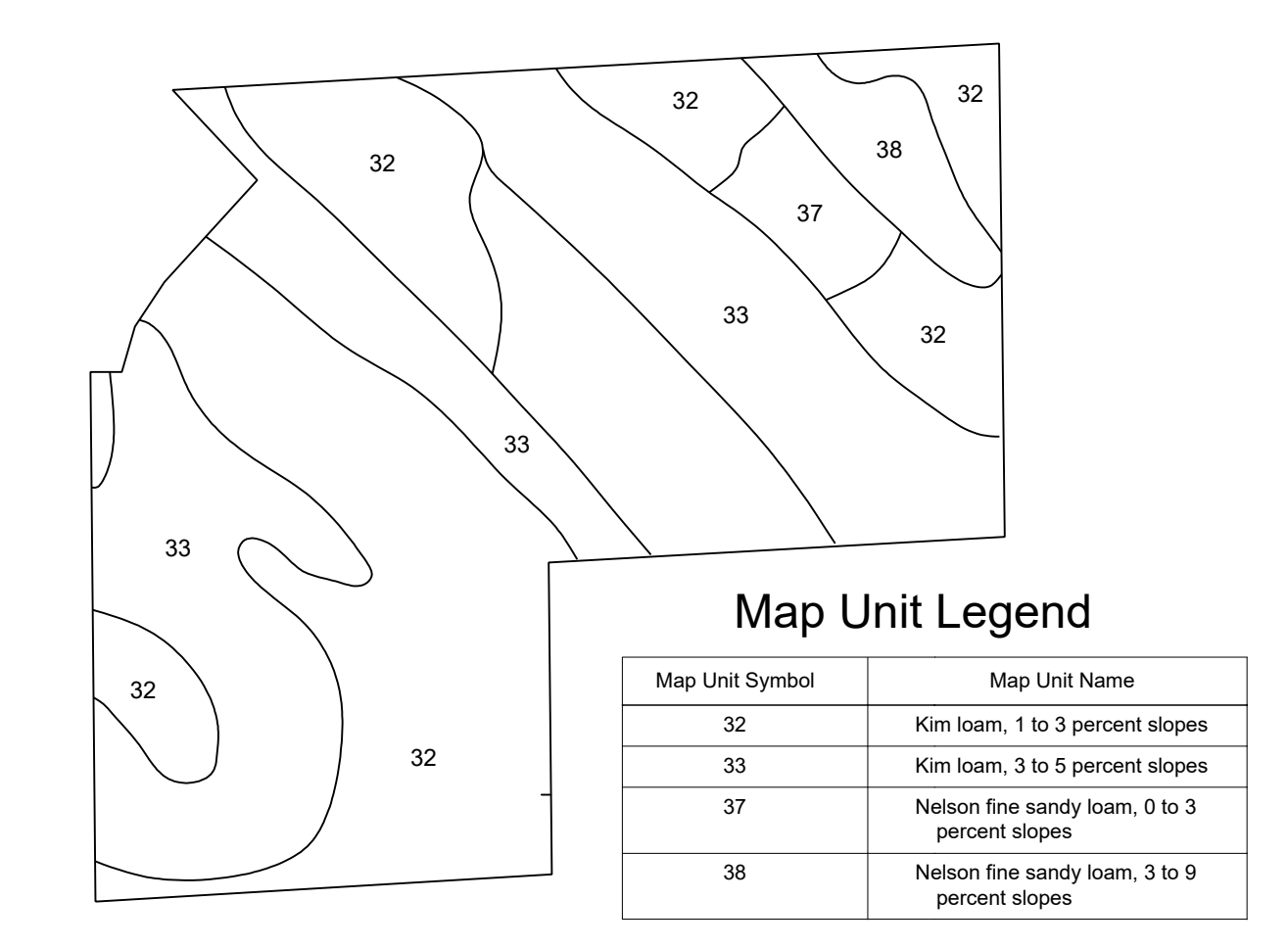


Exhibit F

Reclamation Plan Map

See attached map.



Buffalo Grass (Texoka, Sharps Improved)	1.5 lbs pls/acre
Little Bluestem (Blaze, Cimarron, Camper)	1.5 lbs pls/acre
Sideoats Grama (Vaughn, Butte, Niner, El Reno, Haskell)	2 lbs pls/acre
Blue Grama (Hachital, Lovington)	3.5 lbs pls/acre
Western wheatgrass (Arriba, Barton, Rosana)	3 lbs pls/acre
Switchgrass (Nebraska 28, Blackwell)	1.5 lbs pls/acre
Perennial Ryegrass (Calibra or Garibaldi tetraploid)	0.75 lbs pls/acre
Sand dropseed	0.25 lbs pls/acre
Total: 14.00 pounds pls/acre	

MP-2

Mining Plan

Introduction

LTS Performance Horses LLC (LTS) is requesting this Construction Material Regular (112) Operation Reclamation Permit for the removal of 10-14 inches of topsoil from irrigated farmland. The property is described as Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

The approximately 132-acre site contains approximately 105-acres of active agricultural land under a center pivot irrigation system and 27-acres of “dry corners” outside of the center pivot irrigation range. LTS proposes to mine topsoil from approximately 78-acres. Topsoil will be taken off-site for use on various oil and gas sites throughout Weld County. Reclamation of the site will consist of re-grading to support an appropriate seedbed for revegetation. Following mining activities, the disturbed area will be regraded, tilled, and re-planted and will continue to be leased for growing corn.

LTS is proposing to mine the upper 50-80 percent of topsoil from the irrigated portion of the site. Approximately 10-14 inches of topsoil will be removed, leaving at least 3-6 inches on site for reclamation purposes. The goal is to remove approximately 157,480 tons of topsoil over the course of two years.

Mining Methods and Earthmoving

A variety of earthmoving equipment will be used, including loaders, dozers, scrapers, and haul trucks. Water trucks will be used as necessary for dust control. Mined topsoil will be temporarily stockpiled in the northeast corner along the existing access road and Weld County Road 27. The topsoil will be loaded onto haul trucks for transport to the end user. No explosives will be used for extraction operations.

Water Diversions and Impoundments

The topsoil will be dry mined and will not result in the need for dewatering. The operation will not require any water diversions or impoundments.

Mining Limits

Topsoil excavation will occur within the boundary of Lot B 2AMRECX19-01-2877. The mining limits are shown on Exhibit C - Pre-Mining and Mining Plan Maps of Affected Lands and are generally described as that portion of the site irrigated by the center pivot. Within that irrigated area the mining limits are further restricted by setbacks from property lines and existing structures and easements. The mined area will encompass approximately 78-acres of the 132-acre site.

Mine Phasing

Topsoil excavation will occur in two phases, as depicted on Exhibit C - Pre-Mining and Mining Plan Maps of Affected Lands. Phase 1 will be the northeastern half of the site and Phase 2 will be the southwestern half of the site. Phase 1 is expected to be mined in year one and reclaimed concurrently. Phase 2 is expected to be mined in years one and two and reclaimed concurrently. Final reclamation is expected to be completed within one to two years from the end of excavation for each phase, but not more than five years from the date each phase has commenced.

Commodities and Intended Use

Topsoil will be the only product mined. No secondary commodities or incidental products are anticipated. The topsoil will be taken off-site for use at various oil and gas sites throughout Weld County.

Roadways

There is an existing roadway that runs along the northern portion of the site which will be used for the mining activities. The access point for this roadway is on Weld County Road 27, approximately ½ mile north of Highway 392. As the roadway currently supports heavy agricultural equipment, no on-site roadway improvements are anticipated. No off-site roadway improvements are anticipated as Weld County Road 27 is a paved arterial and Highway 392 is a paved state highway.

Reclamation Plan

Introduction

LTS Performance Horses LLC (LTS) is proposing the removal of 10-14 inches of topsoil from irrigated farmland through the Construction Material Regular (112) Operation Reclamation Permit process. The property is described as Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

The approximately 132-acre site contains approximately 105-acres of active agricultural land under a center pivot irrigation system and 27-acres of “dry corners” outside of the center pivot irrigation range. LTS proposes to mine topsoil from approximately 78-acres. Topsoil will be taken off-site for use on various oil and gas sites throughout Weld County. Reclamation of the site will consist of re-grading to support an appropriate seedbed for revegetation. Following mining activities, the disturbed area will be re-graded, tilled, and re-planted and will continue to be leased for growing corn.

This Reclamation Plan has been developed in accordance with the requirements of 6.4.5 Exhibit E – Reclamation Plan in the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules). This plan describes procedures necessary for reclamation of the disturbed area. This plan will address re-grading, re-seeding, weed control, stormwater mitigation, monitoring, annual reporting, post-reclamation inspection and release of warranties. The operator, and all personnel working on this project, should be familiar with this Reclamation Plan prior to the commencement of mining activities.

Existing Conditions

Location:	Northwest corner of Highway 392 and Weld County Road 37 Part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6 th P.M., Weld County, Colorado Weld County parcel no. 080518400004
Size:	Total property area: 131.897-acres Total area of disturbance: 83.41-acres

Current Land Use:	Agriculture
Vegetation:	Existing: Irrigated cropland Following Reclamation: Irrigated cropland
Soils:	Loam to fine sandy loam. Dominant soil types include Kim loam, Nelson fine sandy loam, and Olney fine sandy loam.
Climate:	Mean annual precipitation: 12 to 16 inches Mean annual air temperature: 46 to 55 degrees Fahrenheit Frost-free period: 130 to 170 days
Water Resources:	An existing irrigation pond is located in the northwestern corner of the site, approximately 50-feet from the proposed area of disturbance. There is a field ditch crossing the northeastern portion of the property, which ties into the Greeley Number 2 Canal on the east side of Weld County Road 27. The field ditch is approximately 250-feet from the proposed area of disturbance.
Wildlife:	No critical wildlife habitat or wildlife species will be impacted by the proposed operation.

Project Description

LTS is proposing to mine the upper 50-80 percent of topsoil from the irrigated portion of the site. Approximately 10-14 inches of topsoil will be removed, leaving at least 3-6 inches on site for reclamation purposes. The goal is to remove approximately 157,480 tons of topsoil in two phases over the course of two years. LTS is the landowner and operator of the mining activity and will be responsible for reclamation of the disturbed area.

Reclamation Methods

Mining and reclamation will occur in two phases:

- Phase 1: northeastern half (36.6-acres) (mined in year one and reclaimed concurrently)
- Phase 2: southwestern half (41.76-acres) (mined in years one and two and reclaimed concurrently)

Phasing is depicted on Exhibit F Reclamation Plan Map. Within the first year following permit approval, the operator will mine topsoil from the northeastern portion of the site then commence reclamation procedures. Active farming will continue on the southwestern portion of the site during Phase 1. Upon completion of topsoil excavation from the northeastern portion of the site, the operator will mine topsoil from the southwestern half of the site then commence reclamation procedures. Backfilling and grading will be completed as soon as feasible after the mining

process is complete. Phase 2 may start in year one, depending on how quickly Phase 1 is completed. The mining operation is expected to be completed within two years.

Long-term stockpiling and stabilization of topsoil will not be necessary. The extracted material will be removed from site and sold to a third party. During this process, the topsoil will be handled as little as possible to maintain soil health and fertility.

Staging

A staging area will be located in the northeastern corner of the site near the site access road. The staging area is approximately 5-acres and will provide an area for equipment storage and loading operations. The inclusion of a staging area will minimize soil compaction across the disturbance area.

Grading and Erosion Control

During active mining, erosion prevention and sediment control Best Management Practices (BMPs) will be installed to minimize erosion from disturbed surfaces and to capture sediment on-site. The proposed BMPs will be included on the final Grading Plan in conjunction with the Colorado Department of Public Health & Environment (CDPHE) Storm Water Discharge Permit and Stormwater Management Plan (SWMP).

Final grading will support an appropriate seedbed for revegetation and will be traversable by farm machinery. Manure and fertilizer will be applied as necessary to support crop growth. All grading shall be done in a manner to control erosion and siltation of the affected lands and to protect areas outside the affected land from slides and other damage. The anticipated post reclamation slope gradient will be similar to the present slope. As required, the maximum gradient will not exceed a 3:1 slope.

Seeding and Revegetation

Following mining activities, the Phase 1 and Phase 2 areas will be revegetated to establish diverse, effective, and long-lasting vegetative cover. The operator will till the disturbed areas to prepare an appropriate seedbed for crop planting. Soil samples are recommended to identify nutrient deficiencies and determine if fertilizer application or soil amendments are needed. Planting corn typically occurs between mid-April to late-May, weather dependent. Planting will be done with typical farming techniques. The planted field will continue to be irrigated by the center pivot irrigation system.

In the staging area, stockpiling of material will take place on undisturbed ground and topsoil won't be removed. Once the temporary stockpile material and equipment has been removed, the site will be re-graded to approximate pre-disturbance grade. No root zones need to be created as the underlying material is soil. The seedbed shall be firm and free of weeds. In areas where there is excessive compaction, tillage, such as chiseling and disking, shall be

done to break up the compaction then harrowed down. The area will then be re-seeded using an approved seed mixture. Dormant planting is possible any time after October 15th or when temperatures are cold enough to prevent seed germination. Seeding on frozen soils will be avoided. Planting may also be done in the print until the end of April or early May and between July 1st and September 1st. The recommended reclamation seeding mix of the stockpile area is the Weld County General Seed Mix for areas north of County Road 68. The seed mix is as follows:

• Buffalo Grass (Taxoka, Sharps Improved)	1.5 lbs pls/acre
• Little Bluestem (Blaze, Cimarron, Camper)	1.5 lbs pls/acre
• Sideoats Grama (Vaughn, Butte, Niner, El Reno, Haskell)	2 lbs pls/acre
• Blue Grama (Hachital, Lovington)	3.5 lbs pls/acre
• Western Wheatgrass (Arriba, Barton, Rosana)	3 lbs pls/acre
• Switchgrass (Nebraska 28, Blackwell)	1.5 lbs pls/acre
• Perennial Ryegrass (Calibra or Garibaldi tetraploid)	0.75 lbs pls/acre
• Sand Dropseed	0.25 lbs pls/acre

Total: 14 pounds pls/acre

Seeds will be planted immediately following completion of mining activities to decrease competition from noxious weed species. Seeds will be planted using drill seeding at the appropriate depths. A one-time application of manure/compost mix will be applied to the seeded area for stabilization and fertilization. The seeded areas will not be irrigated.

Noxious Weed Management

Various state and local regulations require management of noxious weeds. If established quickly, crop cover and standard farming practices will help suppress weed growth. The operator will monitor disturbed areas for noxious weeds during the mining operation. Currently, there are no noxious weeds identified on the subject property. The majority of the site has been under continuous crop cultivation. The greatest period of susceptibility for weeds to establish themselves is during temporary stockpiling and the start of reclamation procedures. Operator will survey the site regularly and monitor weed conditions. Should noxious weeds be identified, the operator will work to eradicate the weeds. Mechanical control methods such as pulling, mowing, and tilling and chemical control methods with the use of herbicides will be used. Proper identification of the suspected noxious weed will ensure the appropriate control methods are utilized. A complete list of Colorado noxious weeds can be found at <https://ag.colorado.gov/conservation/noxious-weeds/species-id>.

If excavation activities are completed before the growing season begins, preventative measures such as spraying will be taken. Establishment of crop cover will be the most effective method of long-term weed suppression.

Upon completion of the mining activities, the stockpile area will be reseeded with native grass according to the recommended seeding procedures and seed mix described above.

Trash, Debris, and Materials Handling

Trash and debris will be collected in a covered dumpster, removed from the site at an appropriate rate, and properly disposed of. No explosives or hazardous materials will be needed to extract topsoil.

Water

Pursuant to Rule 3.1.6 and Rule 3.1.7 compliance with applicable federal and Colorado water quality laws and regulations, including statewide water quality standards and site-specific classifications and standards adopted by the Water Quality Control Commission, and applicable federal and Colorado dredge and fill requirements is required. Given the limited depth of topsoil removal, the proposed mining activities are not expected to have an impact on water quality. Compliance with applicable laws shall be adhered to.

Wildlife

All mining and reclamation activities shall take into account the safety and protection of wildlife. As the reclamation procedures will return the site to current conditions, the post-reclamation conditions for wildlife are expected to be similar to current conditions for wildlife. Additional wildlife information is presented in Exhibit H.

Signs and Markers

Pursuant to Rule 3.1.12, the Operator shall post a sign at a minimum size of eleven (11) by seventeen (17) inch with appropriate font size, including the name of the Operator and the operation name, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board, and the permit number. The boundaries of the affected area will be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries.

Spill Reporting

Pursuant to Rule 3.1.13, the operator will report any spill of hazardous or toxic substance to the Office of Mined Land Reclamation (Office) within twenty-four (24) hours.

Post Mining Land Use

The proposed post mining land use is the current land use, irrigated cropland. The subject property is zoned agricultural and surrounded by farmland. The post mining land use is consistent with Weld County's allowed uses in the Agricultural Zone District as farming is a use by right activity. No public use of the property is expected in the foreseeable future.

Schedule

Reclamation is expected to be completed within one to two years from the end of excavation, but not more than five years from the date each phase has commenced.

Financial Warranty

The Operator will supply to the Office a Performance and Financial Warranty in accordance with Rule 4. Refer to Exhibit L – Reclamation Costs.

Annual Report and Fees

Pursuant to Rule 1.15 Annual Report Inclusions, the Annual Report shall include all information specified on the Annual Report Form, in the format required by the Office, including the following:

- An updated statement regarding the sufficiency of the value of the Financial Warranty.
- A map that accurately depicts the permit boundary, current affected area boundary, location of the acres affected during the current report year, acres reclaimed during the current report year, estimated new acreage to be affected in the next report year, and acres to be reclaimed in the next report year.
- On the anniversary date of the Notice of Intent (NOI) approval, the operator shall submit to the Office an annual fee, as specified in Section 34-32.5-125, C.R.S.

Change in Address, Ownership, and Business Name

Pursuant to Rule 1.16 the Operator shall promptly notify the office of any change in mailing address, transfer of land ownership, and official business name associated with the Performance and Financial Warranty. Where an Operator files a petition of bankruptcy, the Operator shall immediately notify the Office via certified mail of such filing.

Post-Reclamation Inspection and Release of Warranties

Each Phase will be reclaimed pursuant to the Rules. Pursuant to Rule 3.1.3, all reclamation shall be carried to completion by the Operator with all reasonable diligence, and each phase or reclamation shall be completed within five (5) years from the date the Operator informs the Board of Office that such phase has commenced, or from the date the Office has evidence that mining or exploration has ceased, unless extended by the Board or Office. The 5-year period may be applied separately to each phase as it is commenced throughout the life of the mine.

Pursuant to Rule 4.17.1, the Operator or any mining operation processing a 110 Limited Impact Permit, or a 111 Special Operations Permit, or a 112 Reclamation Permit may file a written notice of completion of reclamation and request for release of reclamation responsibility with the Office whenever an Operator believes any or all requirements of the Act, the Rules and Regulations, and the approved reclamation plan have been completed with respect to any or all

of the Affected Lands. The Operator shall include in the notice of the Office the names and addresses and phone numbers of all owners of record to the affected land. The written notice requesting release shall be sent by Certified Mail and be separate from other types of communication to the Office. Such notice shall contain a signed statement by the Operator or their agent that all applicable portions of the Reclamation Plan requirements have been satisfied in accordance with the Rules and all applicable requirements under the Act.

Pursuant to Rule 4.17.2, the Office upon receipt of said notice of completion of reclamation, shall immediately provide notice to all owners of record of the affected land and to the county(s). The Office shall, within sixty (60) calendar days after receiving said notice, or as soon thereafter as weather conditions permit, inspect the lands and reclamation described in the notice to determine if the Permittee has complied with all applicable requirements. If the Office fails to conduct an inspection within the time specified in Rule 4.17.2(2) or fails to advise the Permittee of deficiencies within the time specified in Rule 4.17.2(4), then all Financial Warranties applicable to reclamation described in the notice shall be deemed released as a matter of law. Where the Office finds that a Permittee has not complied with the applicable requirements of the Act, Rules and Regulations, or the approved reclamation plan, it shall advise the Permittee of such non-compliance not more than sixty (60) calendar days after the date of the inspection. Where the Office finds that a Permittee has successfully complied with the requirements of the Act, Rules and Regulations, and the approved reclamation plan, the Office shall release all applicable performance and financial warranties. Release (pending an appeal) shall be in writing and mailed within thirty (30) calendar days to the Permittee after the date of such findings. However, an appeal to the release of the financial and performance warranties shall stay the release on the thirtieth (30) day pending a Form Board Hearing.

October 15, 2024

CERTIFIED MAIL/RETURN RECEIPT REQUESTED # 9414 8112 0620 5482 9149 51

Chevron U.S.A. Inc.
Attn: Rockies Business Unit
4000 Burlington Ave
Evans, CO 80620

Re: AGPRO Project #2253-01
LTS Performance Horses, LLC Topsoil Mine

To Whom It May Concern:

This letter is to inform you that LTS Performance Horses, LLC (Applicant) is filing for a Colorado Division of Reclamation, Mining, and Safety (DRMS) Construction Material Regular (112) Operation Reclamation Permit for the removal of 10-14 inches of topsoil from irrigated farmland. Applicant's property more particularly described below.

Legal Description:

Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

You may have an interest in the pipeline crossing the Applicant's property per the 30' right-of-way grant recorded on December 3, 2015, at reception no. 4162720. The private access road that will be used for the grading activities crosses said right-of-way. You may also have an interest in three plugged and abandoned oil and gas wells on the subject property, facility name Carlson, and facility numbers 33-18, 18-41, and 18-43.

The proposed grading activities are situated outside of your pipeline right-of-way area and the existing access road will be utilized. The access road is part of the 'Affected Land' of the mining activities. Pursuant to the DRMS regulations for 112 permits for permanent man-made structures within 200-feet of the 'Affected Land,' we are requesting a notarized letter on your letterhead stating that the mining and reclamation activities, as proposed, will not have a negative effect on your utility.

We are also requesting your conditions/requirements, if any, for grading activities occurring above the plugged and abandoned wells.

Enclosed are the Right-of-Way Grant, COGCC forms for the Carlson wells, property map, draft Mining Maps, draft Mining Plan, and draft Reclamation Plan for reference.

If you have any questions, please feel free to contact us at (970) 535-9318, or kbruxvoort@agpros.com. We will be representing the Applicant throughout the application process.

Sincerely,

Kelsey Bruxvoort

Kelsey Bruxvoort
Land Planner

Enclosures:

1. Right-of-Way Grant
2. 33-18 Carlson – Transfer of Operatorship
3. 18-41 Carlson – Well Abandonment Report
4. 18-43 Carlson – Analytical Sample Data
5. Property Map – O&G Wells
6. Mining Maps
7. Mining Plan
8. Reclamation Plan

RIGHT-OF-WAY GRANT

THIS RIGHT-OF-WAY GRANT ("Grant") is made this 16th day of November, 2015, from **Wynona B. Thayer Revocable Trust**, in care of Jill S. Cook, Trustee, whose address is 5412 East County Road 32E, Fort Collins, Colorado 80528 ("Grantor"), to **XTR Midstream, LLC**, a Delaware limited liability company, whose address is 370 17th St., STE 5300, Denver, Colorado 80202 ("XTR").

For and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor hereby grants, conveys and warrants unto XTR, its successors and assigns, a perpetual non-exclusive right-of-way and easement to survey, construct, maintain, inspect, operate, repair, replace, relocate, modify, change the size of, reconstruct, mark, monitor, abandon or remove and release, at XTR's election, up to two (2) underground pipelines (the "Pipelines") and all appurtenances convenient for the transportation or transmission of oil, gas, petroleum products, water, electricity, electronic data, hydrocarbons and any other substances, whether electronic, fluid, solid or gaseous, and any products, derivatives, combinations or mixtures of any of the foregoing, in, on, over, under, or through the lands situated in Weld County, State of Colorado, being described as follows:

TOWNSHIP 6 NORTH, RANGE 66 WEST, 6TH PM

Section 18: Part of Lots A and B Amended Recorded Exemption No. 0805-18-4 AMRE-2877, recorded April 22, 2004, at Reception No. 3172843 (a/k/a part of the SE¹/₄)

1. Right-of-Way Location. The specific route and course of the right-of-way and easement conveyed hereby ("Right-of-Way Lands") are more particularly described on Exhibit "A" attached hereto and made a part hereof. The width of the Right-of-Way Lands will be seventy five feet (75') during construction, and subsequent to construction the width of the Right-of-Way Lands will be thirty feet (30').

2. Above Ground Appurtenances. XTR shall only be allowed to install equipment or facilities on the surface of the Right-of-Way Lands in the area labeled as "50'x50' Surface Site" on Exhibit "A." XTR agrees to consult with Grantor as to the location of any pipeline warning signs.

3. Temporary Work Easement. After the initial construction of the Pipelines, XTR may require, from time to time, additional temporary work space parallel and adjacent to the Right-of-Way Lands to survey, construct, maintain, inspect, operate, repair, alter, replace, modify, change the size of, reconstruct, mark, monitor, abandon or remove any or all of the Pipelines together with all appurtenances. Grantor agrees to negotiate in good faith with XTR to allow XTR the use of this additional temporary work space.

4. Warranty of Ownership. Grantor represents and warrants to XTR that Grantor is the sole owner in fee simple of the Right-of-Way Lands subject to the burden of this Grant and that Grantor has full right, power and authority to enter into this Grant.

5. Pipeline Depth and Reclamation. The Pipelines shall be placed at a depth of not less than forty-eight inches (48") below the surface of the ground. Grantor agrees not to increase or decrease the surface elevation on the Right-of-Way Lands without XTR's prior written permission. To the extent reasonably practicable and within a reasonable period of time after completion of construction, XTR shall level, restore, reseed and reclaim any lands affected by XTR's operations to the condition that existed immediately prior to commencement of XTR's operations.

6. Removal, Repair and Restoration of Fencing. XTR shall promptly repair and/or restore any fence(s) on or adjacent to the Right-of-Way Lands that are removed or severed by XTR in the course of the operations provided for in this Grant to the condition such fence was in prior to its removal or severance by XTR. If necessary to prevent the escape of Grantor's livestock, XTR shall construct temporary gates or fences in those areas affected by XTR's operations as provided for in this Grant.

7. Reserved Rights. Grantor reserves the right to lay, construct and maintain streets and roadways, sidewalks, landscaping (exclusive of trees), grading, signs, and fences, over and across the Right-of-Way Lands; provided, however, that Grantor, its successors or assigns, shall not use the Right-of-Way Lands so as to materially impair XTR's right to use the same for the purposes herein granted. Grantor further reserves the right to cross the Pipelines with utilities, as well as to install, or allow to be installed, utilities or other pipelines parallel to the Pipelines within the Right-of-Way Lands; provided, however, that Grantor, its successors or assigns, shall not use the Right-of-Way Lands so as to materially impair XTR's right to use the same for the purposes herein granted. Notwithstanding anything to the contrary contained herein, if XTR, in its reasonable discretion, determines that any facility laid, permitted, or constructed by Grantor pursuant to the rights reserved to Grantor in this paragraph, or any other installation, facility, or building laid, placed, or constructed on the Right-of-Way Lands, materially interferes with or impairs the ability of XTR to safely operate the Pipelines, then XTR shall be allowed to remove such facility.

8. Reimbursement and Indemnification. Subject to paragraph 7, XTR shall be obligated to pay for, repair, replace or otherwise compensate Grantor for any damages resulting from XTR's activities and operations on the Right-of-Way Lands, except for any damage to structures or improvements placed in the Right-of-Way Lands by Grantor or Grantor's permittees contrary to the terms contained herein, and Grantor shall pay for, reimburse, indemnify and hold XTR harmless from any and all claims or damages resulting from negligent activities of Grantor on the Right-of-Way Lands.. Grantor shall have the right to use and enjoy the Right-of-Way Lands, subject to the rights herein granted.

Grantor shall have no liability to XTR at any time resulting from, or arising out of, the grant of the right-of-way or on account of any use of the right-of-way or the Right-of-Way Lands by XTR, its employees, agents, or assigns. XTR, its successors and assigns, hereby agrees to indemnify and hold Grantor completely harmless from any and all damages, injuries, expenses, claims, or other obligations, including, but not limited to, attorneys' fees, asserted by any party in connection with the use of the right-of-way or the Right-of-Way Lands by XTR, its employees, agents, or assigns.

9. Rights, Privileges and Benefits. XTR shall have all rights, privileges and benefits necessary for the full use and enjoyment of this Grant, including the right of ingress and egress to and from the Right-of-Way Lands over and across as much of Grantor's adjacent land as is necessary to access the Right-of-Way Lands. XTR shall promptly repair any damages to Grantor's roads resulting from XTR's activities.

10. Taxes, Mortgages and Liens. Grantor agrees that XTR may, at its option, pay and discharge any taxes, mortgages or liens existing, levied or assessed on or against the lands burdened by this Grant. If XTR exercises such option, XTR shall be subrogated to the rights of the party to whom payment is made, and in addition to its other rights, may reimburse itself out of any amounts otherwise payable to Grantor from XTR.

11. Modification. This Grant cannot be modified, except by an instrument in writing signed by Grantor and by an authorized representative of XTR.

12. Assignments. The rights granted herein may be assigned in whole or in part, and the terms, conditions, and provisions of this Grant are a covenant running with the land and shall extend to and be binding upon the successors and assigns of Grantor and of XTR. XTR shall promptly notify Grantor of any assignment of this Grant by XTR.

13. Abandonment. If XTR is not in the process of installing the Pipelines or does not use any of the rights granted herein for a period of two (2) years from January 1, 2016, this Grant will terminate and any rights-of-way and easements granted herein across the Right-of-Way Lands will be deemed abandoned. If abandonment occurs, XTR shall remove all structures installed by XTR, including the Pipelines and any aboveground facilities. XTR shall properly remediate the Right-of-Way Lands and Grantor's adjacent land after removal and compensate Grantor for any damages caused during such removal.

14. Construction Dates and Crop Damage. XTR shall construct the Pipelines between the dates of November 1 and April 1 in any calendar year that this Grant is in force (the "Construction Period"). XTR shall pay to Grantor an amount equal to Two Hundred Dollars (\$200.00) per day if, for any reason, XTR's construction activities, including removal of all of XTR's equipment ("Construction Activities"), occur outside the Construction Period. In addition, XTR shall compensate Grantor for actual crop damage if Construction Activities occur outside the Construction Period. Actual crop damage will be determined by multiplying the area of removed or disturbed crops times the average yield for the field in which the Pipelines are installed. Average yield shall be determined by either evidence provided from a compactor report, the average yield for the crop being disturbed in Weld County as determined by the Colorado Agricultural Statistics 2014 (published by the National Agricultural Statistics Service Colorado Field Office), or the average yield realized for the field upon harvest. Once actual crop damage is determined (by multiplying the area of removed or disturbed crops times the average yield), actual crop damage will be multiplied by the higher of a spot price for the closest grain elevator as published by the United States Department of Agriculture, or by the price the crops are contracted to sell for. If the price being paid is a contracted price, evidence of a contract must be provided to XTR.

15. Recording. XTR shall record an original of this Grant in the records of the County in which the Right-of-Way Lands are located.

16. Choice of Laws. This Grant is to be construed in accordance with the laws of the State in which the Right-of-Way Lands are located, without giving effect to any choice of law principles that impose or attempt to impose the law(s) of another jurisdiction.

17. Counterparts. This Grant may be executed in counterparts, each of which shall be considered one and the same agreement.

IN WITNESS WHEREOF, Grantor has executed, agreed to and delivered this Grant as of the date first above written.

Grantor:

Wynona B. Thayer Revocable Trust

Jill S. Cook, trustee
By: Jill S. Cook
Title: Trustee

XTR:

DD XTR Midstream, LLC, a Delaware limited liability company

Lance Fondren
By: Lance Fondren
Title: Agent

Acknowledgements

STATE OF COLORADO)
) ss.
COUNTY OF LARIMER)

The foregoing instrument was acknowledged before me this 16th day of November, 2015, by Jill S. Cook, as Trustee of the Wynona B. Thayer Revocable Trust.

Witness my hand and official Seal.

My Commission Expires: 11/10/18

(SEAL)

LORI K. HANSON NOTARY PUBLIC STATE OF COLORADO NOTARY ID 19874082022 MY COMMISSION EXPIRES NOV. 10, 2018
--

Lori K. Hanson
Notary Public: Lori K. Hanson

STATE OF Colorado)
) ss.
COUNTY OF Weld)

The foregoing instrument was acknowledged before me this 30th day of November, 2015, by Lance Fondren, as Agent on behalf of XTR Midstream, LLC, a Delaware limited liability company.

Witness my hand and official Seal.

My Commission Expires: 10/14/19

(SEAL)

DEVON S DAGEFORD NOTARY PUBLIC - STATE OF COLORADO My Identification # 20154040360 Expires October 14, 2019
--

Devon Dageford
Notary Public: Devon Dageford

Exhibit A

Attached to and made a part of that certain Right-of-Way Grant, by and between Wynona B. Thayer Revocable Trust and XTR Midstream, LLC, dated the 6th day of November, 2015

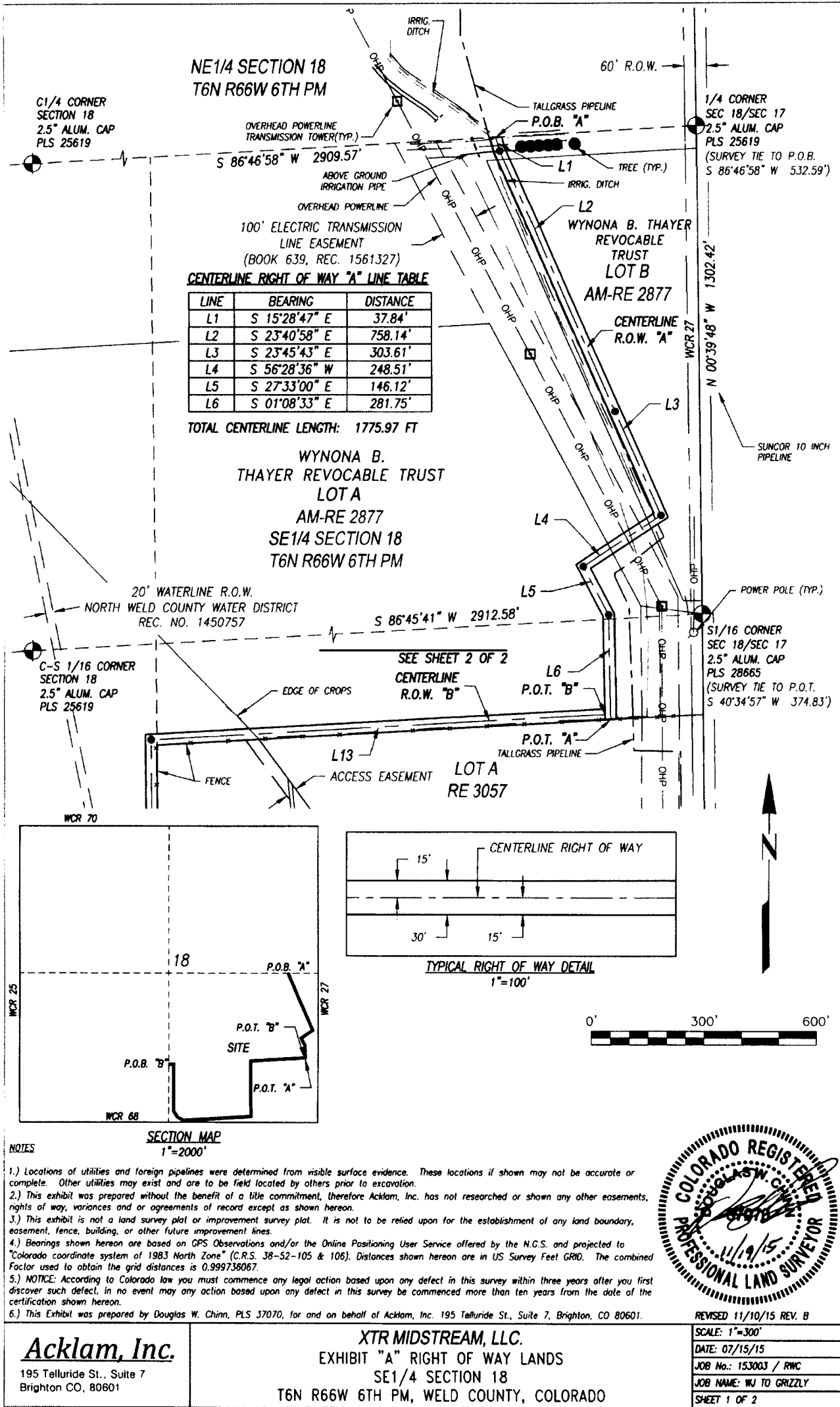
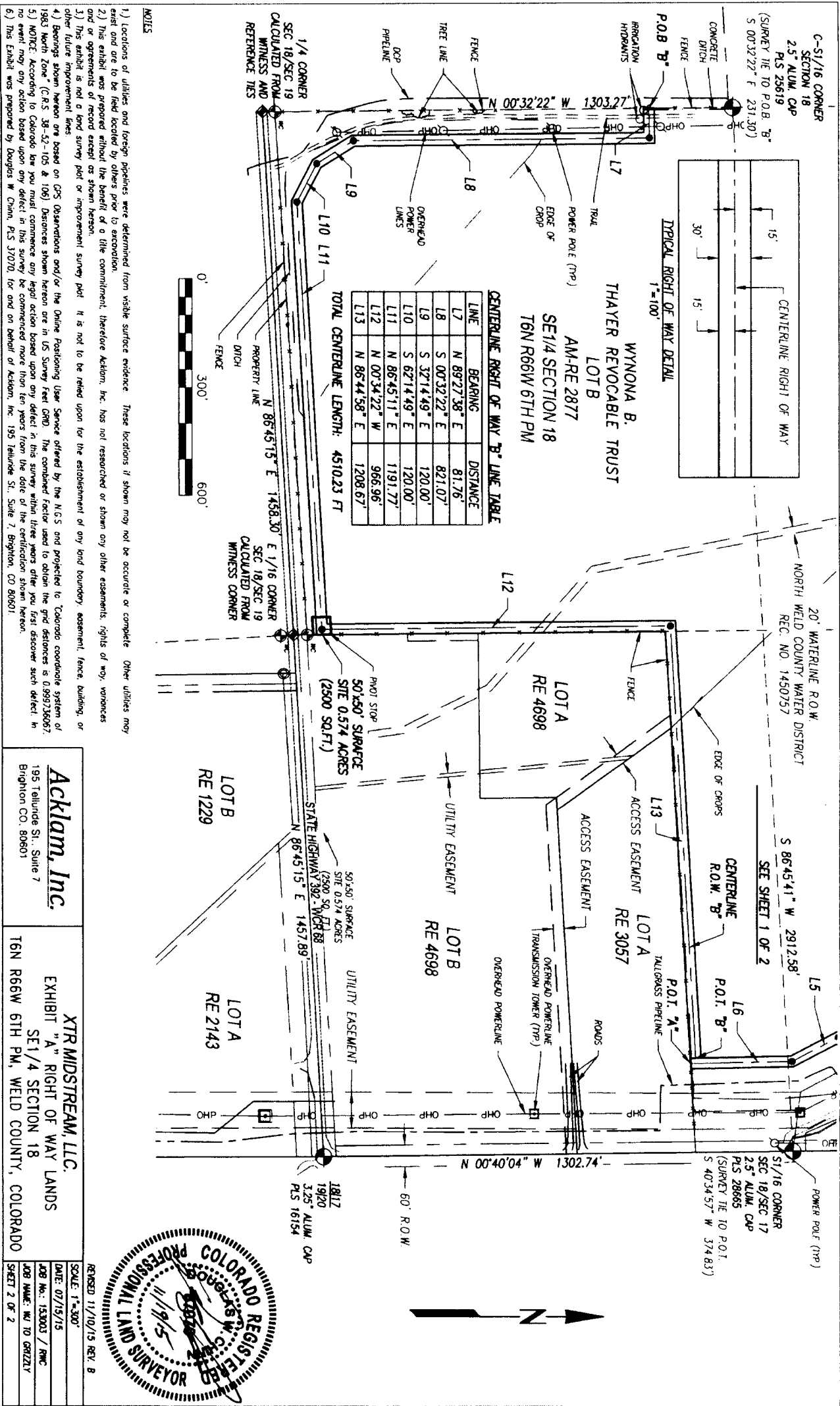


Exhibit A

Attached to and made a part of that certain Right-of-Way Grant, by and between Wynona B. Thayer Revocable Trust and XTR Midstream, LLC, dated the 16th day of November, 2015



FORM
09

Rev
02/21

State of Colorado
Oil and Gas Conservation Commission

1120 Lincoln Street, Suite 801, Denver, Colorado 80203 Phone: (303) 894-2100 Fax: (303) 894-2109



Document Number:

403066782

Receive Date:

06/06/2022

TRANSFER OF OPERATORSHIP

A Selling Operator will notify the Commission about the transfer of any Transferable Item associated with its Oil and Gas Operations to a Buying Operator by filing a Form 9, Transfer of Operatorship – Intent, with the Commission at least 30 days, or as soon as practicable, before the anticipated transfer date. (Rule 218.b.) When a transaction subject to a Form 9 – Intent becomes final, the Buying Operator will submit a Form 9 – Subsequent within 7 days of closing. (Rule 218.d.(1).)

Type of Form 9, Transfer of Operatorship: ☐ Intent ☒ Subsequent Intent # 403043182

OPERATOR INFORMATION

SELLING OPERATOR INFORMATION

OGCC Operator Number: 10110

Contact Name and Telephone:

Name of Operator: GREAT WESTERN OPERATING COMPANY LLC

Name: Venessa Chase

Address: 1775 SHERMAN STREET STE 3000

Phone: (303) 318-6102

City: DENVER State: CO Zip: 80203

Email: venessa.chase@pdce.com

BUYING OPERATOR INFORMATION

OGCC Operator Number: 69175

Contact Name and Telephone:

Name of Operator: PDC ENERGY INC

Name: Venessa Chase

Address: 1775 SHERMAN STREET - STE 3000

Phone: (303) 318-6102

City: DENVER State: CO Zip: 80203

Email: venessa.chase@pdce.com

TRANSFER INFO

Transfer Dates

Form 9 Intent - Anticipated Date of Transfer: 06/05/2022

Form 9 Subsequent - Effective Date of Transfer: s05/31/2022

Confidentiality

Transfer is Confidential: No

Financial Assurance

Form 9 Intent - Estimated amount of Financial Assurance the Buying Operator will submit prior to anticipated date of transfer: \$ 6,680,000

Form 9 Subsequent - The Buying Operator's Financial Assurance:

Surety ID	Bond Type	Amount
20140104	PLUGGING	6,580,000
20160047	PLUGGING	100,000

SUBSEQUENT LIABILITY

Rule 218.d.(1).D.i.

"For Transferable Items listed in Rule 218.d.(1).B.i an acknowledgment that upon the effective date of transfer, that the Buying Operator assumes all responsibility for compliance with the Act, the Commission's Rules, and all terms and conditions of existing Permits and Commission orders for the Transferable Items."

In checking this box the Buying Operator's acknowledges the subsequent liability pursuant to Rule 218.d.(1).D.i.



Rule 218.d.(1).D.ii.

"For Transferable Items listed in Rule 218.d.(1).B.ii or iii, an acknowledgment that the Buying Operator may be or may become responsible for compliance with the Act, the Commission's Rules, and all terms and conditions of existing Permits and Commission orders if the Buying Operator takes any action, or fails to take any action, that would cause such Transferable Item to be out of compliance with the Act, the Commission's Rules, and all terms and conditions of existing Permits and Commission orders."



FORM
6Rev
05/18State of Colorado
Oil and Gas Conservation Commission

1120 Lincoln Street, Suite 801, Denver, Colorado 80203 Phone: (303) 894-2100 Fax: (303) 894-2109



DE	ET	OE	ES
Document Number: 401682950			
Date Received: 06/22/2018			

WELL ABANDONMENT REPORT

This form is to be submitted as an Intent to Abandon whenever an abandonment is planned on a borehole. After the abandonment is complete, this form shall again be submitted as a Subsequent Report of the actual work completed. The approved intent shall be valid for six months after the approval date, after that period, a new intent will be required. Attachments required with the Intent to Abandon are wellbore diagrams of the current configuration and the proposed configuration with plugs set.

A Subsequent Report of Abandonment shall indicate the actual work completed. Attachments required with a Subsequent Report are a wellbore diagram showing plugs that were set and casing remaining in the hole, the job summaries from all plugging contractors used, including wireline and cementing (third party verification) and any logs that may have been run during abandonment.

OGCC Operator Number: 100322	Contact Name: Erich Zwaagstra
Name of Operator: NOBLE ENERGY INC	Phone: (970) 371-7884
Address: 1001 NOBLE ENERGY WAY	Fax:
City: HOUSTON State: TX Zip: 77070	Email: erich.zwaagstra@nblenergy.com
For "Intent" 24 hour notice required, Name: Tel:	
COGCC contact: Email:	

API Number 05-123-22792-00	Well Number: 18-41
Well Name: CARLSON	
Location: QtrQtr: NESE Section: 18 Township: 6N Range: 66W Meridian: 6	
County: WELD	Federal, Indian or State Lease Number:
Field Name: WATTENBERG	Field Number: 90750

☐ Notice of Intent to Abandon ☒ Subsequent Report of Abandonment

Only Complete the Following Background Information for Intent to Abandon

Latitude: 40.485382	Longitude: -104.813531
GPS Data:	
Date of Measurement: 02/14/2007	PDOP Reading: 2.8 GPS Instrument Operator's Name: David Gipson
Reason for Abandonment: <input type="checkbox"/> Dry <input type="checkbox"/> Production Sub-economic <input type="checkbox"/> Mechanical Problems	
<input type="checkbox"/> Other	
Casing to be pulled: <input type="checkbox"/> Yes <input type="checkbox"/> No	Estimated Depth:
Fish in Hole: <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, explain details below
Wellbore has Uncemented Casing leaks: <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, explain details below
Details:	

Current and Previously Abandoned Zones

Formation	Perf. Top	Perf. Btm	Abandoned Date	Method of Isolation	Plug Depth
CODELL	7170	7186	02/09/2018	B PLUG CEMENT TOP	6800
NIOBRARA	6850	7088	02/09/2018	B PLUG CEMENT TOP	6800

Total: 2 zone(s)

Casing History

Casing Type	Size of Hole	Size of Casing	Weight Per Foot	Setting Depth	Sacks Cement	Cement Bot	Cement Top	Status
SURF	12+1/4	8+5/8	24	668	470	668	0	VISU
1ST	7+7/8	4+1/2	11.60	7,356	175	7,356	6,400	CBL
S.C. 1.1				6,400	235	6,400	3,360	CBL

**FORM
43**Rev
05/21**State of Colorado
Oil and Gas Conservation Commission**1120 Lincoln Street, Suite 801, Denver, Colorado 80203
Phone: (303) 894-2100 Fax: (303) 894-2109**OGCC RECEPTION****Receive Date:****12/01/2021****Document Number:****402884284****ANALYTICAL SAMPLE DATA SUBMITTAL FORM**Uses of the Analytical Sample Data Submittal Form:

Submission of sample facility information, water sample analytical data, gas sample analytical data, and soil sample analytical data in compliance with COGCC Rules 411.b. (5), 411.c. (5), 420, 614.c, 615, 805.D, 907.b.(9), 909.J, COGCC Policies, and Form Conditions of Approval.

Operator Information

OGCC Operator Number: 100322

Contact Person: Ryan Sokolowski

Company Name: NOBLE ENERGY INC

Phone: (303) 2284446

Address: 1001 NOBLE ENERGY WAY

Fax: ()

City: HOUSTON State: TX Zip: 77070

Email: ryan.sokolowski@chevron.com

Identification Information

API Number: 05 - 123-22793

OGCC Facility ID: 276510

Initial Form 19 or 27 Document number:

Facility Name: CARLSON

Facility Number: 18-43

Facility Type: WELL

Location QtrQtr: SWSE

Section: 18

Township: 6N

Range: 66W

Meridian: 6

County: WELD

Field Name: WATTENBERG

Federal, Indian or State Lease Number:

Information Submitted By:

Company Name: NOBLE ENERGY INC

Agent Name: Ryan Sokolowski

Title: Regulatory Analyst

Phone Number: 303-2284446

Email: ryan.sokolowski@chevron.com

Rule 909.J Inspection Information

Date the Pit was Inspected

On inspection the Pit was:

☐ Unlined☐ Lined☐ Fenced☐ Netted**Sample Location Information:**

The following Sample Locations have been reviewed by COGCC Staff:

Facility ID: 276510	Facility Name: CARLSON 18-43	Facility Type:
Location: QtrQtr: SWSE	Sec: 18	Twp: 6N
Range: 66W	Meridian: 6	
County Name: WELD	Latitude: 40.481547	Longitude: -104.820008

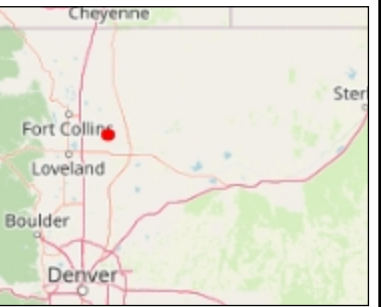
Sample Information:

The following Sample Information has been reviewed by the COGCC:

Batch ID: 93262	Document Name: Carlson 18-43 Bradenhead Liquid	File Name: Carlson 18-43_BDH Liquid_12-4-2019.xlsx
SampleType:	Matrix:	
Facility ID: 276510	Sample ID: 630086	Sample Name:
Collection Point: BDH	Matrix: LIQUID	Pre Post: Bradenhead NON-AQUEOUS LIQUIDS
Project Number:	Remediation Number:	Complaint Number:
Inspection Number:	Spill Number:	Laboratory:
		Lab Sample ID: 18051804-01

Sample Facility Attachment:

No Facility Attachment



Legend

- Parcels
- Highway
- County Boundary



1,144.2 0 572.08 1,144.2 Feet

1: 6,865

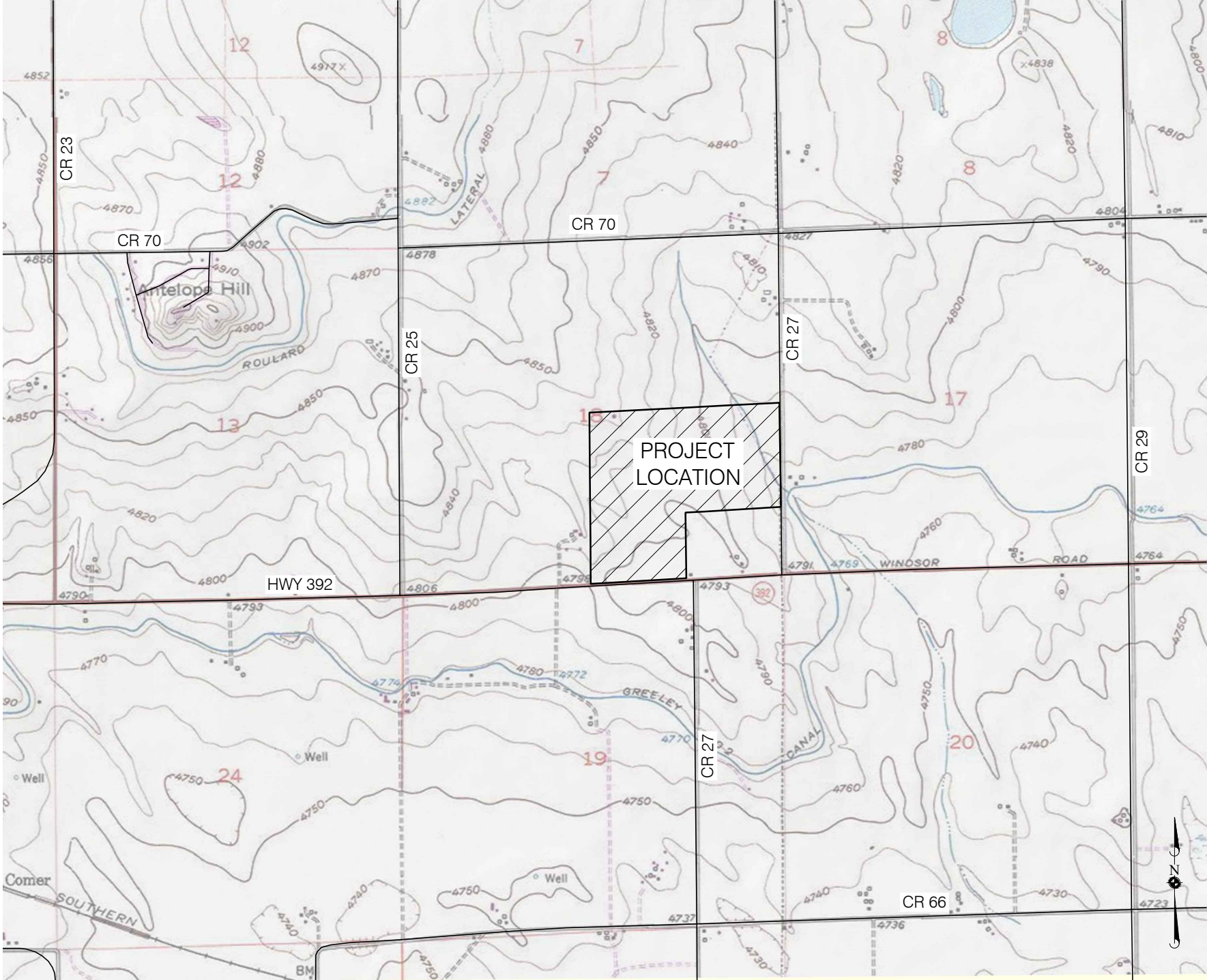


Notes

Exhibit B

Index Map

See attached map.




 AGPROfessionals DEVELOPERS OF AGRICULTURE 3050 67th Avenue, Suite 200, Greeley, CO 80634 (970) 535-9318 - fax: (970) 535-9854	LTS PERFORMANCE HORSES LLC EXHIBIT B - INDEX MAP WELD COUNTY, CO	DATE: 9/18/24
		SCALE: 1" = 1,000'

Exhibit C

Pre-Mining and Mining Plan Maps of Affected Lands

See attached maps.

EXHIBIT C - PRE-MINING & MINING PLAN MAP



LEGEND

4782---

AFFECTED LAND

EXISTING PROPERTY BOUNDARY

EXISTING ADJACENT BOUNDARY

EXISTING RIGHT-OF-WAY

EXISTING WATER FEATURE

SECTION LINE

EXISTING FENCE

EXISTING FIBER OPTIC

EXISTING OVERHEAD ELEC

EXISTING GAS LINE

EXISTING WATER LINE

EXISTING UNDERGROUND ELEC

EXISTING STORM DRAIN

EXISTING UTILITY POLE

EXISTING TRANSMISSION POLE

EXISTING GAS WELL

EXISTING WATER WELL

EXISTING TELEPHONE PED

EXISTING WATER METER

EXISTING GAS

EXISTING FO

EXISTING SIGN

EXISTING TREES

EXISTING STRUCTURE

IRRIGATED CROPLAND

NATIVE GRASS

NOTES

1. TOTAL AREA = 133.90 ACRES

2. MINING AREA = 83.41 ACRES

3. VEGETATION ON SITE IS LIMITED TO IRRIGATED CROPS, NATIVE GRASSES, AND LOW SHRUBS. THERE ARE TREES ALONG THE ACCESS ROAD.

4. MINING DEPTH OF EACH PHASE IS 10-14 INCHES OF TOPSOIL.

5. EACH PHASE OF MINING WILL BE COMPLETED WITHIN A PERIOD OF 12-18 MONTHS.

ABBREVIATIONS

OB

OUT BUILDING

RES

RESIDENCE

TP

TRANSMISSION POLE

PERMANENT STRUCTURES				
Key	Structure	Owner	Easement / ID	Location
A	Pipeline	Public Service Company, D/B/A Excel Energy	50' Public Service Company Easement, Reception No. 2599013	East of area of disturbance. Access road crosses the easement.
B	Archer-Weld Transmission Line	Transmission Division, Colorado River Storage Project, Bureau of Reclamation, Department of the Interior	100' Electric Transmission Line Easement, Reception No. 1561327	More than 200-feet east of area of disturbance. Access road crosses the easement.
C	Pipeline	Black Hills Gas Distribution, LLC, D/B/A Black Hills Energy	50' Pipeline Easement, Reception No. 2634911, KN Wattenberg Transmission, LLC	East of area of disturbance. Access road crosses the easement.
D	Pipeline	Tall Grass Interstate Gas Transmission LLC, D/B/A Tallgrass Energy	50' Pipeline Easement, Reception No. 3549935, and Amended Pipeline Easement, Reception No. 3608098, Kinder Morgan Interstate Gas Transmission LLC	East of area of disturbance. Access road crosses the easement.
E	Pipeline(s)	Chevron Corporation	30' Right-of-Way Grant, Reception No. 4162720, XTR Midstream, LLC	East of area of disturbance. Access road crosses the easement.
F	Pipeline	DCP Midstream, LP / Phillips 66	35' Pipeline Right-of-Way Grant, Reception No. 1923866, Associated Natural Gas Inc	Along CR 27. Access road crosses the easement.
G	Waterline	North Weld County Water District	Valve Site Contract, Reception No. 3013241	Along CR 27. Access road crosses the easement.
H	Pipeline	Suncor Energy (U.S.A.) Pipeline Company	ROW Contract, Reception No. 800076, Weld County LAP22-0011, Reception No. 4953067 (Blanket Easements)	South of the staging area. Location of proposed pipeline shown is per LAP22-0011 design drawings.
I	Pipeline	DCP Midstream, LP / Phillips 66	30' Pipeline Easement, Reception No. 4296169, DCP Lucerne 2 Plant LLC	South and east of the area of disturbance
J	Waterline	North Weld County Water District	20' Waterline Easement, Reception No. 1450757	Runs through pivot irrigated area
K	Irrigation Pond	LTS Performance Horses LLC	N/A	Northwest of pivot irrigated area
L	Pivot Concrete Pad	LTS Performance Horses LLC	N/A	South and east of the area of disturbance
M	P&A O&G Well	Chevron Corporation	API Label: 05-123-11130 Well Name: 33-18 Carlson	In pivot irrigated area
N	P&A O&G Well	Chevron Corporation	API Label: 05-123-22792 Well Name: 18-41 Carlson	In pivot irrigated area
O	P&A O&G Well	Chevron Corporation	API Label: 05-123-22793 Well Name: 18-43 Carlson	In pivot irrigated area
P	Overhead Electric Distribution Line	PVREA	N/A	West of the area of disturbance
Q	Overhead Electric Distribution Line	PVREA	N/A	Along CR 27

Map Unit Legend

32

32

33

33

37

37

38

38

Map Unit Symbol

Map Unit Name

32

Kim loam, 1 to 3 percent slopes

33

Kim loam, 3 to 5 percent slopes

37

Nelson fine sandy loam, 0 to 3 percent slopes

38

Nelson fine sandy loam, 3 to 9 percent slopes

LTS PERFORMANCE HORSES LLC
EXHIBIT C - PRE-MINING & MINING PLAN MAP

Exhibit F

Reclamation Plan Map

See attached map.



Buffalo Grass (Texoka, Sharps Improved)	1.5 lbs pls/acre
Little Bluestem (Blaze, Cimarron, Camper)	1.5 lbs pls/acre
Sideoats Grama (Vaughn, Butte, Niner, El Reno, Haskell)	2 lbs pls/acre
Blue Grama (Hachital, Lovington)	3.5 lbs pls/acre
Western wheatgrass (Arriba, Barton, Rosana)	3 lbs pls/acre
Switchgrass (Nebraska 28, Blackwell)	1.5 lbs pls/acre
Perennial Ryegrass (Calibra or Garibaldi tetraploid)	0.75 lbs pls/acre
Sand dropseed	0.25 lbs pls/acre
Total: 14.00 pounds pls/acre	

MP-2

Mining Plan

Introduction

LTS Performance Horses LLC (LTS) is requesting this Construction Material Regular (112) Operation Reclamation Permit for the removal of 10-14 inches of topsoil from irrigated farmland. The property is described as Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

The approximately 132-acre site contains approximately 105-acres of active agricultural land under a center pivot irrigation system and 27-acres of “dry corners” outside of the center pivot irrigation range. LTS proposes to mine topsoil from approximately 78-acres. Topsoil will be taken off-site for use on various oil and gas sites throughout Weld County. Reclamation of the site will consist of re-grading to support an appropriate seedbed for revegetation. Following mining activities, the disturbed area will be regraded, tilled, and re-planted and will continue to be leased for growing corn.

LTS is proposing to mine the upper 50-80 percent of topsoil from the irrigated portion of the site. Approximately 10-14 inches of topsoil will be removed, leaving at least 3-6 inches on site for reclamation purposes. The goal is to remove approximately 157,480 tons of topsoil over the course of two years.

Mining Methods and Earthmoving

A variety of earthmoving equipment will be used, including loaders, dozers, scrapers, and haul trucks. Water trucks will be used as necessary for dust control. Mined topsoil will be temporarily stockpiled in the northeast corner along the existing access road and Weld County Road 27. The topsoil will be loaded onto haul trucks for transport to the end user. No explosives will be used for extraction operations.

Water Diversions and Impoundments

The topsoil will be dry mined and will not result in the need for dewatering. The operation will not require any water diversions or impoundments.

Mining Limits

Topsoil excavation will occur within the boundary of Lot B 2AMRECX19-01-2877. The mining limits are shown on Exhibit C - Pre-Mining and Mining Plan Maps of Affected Lands and are generally described as that portion of the site irrigated by the center pivot. Within that irrigated area the mining limits are further restricted by setbacks from property lines and existing structures and easements. The mined area will encompass approximately 78-acres of the 132-acre site.

Mine Phasing

Topsoil excavation will occur in two phases, as depicted on Exhibit C - Pre-Mining and Mining Plan Maps of Affected Lands. Phase 1 will be the northeastern half of the site and Phase 2 will be the southwestern half of the site. Phase 1 is expected to be mined in year one and reclaimed concurrently. Phase 2 is expected to be mined in years one and two and reclaimed concurrently. Final reclamation is expected to be completed within one to two years from the end of excavation for each phase, but not more than five years from the date each phase has commenced.

Commodities and Intended Use

Topsoil will be the only product mined. No secondary commodities or incidental products are anticipated. The topsoil will be taken off-site for use at various oil and gas sites throughout Weld County.

Roadways

There is an existing roadway that runs along the northern portion of the site which will be used for the mining activities. The access point for this roadway is on Weld County Road 27, approximately ½ mile north of Highway 392. As the roadway currently supports heavy agricultural equipment, no on-site roadway improvements are anticipated. No off-site roadway improvements are anticipated as Weld County Road 27 is a paved arterial and Highway 392 is a paved state highway.

Reclamation Plan

Introduction

LTS Performance Horses LLC (LTS) is proposing the removal of 10-14 inches of topsoil from irrigated farmland through the Construction Material Regular (112) Operation Reclamation Permit process. The property is described as Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

The approximately 132-acre site contains approximately 105-acres of active agricultural land under a center pivot irrigation system and 27-acres of “dry corners” outside of the center pivot irrigation range. LTS proposes to mine topsoil from approximately 78-acres. Topsoil will be taken off-site for use on various oil and gas sites throughout Weld County. Reclamation of the site will consist of re-grading to support an appropriate seedbed for revegetation. Following mining activities, the disturbed area will be re-graded, tilled, and re-planted and will continue to be leased for growing corn.

This Reclamation Plan has been developed in accordance with the requirements of 6.4.5 Exhibit E – Reclamation Plan in the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules). This plan describes procedures necessary for reclamation of the disturbed area. This plan will address re-grading, re-seeding, weed control, stormwater mitigation, monitoring, annual reporting, post-reclamation inspection and release of warranties. The operator, and all personnel working on this project, should be familiar with this Reclamation Plan prior to the commencement of mining activities.

Existing Conditions

Location:	Northwest corner of Highway 392 and Weld County Road 37 Part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6 th P.M., Weld County, Colorado Weld County parcel no. 080518400004
Size:	Total property area: 131.897-acres Total area of disturbance: 83.41-acres

Current Land Use:	Agriculture
Vegetation:	Existing: Irrigated cropland Following Reclamation: Irrigated cropland
Soils:	Loam to fine sandy loam. Dominant soil types include Kim loam, Nelson fine sandy loam, and Olney fine sandy loam.
Climate:	Mean annual precipitation: 12 to 16 inches Mean annual air temperature: 46 to 55 degrees Fahrenheit Frost-free period: 130 to 170 days
Water Resources:	An existing irrigation pond is located in the northwestern corner of the site, approximately 50-feet from the proposed area of disturbance. There is a field ditch crossing the northeastern portion of the property, which ties into the Greeley Number 2 Canal on the east side of Weld County Road 27. The field ditch is approximately 250-feet from the proposed area of disturbance.
Wildlife:	No critical wildlife habitat or wildlife species will be impacted by the proposed operation.

Project Description

LTS is proposing to mine the upper 50-80 percent of topsoil from the irrigated portion of the site. Approximately 10-14 inches of topsoil will be removed, leaving at least 3-6 inches on site for reclamation purposes. The goal is to remove approximately 157,480 tons of topsoil in two phases over the course of two years. LTS is the landowner and operator of the mining activity and will be responsible for reclamation of the disturbed area.

Reclamation Methods

Mining and reclamation will occur in two phases:

- Phase 1: northeastern half (36.6-acres) (mined in year one and reclaimed concurrently)
- Phase 2: southwestern half (41.76-acres) (mined in years one and two and reclaimed concurrently)

Phasing is depicted on Exhibit F Reclamation Plan Map. Within the first year following permit approval, the operator will mine topsoil from the northeastern portion of the site then commence reclamation procedures. Active farming will continue on the southwestern portion of the site during Phase 1. Upon completion of topsoil excavation from the northeastern portion of the site, the operator will mine topsoil from the southwestern half of the site then commence reclamation procedures. Backfilling and grading will be completed as soon as feasible after the mining

process is complete. Phase 2 may start in year one, depending on how quickly Phase 1 is completed. The mining operation is expected to be completed within two years.

Long-term stockpiling and stabilization of topsoil will not be necessary. The extracted material will be removed from site and sold to a third party. During this process, the topsoil will be handled as little as possible to maintain soil health and fertility.

Staging

A staging area will be located in the northeastern corner of the site near the site access road. The staging area is approximately 5-acres and will provide an area for equipment storage and loading operations. The inclusion of a staging area will minimize soil compaction across the disturbance area.

Grading and Erosion Control

During active mining, erosion prevention and sediment control Best Management Practices (BMPs) will be installed to minimize erosion from disturbed surfaces and to capture sediment on-site. The proposed BMPs will be included on the final Grading Plan in conjunction with the Colorado Department of Public Health & Environment (CDPHE) Storm Water Discharge Permit and Stormwater Management Plan (SWMP).

Final grading will support an appropriate seedbed for revegetation and will be traversable by farm machinery. Manure and fertilizer will be applied as necessary to support crop growth. All grading shall be done in a manner to control erosion and siltation of the affected lands and to protect areas outside the affected land from slides and other damage. The anticipated post reclamation slope gradient will be similar to the present slope. As required, the maximum gradient will not exceed a 3:1 slope.

Seeding and Revegetation

Following mining activities, the Phase 1 and Phase 2 areas will be revegetated to establish diverse, effective, and long-lasting vegetative cover. The operator will till the disturbed areas to prepare an appropriate seedbed for crop planting. Soil samples are recommended to identify nutrient deficiencies and determine if fertilizer application or soil amendments are needed. Planting corn typically occurs between mid-April to late-May, weather dependent. Planting will be done with typical farming techniques. The planted field will continue to be irrigated by the center pivot irrigation system.

In the staging area, stockpiling of material will take place on undisturbed ground and topsoil won't be removed. Once the temporary stockpile material and equipment has been removed, the site will be re-graded to approximate pre-disturbance grade. No root zones need to be created as the underlying material is soil. The seedbed shall be firm and free of weeds. In areas where there is excessive compaction, tillage, such as chiseling and disking, shall be

done to break up the compaction then harrowed down. The area will then be re-seeded using an approved seed mixture. Dormant planting is possible any time after October 15th or when temperatures are cold enough to prevent seed germination. Seeding on frozen soils will be avoided. Planting may also be done in the print until the end of April or early May and between July 1st and September 1st. The recommended reclamation seeding mix of the stockpile area is the Weld County General Seed Mix for areas north of County Road 68. The seed mix is as follows:

• Buffalo Grass (Taxoka, Sharps Improved)	1.5 lbs pls/acre
• Little Bluestem (Blaze, Cimarron, Camper)	1.5 lbs pls/acre
• Sideoats Grama (Vaughn, Butte, Niner, El Reno, Haskell)	2 lbs pls/acre
• Blue Grama (Hachital, Lovington)	3.5 lbs pls/acre
• Western Wheatgrass (Arriba, Barton, Rosana)	3 lbs pls/acre
• Switchgrass (Nebraska 28, Blackwell)	1.5 lbs pls/acre
• Perennial Ryegrass (Calibra or Garibaldi tetraploid)	0.75 lbs pls/acre
• Sand Dropseed	0.25 lbs pls/acre

Total: 14 pounds pls/acre

Seeds will be planted immediately following completion of mining activities to decrease competition from noxious weed species. Seeds will be planted using drill seeding at the appropriate depths. A one-time application of manure/compost mix will be applied to the seeded area for stabilization and fertilization. The seeded areas will not be irrigated.

Noxious Weed Management

Various state and local regulations require management of noxious weeds. If established quickly, crop cover and standard farming practices will help suppress weed growth. The operator will monitor disturbed areas for noxious weeds during the mining operation. Currently, there are no noxious weeds identified on the subject property. The majority of the site has been under continuous crop cultivation. The greatest period of susceptibility for weeds to establish themselves is during temporary stockpiling and the start of reclamation procedures. Operator will survey the site regularly and monitor weed conditions. Should noxious weeds be identified, the operator will work to eradicate the weeds. Mechanical control methods such as pulling, mowing, and tilling and chemical control methods with the use of herbicides will be used. Proper identification of the suspected noxious weed will ensure the appropriate control methods are utilized. A complete list of Colorado noxious weeds can be found at <https://ag.colorado.gov/conservation/noxious-weeds/species-id>.

If excavation activities are completed before the growing season begins, preventative measures such as spraying will be taken. Establishment of crop cover will be the most effective method of long-term weed suppression.

Upon completion of the mining activities, the stockpile area will be reseeded with native grass according to the recommended seeding procedures and seed mix described above.

Trash, Debris, and Materials Handling

Trash and debris will be collected in a covered dumpster, removed from the site at an appropriate rate, and properly disposed of. No explosives or hazardous materials will be needed to extract topsoil.

Water

Pursuant to Rule 3.1.6 and Rule 3.1.7 compliance with applicable federal and Colorado water quality laws and regulations, including statewide water quality standards and site-specific classifications and standards adopted by the Water Quality Control Commission, and applicable federal and Colorado dredge and fill requirements is required. Given the limited depth of topsoil removal, the proposed mining activities are not expected to have an impact on water quality. Compliance with applicable laws shall be adhered to.

Wildlife

All mining and reclamation activities shall take into account the safety and protection of wildlife. As the reclamation procedures will return the site to current conditions, the post-reclamation conditions for wildlife are expected to be similar to current conditions for wildlife. Additional wildlife information is presented in Exhibit H.

Signs and Markers

Pursuant to Rule 3.1.12, the Operator shall post a sign at a minimum size of eleven (11) by seventeen (17) inch with appropriate font size, including the name of the Operator and the operation name, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board, and the permit number. The boundaries of the affected area will be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries.

Spill Reporting

Pursuant to Rule 3.1.13, the operator will report any spill of hazardous or toxic substance to the Office of Mined Land Reclamation (Office) within twenty-four (24) hours.

Post Mining Land Use

The proposed post mining land use is the current land use, irrigated cropland. The subject property is zoned agricultural and surrounded by farmland. The post mining land use is consistent with Weld County's allowed uses in the Agricultural Zone District as farming is a use by right activity. No public use of the property is expected in the foreseeable future.

Schedule

Reclamation is expected to be completed within one to two years from the end of excavation, but not more than five years from the date each phase has commenced.

Financial Warranty

The Operator will supply to the Office a Performance and Financial Warranty in accordance with Rule 4. Refer to Exhibit L – Reclamation Costs.

Annual Report and Fees

Pursuant to Rule 1.15 Annual Report Inclusions, the Annual Report shall include all information specified on the Annual Report Form, in the format required by the Office, including the following:

- An updated statement regarding the sufficiency of the value of the Financial Warranty.
- A map that accurately depicts the permit boundary, current affected area boundary, location of the acres affected during the current report year, acres reclaimed during the current report year, estimated new acreage to be affected in the next report year, and acres to be reclaimed in the next report year.
- On the anniversary date of the Notice of Intent (NOI) approval, the operator shall submit to the Office an annual fee, as specified in Section 34-32.5-125, C.R.S.

Change in Address, Ownership, and Business Name

Pursuant to Rule 1.16 the Operator shall promptly notify the office of any change in mailing address, transfer of land ownership, and official business name associated with the Performance and Financial Warranty. Where an Operator files a petition of bankruptcy, the Operator shall immediately notify the Office via certified mail of such filing.

Post-Reclamation Inspection and Release of Warranties

Each Phase will be reclaimed pursuant to the Rules. Pursuant to Rule 3.1.3, all reclamation shall be carried to completion by the Operator with all reasonable diligence, and each phase or reclamation shall be completed within five (5) years from the date the Operator informs the Board of Office that such phase has commenced, or from the date the Office has evidence that mining or exploration has ceased, unless extended by the Board or Office. The 5-year period may be applied separately to each phase as it is commenced throughout the life of the mine.

Pursuant to Rule 4.17.1, the Operator or any mining operation processing a 110 Limited Impact Permit, or a 111 Special Operations Permit, or a 112 Reclamation Permit may file a written notice of completion of reclamation and request for release of reclamation responsibility with the Office whenever an Operator believes any or all requirements of the Act, the Rules and Regulations, and the approved reclamation plan have been completed with respect to any or all

of the Affected Lands. The Operator shall include in the notice of the Office the names and addresses and phone numbers of all owners of record to the affected land. The written notice requesting release shall be sent by Certified Mail and be separate from other types of communication to the Office. Such notice shall contain a signed statement by the Operator or their agent that all applicable portions of the Reclamation Plan requirements have been satisfied in accordance with the Rules and all applicable requirements under the Act.

Pursuant to Rule 4.17.2, the Office upon receipt of said notice of completion of reclamation, shall immediately provide notice to all owners of record of the affected land and to the county(s). The Office shall, within sixty (60) calendar days after receiving said notice, or as soon thereafter as weather conditions permit, inspect the lands and reclamation described in the notice to determine if the Permittee has complied with all applicable requirements. If the Office fails to conduct an inspection within the time specified in Rule 4.17.2(2) or fails to advise the Permittee of deficiencies within the time specified in Rule 4.17.2(4), then all Financial Warranties applicable to reclamation described in the notice shall be deemed released as a matter of law. Where the Office finds that a Permittee has not complied with the applicable requirements of the Act, Rules and Regulations, or the approved reclamation plan, it shall advise the Permittee of such non-compliance not more than sixty (60) calendar days after the date of the inspection. Where the Office finds that a Permittee has successfully complied with the requirements of the Act, Rules and Regulations, and the approved reclamation plan, the Office shall release all applicable performance and financial warranties. Release (pending an appeal) shall be in writing and mailed within thirty (30) calendar days to the Permittee after the date of such findings. However, an appeal to the release of the financial and performance warranties shall stay the release on the thirtieth (30) day pending a Form Board Hearing.

October 15, 2024

CERTIFIED MAIL/RETURN RECEIPT REQUESTED # 9414 8112 0620 5482 9867 43

Suncor Energy (U.S.A.) Pipeline Company
Attn: Cameron Nuss
1700 Cutler Road
Cheyenne, Wyoming 82001

Re: AGPRO Project #2253-01
LTS Performance Horses, LLC Topsoil Mine

To Whom It May Concern:

This letter is to inform you that LTS Performance Horses, LLC (Applicant) is filing for a Colorado Division of Reclamation, Mining, and Safety (DRMS) Construction Material Regular (112) Operation Reclamation Permit for the removal of 10-14 inches of topsoil from irrigated farmland. Applicant's property more particularly described below.

Legal Description:

Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

You may have an interest in a pipeline crossing the Applicant's property per the Rocky Mountain Pipeline Project Location Assessment for Pipelines No. LAP22-0011 recorded on April 4, 2024, at reception no. 4953067 and Rocky Mountain Pipe Line Company Right-of-Way Contract recorded on October 7, 1938, at reception no. 800076. The proposed grading activities are within 200-feet of the pipeline.

Pursuant to the DRMS regulations for 112 permits for permanent man-made structures within 200-feet of the 'Affected Land,' we are requesting a notarized letter on your letterhead stating that the mining and reclamation activities, as proposed, will not have a negative effect on your utility.

Enclosed are page 33 of LAP22-0011, Right-of-Way Contract, draft Mining Maps, draft Mining Plan, and draft Reclamation Plan for reference.

If you have any questions, please feel free to contact us at (970) 535-9318, or kbruxvoort@agpros.com. We will be representing the Applicant throughout the application process.

Sincerely,

Kelsey Bruxvoort

Kelsey Bruxvoort
Land Planner

Enclosures:

1. LAP22-0011 (Pg. 33)
2. Right-of-Way Contract
3. Mining Maps
4. Mining Plan
5. Reclamation Plan

OCT 7 - 1938

Recorded _____ at 11⁰⁰ O'clock A.M.

F 20-80-S

Reception No. 800076 WALTER F. MORRISON, Recorder

BOOK 1032 PAGE 141

RIGHT OF WAY CONTRACT

File No. _____

FOR AND IN CONSIDERATION of the sum of One Thousand Dollars

(\$ 10⁰⁰), in hand paid, the receipt of which is hereby acknowledged,

B. F. Falzgraf
hereinafter referred to as Grantor, (whether one or more), does hereby grant unto Rocky Mountain Pipe Line Company, a corporation, hereinafter referred to as Grantee, its successors and assigns, the right to lay, maintain, inspect, alter, repair, operate, remove and relay a pipe line, or pipe lines, for the transportation of oil and gas and products and by-products thereof, water and other substances, and such drips, valves, fittings, meters and other equipment and appurtenances as may be necessary or convenient for such operations, and to erect, maintain, inspect, repair, operate and remove, upon a single line of poles, with necessary anchorage and appurtenances, telephone, telegraph or electrical lines, or any of them, over, through, upon, under and across the following described land in Held County, State of Colorado, to-wit:

Sec 18 - Twp 6 - Range 66 Nesh

6" 49-Rods

Together with the rights of ingress and egress to and from said line or lines, or any of them, for the purpose aforesaid. Grantor to have the right to fully use and enjoy the above described premises, except as to the rights hereinbefore granted; and Grantee hereby agrees to pay any damages which may arise to crops, pasturage, fences or buildings of said Grantor from the exercise of the rights herein granted, said damages, if not mutually agreed upon, to be ascertained and determined by three disinterested persons, one thereof to be appointed by Grantor, one by Grantee, and the third by the two so appointed, and their written determination of amount to be final and conclusive.

Should more than one pipe line be laid under this grant, at any time, an additional consideration, calculated on the same basis per lineal rod as the consideration hereinabove recited, shall be paid for each line so laid after the first line.

Grantee shall bury pipe lines below plow depth.

TO HAVE AND TO HOLD said easement, rights, and rights of way unto the said Grantee, its successors and assigns until said easement be exercised, and so long thereafter as the same shall be useful for the above named purposes.

It is understood that the person securing this grant is without authority from Grantee to make any agreement in respect of the subject matter hereof not herein expressed.

This agreement is binding upon the heirs, executors, administrators, successors and assigns of the parties hereto.

Executed this 15th day of August 1938

IN THE PRESENCE OF:

S. F. McGowan

B. F. Falzgraf

Check # 343

Rods 40-

A.F.E. No-1-10605

Trach # 575-B

Additional

STATE OF COLORADO

COUNTY OF

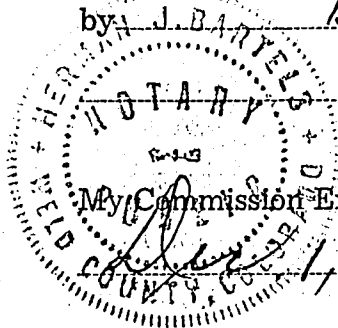
Weld

SS.

The foregoing instrument was acknowledged before me this 16 day of August, 1938,

by

B. F. Falzgraf



My Commission Expires:

1/19/38

Henry Bartels
Notary Public.

STATE OF WYOMING

COUNTY OF

SS.

On this _____ day of _____, 19____, before me, personally appeared _____

to me known to be the person _____ described in and who executed the foregoing instrument, and acknowledged that _____ executed the same as _____ free act and deed. (Including the release and waiver of the right of homestead, the said wife having been by me fully apprised of her right and effect of signing and acknowledging the said instrument.)

My Commission Expires:

Notary Public.

IA-0.75 54975 OCT 7 -38

800076

B. F. Falzgraf

STATE OF COLORADO
COUNTY OF WELD

HEREBY CERTIFY THAT THIS INSTRUMENT

WAS FILED FOR RECORD IN MY OFFICE

11 OCT 7 - 1938

O'CLOCK A.M.

AND IS DULY RECORDED IN BOOK NO

1032 PAGE 142

BY

RECORDED

BY

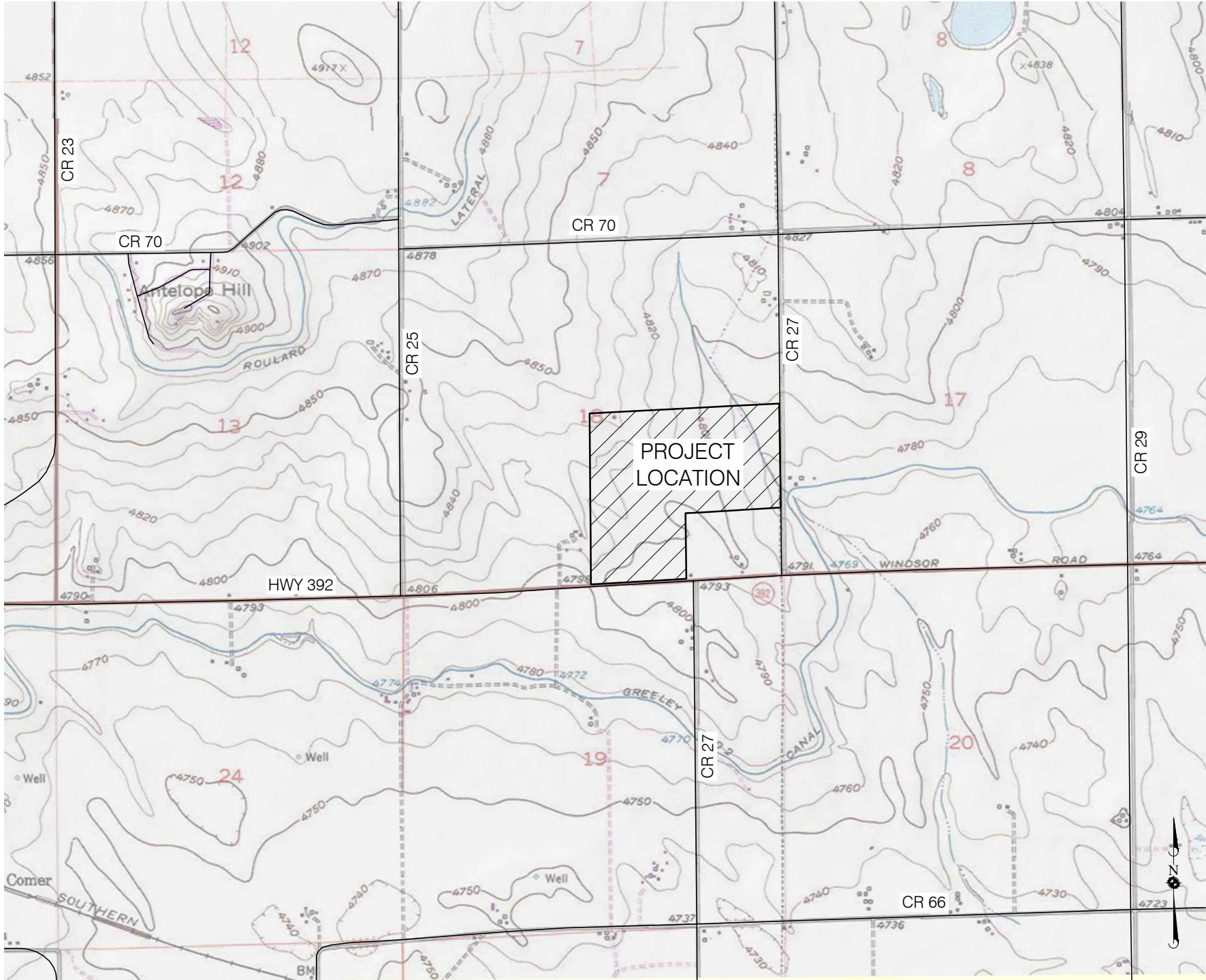
DEPUTY

7

Exhibit B

Index Map

See attached map.




 AGPROfessionals DEVELOPERS OF AGRICULTURE 3050 67th Avenue, Suite 200, Greeley, CO 80634 (970) 535-9318 - fax: (970) 535-9854	LTS PERFORMANCE HORSES LLC EXHIBIT B - INDEX MAP WELD COUNTY, CO	DATE: 9/18/24
		SCALE: 1" = 1,000'

Exhibit C

Pre-Mining and Mining Plan Maps of Affected Lands

See attached maps.

EXHIBIT C - PRE-MINING & MINING PLAN MAP



LEGEND

4782

EXISTING GROUND SURFACE CONTOUR AND ELEVATION, FT

AFFECTED LAND

EXISTING PROPERTY BOUNDARY

EXISTING ADJACENT BOUNDARY

EXISTING RIGHT-OF-WAY

EXISTING WATER FEATURE

SECTION LINE

EXISTING FENCE

EXISTING FIBER OPTIC

EXISTING OVERHEAD ELEC

EXISTING GAS LINE

EXISTING WATER LINE

EXISTING UNDERGROUND ELEC

EXISTING STORM DRAIN

EXISTING UTILITY POLE

EXISTING TRANSMISSION POLE

EXISTING GAS WELL

EXISTING WATER WELL

EXISTING TELEPHONE PED

EXISTING WATER METER

EXISTING GAS

EXISTING FO

EXISTING SIGN

EXISTING TREES

EXISTING STRUCTURE

IRRIGATED CROPLAND

NATIVE GRASS

- NOTES
1. TOTAL AREA = 133.90 ACRES

2. MINING AREA = 83.41 ACRES

3. VEGETATION ON SITE IS LIMITED TO IRRIGATED CROPS, NATIVE GRASSES, AND LOW SHRUBS. THERE ARE TREES ALONG THE ACCESS ROAD.

4. MINING DEPTH OF EACH PHASE IS 10-14 INCHES OF TOPSOIL.

5. EACH PHASE OF MINING WILL BE COMPLETED WITHIN A PERIOD OF 12-18 MONTHS.

ABBREVIATIONS

OB	OUT BUILDING
RES	RESIDENCE
TP	TRANSMISSION POLE

PERMANENT STRUCTURES

Key	Structure	Owner	Easement / ID	Location
A	Pipeline	Public Service Company, D/B/A Excel Energy	50' Public Service Company Easement, Reception No. 2599013	East of area of disturbance. Access road crosses the easement.
B	Archer-Weld Transmission Line	Transmission Division, Colorado River Storage Project, Bureau of Reclamation, Department of the Interior	100' Electric Transmission Line Easement, Reception No. 1561327	More than 200-feet east of area of disturbance. Access road crosses the easement.
C	Pipeline	Black Hills Gas Distribution, LLC, D/B/A Black Hills Energy	50' Pipeline Easement, Reception No. 2634911, KN Wattenberg Transmission, LLC	East of area of disturbance. Access road crosses the easement.
D	Pipeline	Tall Grass Interstate Gas Transmission LLC, D/B/A Tallgrass Energy	50' Pipeline Easement, Reception No. 3549935, and Amended Pipeline Easement, Reception No. 3608098, Kinder Morgan Interstate Gas Transmission LLC	East of area of disturbance. Access road crosses the easement.
E	Pipeline(s)	Chevron Corporation	30' Right-of-Way Grant, Reception No. 4162720, XTR Midstream, LLC	East of area of disturbance. Access road crosses the easement.
F	Pipeline	DCP Midstream, LP / Phillips 66	35' Pipeline Right-of-Way Grant, Reception No. 1923866, Associated Natural Gas Inc	Along CR 27. Access road crosses the easement.
G	Waterline	North Weld County Water District	Valve Site Contract, Reception No. 3013241	Along CR 27. Access road crosses the easement.
H	Pipeline	Suncor Energy (U.S.A.) Pipeline Company	ROW Contract, Reception No. 800076, Weld County LAP22-0011, Reception No. 4953067 (Blanket Easements)	South of the staging area. Location of proposed pipeline shown is per LAP22-0011 design drawings.
I	Pipeline	DCP Midstream, LP / Phillips 66	30' Pipeline Easement, Reception No. 4296169, DCP Lucerne 2 Plant LLC	South and east of the area of disturbance
J	Waterline	North Weld County Water District	20' Waterline Easement, Reception No. 1450757	Runs through pivot irrigated area
K	Irrigation Pond	LTS Performance Horses LLC	N/A	Northwest of pivot irrigated area
L	Pivot Concrete Pad	LTS Performance Horses LLC	N/A	South and east of the area of disturbance
M	P&A O&G Well	Chevron Corporation	API Label: 05-123-11130 Well Name: 33-18 Carlson	In pivot irrigated area
N	P&A O&G Well	Chevron Corporation	API Label: 05-123-22792 Well Name: 18-41 Carlson	In pivot irrigated area
O	P&A O&G Well	Chevron Corporation	API Label: 05-123-22793 Well Name: 18-43 Carlson	In pivot irrigated area
P	Overhead Electric Distribution Line	PVREA	N/A	West of the area of disturbance
Q	Overhead Electric Distribution Line	PVREA	N/A	Along CR 27

Map Unit Legend

Map Unit Symbol	Map Unit Name
32	Kim loam, 1 to 3 percent slopes
33	Kim loam, 3 to 5 percent slopes
37	Nelson fine sandy loam, 0 to 3 percent slopes
38	Nelson fine sandy loam, 3 to 9 percent slopes

LTS PERFORMANCE HORSES LLC
EXHIBIT C - PRE-MINING & MINING PLAN MAP

AGPROfessionals
DEVELOPERS OF AGRICULTURE

3050 67th Avenue, Suite 200,
Greeley, CO 80634
(970) 535-9318 • fax: (970) 535-9854

811
CALL 811
(.COM)

DATE: September 19, 2024
ISSUE / REVISION:
A
ISSUED FOR REVIEW
08/2024

Exhibit F

Reclamation Plan Map

See attached map.



	EXISTING GROUND SURFACE CONTOUR AND ELEVATION, FT		EXISTING UTILITY POLE
	PROPOSED GROUND SURFACE CONTOUR AND ELEVATION, FT		EXISTING TRANSMISSION POLE
	AFFECTED LAND		EXISTING GAS WELL
	EXISTING PROPERTY BOUNDARY		EXISTING WATER WELL
	EXISTING ADJACENT BOUNDARY		EXISTING TELEPHONE PED
	RIGHT-OF-WAY		EXISTING WATER METER
	EXISTING WATER FEATURE		EXISTING GAS
	SECTION LINE		EXISTING FO
	EXISTING FENCE		EXISTING SIGN
	EXISTING FIBER OPTIC		EXISTING TREES
	EXISTING OVERHEAD ELEC		EXISTING STRUCTURE
	EXISTING GAS LINE		NATIVE SEED RECLAIM
	EXISTING WATER LINE		IRRIGATED CROPLAND RECLAIM
	EXISTING UNDERGROUND ELEC		IRRIGATED CROPLAND
	EXISTING STORM DRAIN		NATIVE GRASS

1. TOTAL AREA = 133.90 ACRES
2. MINING AREA = 83.41 ACRES
3. VEGETATION ON SITE IS LIMITED TO IRRIGATED CROPS, NATIVE GRASSES, AND LOW SHRUBS. THERE ARE TREES ALONG THE ACCESS ROAD.
4. MINING DEPTH OF EACH PHASE IS 10-14 INCHES OF TOPSOIL.
5. EACH PHASE OF MINING WILL BE COMPLETED WITHIN A PERIOD OF 12-18 MONTHS.

OB	OUT BUILDING
RES	RESIDENCE
TP	TRANSMISSION POLE

Buffalo Grass (Texoka, Sharps Improved)	1.5 lbs pls/acre
Little Bluestem (Blaze, Cimarron, Camper)	1.5 lbs pls/acre
Sideoats Grama (Vaughn, Butte, Niner, El Reno, Haskell)	2 lbs pls/acre
Blue Grama (Hachital, Lovington)	3.5 lbs pls/acre
Western wheatgrass (Arriba, Barton, Rosana)	3 lbs pls/acre
Switchgrass (Nebraska 28, Blackwell)	1.5 lbs pls/acre
Perennial Ryegrass (Calibra or Garibaldi tetraploid)	0.75 lbs pls/acre
Sand dropseed	0.25 lbs pls/acre
Total: 14.00 pounds pls/acre	

Mining Plan

Introduction

LTS Performance Horses LLC (LTS) is requesting this Construction Material Regular (112) Operation Reclamation Permit for the removal of 10-14 inches of topsoil from irrigated farmland. The property is described as Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

The approximately 132-acre site contains approximately 105-acres of active agricultural land under a center pivot irrigation system and 27-acres of “dry corners” outside of the center pivot irrigation range. LTS proposes to mine topsoil from approximately 78-acres. Topsoil will be taken off-site for use on various oil and gas sites throughout Weld County. Reclamation of the site will consist of re-grading to support an appropriate seedbed for revegetation. Following mining activities, the disturbed area will be regraded, tilled, and re-planted and will continue to be leased for growing corn.

LTS is proposing to mine the upper 50-80 percent of topsoil from the irrigated portion of the site. Approximately 10-14 inches of topsoil will be removed, leaving at least 3-6 inches on site for reclamation purposes. The goal is to remove approximately 157,480 tons of topsoil over the course of two years.

Mining Methods and Earthmoving

A variety of earthmoving equipment will be used, including loaders, dozers, scrapers, and haul trucks. Water trucks will be used as necessary for dust control. Mined topsoil will be temporarily stockpiled in the northeast corner along the existing access road and Weld County Road 27. The topsoil will be loaded onto haul trucks for transport to the end user. No explosives will be used for extraction operations.

Water Diversions and Impoundments

The topsoil will be dry mined and will not result in the need for dewatering. The operation will not require any water diversions or impoundments.

Mining Limits

Topsoil excavation will occur within the boundary of Lot B 2AMRECX19-01-2877. The mining limits are shown on Exhibit C - Pre-Mining and Mining Plan Maps of Affected Lands and are generally described as that portion of the site irrigated by the center pivot. Within that irrigated area the mining limits are further restricted by setbacks from property lines and existing structures and easements. The mined area will encompass approximately 78-acres of the 132-acre site.

Mine Phasing

Topsoil excavation will occur in two phases, as depicted on Exhibit C - Pre-Mining and Mining Plan Maps of Affected Lands. Phase 1 will be the northeastern half of the site and Phase 2 will be the southwestern half of the site. Phase 1 is expected to be mined in year one and reclaimed concurrently. Phase 2 is expected to be mined in years one and two and reclaimed concurrently. Final reclamation is expected to be completed within one to two years from the end of excavation for each phase, but not more than five years from the date each phase has commenced.

Commodities and Intended Use

Topsoil will be the only product mined. No secondary commodities or incidental products are anticipated. The topsoil will be taken off-site for use at various oil and gas sites throughout Weld County.

Roadways

There is an existing roadway that runs along the northern portion of the site which will be used for the mining activities. The access point for this roadway is on Weld County Road 27, approximately ½ mile north of Highway 392. As the roadway currently supports heavy agricultural equipment, no on-site roadway improvements are anticipated. No off-site roadway improvements are anticipated as Weld County Road 27 is a paved arterial and Highway 392 is a paved state highway.

Reclamation Plan

Introduction

LTS Performance Horses LLC (LTS) is proposing the removal of 10-14 inches of topsoil from irrigated farmland through the Construction Material Regular (112) Operation Reclamation Permit process. The property is described as Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

The approximately 132-acre site contains approximately 105-acres of active agricultural land under a center pivot irrigation system and 27-acres of “dry corners” outside of the center pivot irrigation range. LTS proposes to mine topsoil from approximately 78-acres. Topsoil will be taken off-site for use on various oil and gas sites throughout Weld County. Reclamation of the site will consist of re-grading to support an appropriate seedbed for revegetation. Following mining activities, the disturbed area will be re-graded, tilled, and re-planted and will continue to be leased for growing corn.

This Reclamation Plan has been developed in accordance with the requirements of 6.4.5 Exhibit E – Reclamation Plan in the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules). This plan describes procedures necessary for reclamation of the disturbed area. This plan will address re-grading, re-seeding, weed control, stormwater mitigation, monitoring, annual reporting, post-reclamation inspection and release of warranties. The operator, and all personnel working on this project, should be familiar with this Reclamation Plan prior to the commencement of mining activities.

Existing Conditions

Location:	Northwest corner of Highway 392 and Weld County Road 37 Part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6 th P.M., Weld County, Colorado Weld County parcel no. 080518400004
Size:	Total property area: 131.897-acres Total area of disturbance: 83.41-acres

Current Land Use:	Agriculture
Vegetation:	Existing: Irrigated cropland Following Reclamation: Irrigated cropland
Soils:	Loam to fine sandy loam. Dominant soil types include Kim loam, Nelson fine sandy loam, and Olney fine sandy loam.
Climate:	Mean annual precipitation: 12 to 16 inches Mean annual air temperature: 46 to 55 degrees Fahrenheit Frost-free period: 130 to 170 days
Water Resources:	An existing irrigation pond is located in the northwestern corner of the site, approximately 50-feet from the proposed area of disturbance. There is a field ditch crossing the northeastern portion of the property, which ties into the Greeley Number 2 Canal on the east side of Weld County Road 27. The field ditch is approximately 250-feet from the proposed area of disturbance.
Wildlife:	No critical wildlife habitat or wildlife species will be impacted by the proposed operation.

Project Description

LTS is proposing to mine the upper 50-80 percent of topsoil from the irrigated portion of the site. Approximately 10-14 inches of topsoil will be removed, leaving at least 3-6 inches on site for reclamation purposes. The goal is to remove approximately 157,480 tons of topsoil in two phases over the course of two years. LTS is the landowner and operator of the mining activity and will be responsible for reclamation of the disturbed area.

Reclamation Methods

Mining and reclamation will occur in two phases:

- Phase 1: northeastern half (36.6-acres) (mined in year one and reclaimed concurrently)
- Phase 2: southwestern half (41.76-acres) (mined in years one and two and reclaimed concurrently)

Phasing is depicted on Exhibit F Reclamation Plan Map. Within the first year following permit approval, the operator will mine topsoil from the northeastern portion of the site then commence reclamation procedures. Active farming will continue on the southwestern portion of the site during Phase 1. Upon completion of topsoil excavation from the northeastern portion of the site, the operator will mine topsoil from the southwestern half of the site then commence reclamation procedures. Backfilling and grading will be completed as soon as feasible after the mining

process is complete. Phase 2 may start in year one, depending on how quickly Phase 1 is completed. The mining operation is expected to be completed within two years.

Long-term stockpiling and stabilization of topsoil will not be necessary. The extracted material will be removed from site and sold to a third party. During this process, the topsoil will be handled as little as possible to maintain soil health and fertility.

Staging

A staging area will be located in the northeastern corner of the site near the site access road. The staging area is approximately 5-acres and will provide an area for equipment storage and loading operations. The inclusion of a staging area will minimize soil compaction across the disturbance area.

Grading and Erosion Control

During active mining, erosion prevention and sediment control Best Management Practices (BMPs) will be installed to minimize erosion from disturbed surfaces and to capture sediment on-site. The proposed BMPs will be included on the final Grading Plan in conjunction with the Colorado Department of Public Health & Environment (CDPHE) Storm Water Discharge Permit and Stormwater Management Plan (SWMP).

Final grading will support an appropriate seedbed for revegetation and will be traversable by farm machinery. Manure and fertilizer will be applied as necessary to support crop growth. All grading shall be done in a manner to control erosion and siltation of the affected lands and to protect areas outside the affected land from slides and other damage. The anticipated post reclamation slope gradient will be similar to the present slope. As required, the maximum gradient will not exceed a 3:1 slope.

Seeding and Revegetation

Following mining activities, the Phase 1 and Phase 2 areas will be revegetated to establish diverse, effective, and long-lasting vegetative cover. The operator will till the disturbed areas to prepare an appropriate seedbed for crop planting. Soil samples are recommended to identify nutrient deficiencies and determine if fertilizer application or soil amendments are needed. Planting corn typically occurs between mid-April to late-May, weather dependent. Planting will be done with typical farming techniques. The planted field will continue to be irrigated by the center pivot irrigation system.

In the staging area, stockpiling of material will take place on undisturbed ground and topsoil won't be removed. Once the temporary stockpile material and equipment has been removed, the site will be re-graded to approximate pre-disturbance grade. No root zones need to be created as the underlying material is soil. The seedbed shall be firm and free of weeds. In areas where there is excessive compaction, tillage, such as chiseling and disking, shall be

done to break up the compaction then harrowed down. The area will then be re-seeded using an approved seed mixture. Dormant planting is possible any time after October 15th or when temperatures are cold enough to prevent seed germination. Seeding on frozen soils will be avoided. Planting may also be done in the print until the end of April or early May and between July 1st and September 1st. The recommended reclamation seeding mix of the stockpile area is the Weld County General Seed Mix for areas north of County Road 68. The seed mix is as follows:

• Buffalo Grass (Taxoka, Sharps Improved)	1.5 lbs pls/acre
• Little Bluestem (Blaze, Cimarron, Camper)	1.5 lbs pls/acre
• Sideoats Grama (Vaughn, Butte, Niner, El Reno, Haskell)	2 lbs pls/acre
• Blue Grama (Hachital, Lovington)	3.5 lbs pls/acre
• Western Wheatgrass (Arriba, Barton, Rosana)	3 lbs pls/acre
• Switchgrass (Nebraska 28, Blackwell)	1.5 lbs pls/acre
• Perennial Ryegrass (Calibra or Garibaldi tetraploid)	0.75 lbs pls/acre
• Sand Dropseed	0.25 lbs pls/acre

Total: 14 pounds pls/acre

Seeds will be planted immediately following completion of mining activities to decrease competition from noxious weed species. Seeds will be planted using drill seeding at the appropriate depths. A one-time application of manure/compost mix will be applied to the seeded area for stabilization and fertilization. The seeded areas will not be irrigated.

Noxious Weed Management

Various state and local regulations require management of noxious weeds. If established quickly, crop cover and standard farming practices will help suppress weed growth. The operator will monitor disturbed areas for noxious weeds during the mining operation. Currently, there are no noxious weeds identified on the subject property. The majority of the site has been under continuous crop cultivation. The greatest period of susceptibility for weeds to establish themselves is during temporary stockpiling and the start of reclamation procedures. Operator will survey the site regularly and monitor weed conditions. Should noxious weeds be identified, the operator will work to eradicate the weeds. Mechanical control methods such as pulling, mowing, and tilling and chemical control methods with the use of herbicides will be used. Proper identification of the suspected noxious weed will ensure the appropriate control methods are utilized. A complete list of Colorado noxious weeds can be found at <https://ag.colorado.gov/conservation/noxious-weeds/species-id>.

If excavation activities are completed before the growing season begins, preventative measures such as spraying will be taken. Establishment of crop cover will be the most effective method of long-term weed suppression.

Upon completion of the mining activities, the stockpile area will be reseeded with native grass according to the recommended seeding procedures and seed mix described above.

Trash, Debris, and Materials Handling

Trash and debris will be collected in a covered dumpster, removed from the site at an appropriate rate, and properly disposed of. No explosives or hazardous materials will be needed to extract topsoil.

Water

Pursuant to Rule 3.1.6 and Rule 3.1.7 compliance with applicable federal and Colorado water quality laws and regulations, including statewide water quality standards and site-specific classifications and standards adopted by the Water Quality Control Commission, and applicable federal and Colorado dredge and fill requirements is required. Given the limited depth of topsoil removal, the proposed mining activities are not expected to have an impact on water quality. Compliance with applicable laws shall be adhered to.

Wildlife

All mining and reclamation activities shall take into account the safety and protection of wildlife. As the reclamation procedures will return the site to current conditions, the post-reclamation conditions for wildlife are expected to be similar to current conditions for wildlife. Additional wildlife information is presented in Exhibit H.

Signs and Markers

Pursuant to Rule 3.1.12, the Operator shall post a sign at a minimum size of eleven (11) by seventeen (17) inch with appropriate font size, including the name of the Operator and the operation name, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board, and the permit number. The boundaries of the affected area will be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries.

Spill Reporting

Pursuant to Rule 3.1.13, the operator will report any spill of hazardous or toxic substance to the Office of Mined Land Reclamation (Office) within twenty-four (24) hours.

Post Mining Land Use

The proposed post mining land use is the current land use, irrigated cropland. The subject property is zoned agricultural and surrounded by farmland. The post mining land use is consistent with Weld County's allowed uses in the Agricultural Zone District as farming is a use by right activity. No public use of the property is expected in the foreseeable future.

Schedule

Reclamation is expected to be completed within one to two years from the end of excavation, but not more than five years from the date each phase has commenced.

Financial Warranty

The Operator will supply to the Office a Performance and Financial Warranty in accordance with Rule 4. Refer to Exhibit L – Reclamation Costs.

Annual Report and Fees

Pursuant to Rule 1.15 Annual Report Inclusions, the Annual Report shall include all information specified on the Annual Report Form, in the format required by the Office, including the following:

- An updated statement regarding the sufficiency of the value of the Financial Warranty.
- A map that accurately depicts the permit boundary, current affected area boundary, location of the acres affected during the current report year, acres reclaimed during the current report year, estimated new acreage to be affected in the next report year, and acres to be reclaimed in the next report year.
- On the anniversary date of the Notice of Intent (NOI) approval, the operator shall submit to the Office an annual fee, as specified in Section 34-32.5-125, C.R.S.

Change in Address, Ownership, and Business Name

Pursuant to Rule 1.16 the Operator shall promptly notify the office of any change in mailing address, transfer of land ownership, and official business name associated with the Performance and Financial Warranty. Where an Operator files a petition of bankruptcy, the Operator shall immediately notify the Office via certified mail of such filing.

Post-Reclamation Inspection and Release of Warranties

Each Phase will be reclaimed pursuant to the Rules. Pursuant to Rule 3.1.3, all reclamation shall be carried to completion by the Operator with all reasonable diligence, and each phase or reclamation shall be completed within five (5) years from the date the Operator informs the Board of Office that such phase has commenced, or from the date the Office has evidence that mining or exploration has ceased, unless extended by the Board or Office. The 5-year period may be applied separately to each phase as it is commenced throughout the life of the mine.

Pursuant to Rule 4.17.1, the Operator or any mining operation processing a 110 Limited Impact Permit, or a 111 Special Operations Permit, or a 112 Reclamation Permit may file a written notice of completion of reclamation and request for release of reclamation responsibility with the Office whenever an Operator believes any or all requirements of the Act, the Rules and Regulations, and the approved reclamation plan have been completed with respect to any or all

of the Affected Lands. The Operator shall include in the notice of the Office the names and addresses and phone numbers of all owners of record to the affected land. The written notice requesting release shall be sent by Certified Mail and be separate from other types of communication to the Office. Such notice shall contain a signed statement by the Operator or their agent that all applicable portions of the Reclamation Plan requirements have been satisfied in accordance with the Rules and all applicable requirements under the Act.

Pursuant to Rule 4.17.2, the Office upon receipt of said notice of completion of reclamation, shall immediately provide notice to all owners of record of the affected land and to the county(s). The Office shall, within sixty (60) calendar days after receiving said notice, or as soon thereafter as weather conditions permit, inspect the lands and reclamation described in the notice to determine if the Permittee has complied with all applicable requirements. If the Office fails to conduct an inspection within the time specified in Rule 4.17.2(2) or fails to advise the Permittee of deficiencies within the time specified in Rule 4.17.2(4), then all Financial Warranties applicable to reclamation described in the notice shall be deemed released as a matter of law. Where the Office finds that a Permittee has not complied with the applicable requirements of the Act, Rules and Regulations, or the approved reclamation plan, it shall advise the Permittee of such non-compliance not more than sixty (60) calendar days after the date of the inspection. Where the Office finds that a Permittee has successfully complied with the requirements of the Act, Rules and Regulations, and the approved reclamation plan, the Office shall release all applicable performance and financial warranties. Release (pending an appeal) shall be in writing and mailed within thirty (30) calendar days to the Permittee after the date of such findings. However, an appeal to the release of the financial and performance warranties shall stay the release on the thirtieth (30) day pending a Form Board Hearing.

October 15, 2024

CERTIFIED MAIL/RETURN RECEIPT REQUESTED # 9414 8112 0620 5482 9744 05

Phillips 66
P.O. Box 421959
Houston, TX 77242

Re: AGPRO Project #2253-01
LTS Performance Horses, LLC Topsoil Mine

To Whom It May Concern:

This letter is to inform you that LTS Performance Horses, LLC (Applicant) is filing for a Colorado Division of Reclamation, Mining, and Safety (DRMS) Construction Material Regular (112) Operation Reclamation Permit for the removal of 10-14 inches of topsoil from irrigated farmland. Applicant's property more particularly described below.

Legal Description:

Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

You may have an interest in pipeline(s) crossing the Applicant's property per the 35' Associated Natural Gas Inc pipeline right-of-way grant recorded on April 18, 1983, at reception no. 1923866 and the DCP Lucerne 2 Plant LLC pipeline easement recorded on April 24, 2017, at reception no. 4296169. The private access road that will be used for the grading activities crosses said Associated Natural Gas Inc pipeline right-of-way and the grading activities are within 200-feet of the DCP Lucerne 2 Plant LLC pipeline easement.

The proposed grading activities are situated outside of your easement area and the existing access road will be utilized. The access road is part of the 'Affected Land' of the mining activities. Pursuant to the DRMS regulations for 112 permits for permanent man-made structures within 200-feet of the 'Affected Land,' we are requesting a notarized letter on your letterhead stating that the mining and reclamation activities, as proposed, will not have a negative effect on your utility.

Enclosed are the right-of-way grant, pipeline easement, draft Mining Maps, draft Mining Plan, and draft Reclamation Plan for reference.

If you have any questions, please feel free to contact us at (970) 535-9318, or kbruxvoort@agpros.com. We will be representing the Applicant throughout the application process.

Sincerely,

Kelsey Bruxvoort

Kelsey Bruxvoort
Land Planner

Enclosures:

1. Right-of-Way Grant
2. Pipeline Easement
3. Mining Maps
4. Mining Plan
5. Reclamation Plan

PIPELINE RIGHT-OF-WAY GRANT

FOR AND IN CONSIDERATION OF THE SUM OF One Hundred (\$100.00) DOLLARS,

the receipt of which is hereby acknowledged, and a further sum of Fifteen Dollars (\$15.00)
per rod for each linear rod of pipeline to be constructed under the terms hereof, to be paid after a survey establishing the route of the line has been
completed, and before construction is commenced, I/We Sigurd & Evelyn S. Carlson

hereinafter referred to as "Grantor" (whether one or more), does hereby grant, sell, convey, and warrant to Associated Natural Gas, Inc., a Colorado corporation, its successors and assigns, hereinafter referred to as "Grantee", the right, privilege and easement for the purpose from time to time of constructing, operating, inspecting, maintaining, protecting, repairing, replacing, changing the size of, and removing a pipeline ~~and~~ ~~or~~ other appurtenances, for the transportation of oil, gas, petroleum products, water, and any other substances whether fluid or solid, any products and derivatives of any of the foregoing, and any combinations and mixtures of any of the foregoing, upon and along a route ~~and~~ ~~or~~ on, over, and through the following described land located in Weld County, State of Colorado to wit:

A permanent right of way and easement running north and south, being 35 feet in width, and a construction easement 50 feet in width along the East side of the Southeast Quarter (SE $\frac{1}{4}$) of Section Eighteen (18), Township Six (6) North, Range Sixty-six (66) West of the 6th P.M., Weld County, Colorado, the center line of which shall be 47 $\frac{1}{2}$ feet West of the East line of said Southeast Quarter (SE $\frac{1}{4}$).

Section XX Township XX Range XX together with the right of ingress and egress to and from said pipeline or pipelines, or any of them, on, over, and across said land and adjacent land of Grantor

It is agreed that the pipeline ~~to be laid~~ to be laid under this grant shall be constructed at sufficient depth below the surface of the ground to permit normal cultivation at the time of construction, and Grantor shall have the right to fully use and enjoy the above described premises subject to the rights herein granted. Grantee agrees to save Grantor harmless from any damage done to said pipeline on the right of way above described, provided it was not intentionally caused.

Grantor shall have the right to clear all trees, undergrowth and other obstructions from the herein granted right-of-way, and Grantor agrees not to build, construct or create, nor permit others to build, construct or create any buildings, structures or engineering works on the herein granted right-of-way that will interfere with the normal operation and maintenance of the said line or lines.

Grantee agrees to pay to the owners and to any tenant, as their interests may be, any and all damages to crops, timber, fences, drain tile, or other improvements on said premises that may arise from the exercise of the rights herein granted, provided, however, that after the first pipeline has been constructed hereunder, Grantee shall not be liable for damages caused on the easement by keeping said easement clear of trees, undergrowth, and brush in the exercise of the rights herein granted. Any payment due hereunder may be made direct to the said Grantor or any one of them. Grantors may conduct normal agricultural practices on the right of way after the initial construction of the pipeline.

~~Grantee agrees to pay to the owners and to any tenant, as their interests may be, any and all damages to crops, timber, fences, drain tile, or other improvements on said premises that may arise from the exercise of the rights herein granted, provided, however, that after the first pipeline has been constructed hereunder, Grantee shall not be liable for damages caused on the easement by keeping said easement clear of trees, undergrowth, and brush in the exercise of the rights herein granted. Any payment due hereunder may be made direct to the said Grantor or any one of them. Grantors may conduct normal agricultural practices on the right of way after the initial construction of the pipeline.~~

Grantor represents that the above described land is owned for the period beginning

to DEC. 1

DEC. 1

1982

1982 on (month, year) basis to KEN CARLSON

The terms, conditions, and provisions of this contract shall extend to and be binding upon the heirs, executors, administrators, personal representatives, successors, and assigns of the parties hereto. The easement and rights herein granted may be leased or assigned in whole or in part.

TO HAVE AND TO HOLD said easement, rights, estates, and privileges unto Grantor, its successors and assigns, so long as said easement is used for the purposes granted herein.

IN WITNESS WHEREOF, Grantor has executed this instrument this 71st day of March, 1983

Signed, sealed, and delivered in the presence of

William E. Trust

[Signature] (Seal)

[Signature] (Seal)

(Seal)

(Seal)

ACKNOWLEDGMENT

THE STATE OF COLORADO

SS.

COUNTY OF WELD

Before Me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Sigurd Carlson
and Evelyn S. Carlson, and each of them and

known to me to be the person B who executed the within and foregoing instrument, and acknowledged to me that
executed the same as their free and voluntary act and deed for the purposes and consideration therein expressed
Given Under My Hand and Seal of Office, this 31st day of March A.D. 19 83
My commission expires: February 1985

Sigurd E. Sant
Notary Public
Box 449 Greeley, Colo. 80632

2 pages 6/8/83
C to 280

PIPELINE
RIGHT-OF-WAY GRANT
FROM

TO
ASSOCIATED NATURAL GAS, INC.

Tap

of Sec

Rge

County

State of

County of

This instrument was filed for record on the

day of 19

at o'clock, and

duly recorded in book page

of the records of said office

Recorder

Tap

of Sec

When recorded, return to

ASSOCIATED NATURAL GAS, INC.

P.O. Box 5493

Denver, Colorado 80217

Michael Lynch
will pick up

ACKNOWLEDGMENT

THE STATE OF

SS

COUNTY OF

Before Me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared
and

known to me to be the person who executed the within and foregoing instrument, and acknowledged to me that
executed the same as free and voluntary act and deed for the purposes and consideration therein expressed

Given Under My Hand and Seal of Office, this day of A.D. 19
My commission expires:

Notary Public

Exhibit "A"

PIPELINE EASEMENT

FOR TEN DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, for the underground pipeline to be constructed under the terms hereof,

Wynona B. Thayer Revocable Trust
5412 East County Road 32E
Fort Collins, CO 80528

("Grantor") does hereby grant, sell, and convey to **DCP Lucerne 2 Plant LLC, a Delaware limited liability company**, its successors and assigns ("Grantee"), the mailing address of which is **3026 4th Avenue, Greeley, Colorado 80631**, (i) a non-exclusive temporary construction easement of (a) One Hundred feet (100') in width for initial construction for this line only, and (b) an additional Two Hundred feet by Two Hundred feet (200' x 200') additional work spaces for boring, if necessary, for this line only, and (ii) a non-exclusive permanent easement of Thirty feet (30') in width, for the purpose of a single underground pipeline (the "Pipeline") and from time to time, operating, inspecting, maintaining, protecting, repairing, replacing, and removing the Pipeline or other appurtenances, for the transportation of oil, gas, petroleum products, water, and any products and derivatives of any of the foregoing, and any combinations and mixtures of any of the foregoing, upon and along a route through the following described land located in **WELD** County, State of **COLORADO**, to wit:

Township 6 North, Range 66 West of the 6th P.M.

Section 18: A parcel of land located in the SE/4, known as Lot B of Amended Recorded Exemption No. 0805-18-4-AMRE-2877, excepting therefrom Highway 392, and being more particularly identified under Weld County Assessor's PIN 080518400056.

Section 18: A parcel of land located in the SE/4, known as Lot A of Amended Recorded Exemption No. 0805-18-4-AMRE-2877, excepting therefrom Highway 392, and being more particularly identified under Weld County Assessor's PIN 080518400055.

The respective areas of the temporary construction easement and the permanent non-exclusive underground pipeline easement are more particularly described on Exhibit B attached hereto and made a part hereof (the "Easement Area").

Together with the right of ingress and egress to and from the Easement Area, on, over, and across as much of Grantor's adjacent land as is necessary to access the Easement Area.

The temporary construction easement and the permanent pipeline easement granted hereby shall be subject to the following terms and conditions:

1. The Pipeline shall be installed at a minimum depth of forty-eight inches (48") below the surface of the ground to permit normal cultivation at the time of construction, and Grantor shall have the right to fully use and enjoy the above described premises subject to the rights herein granted.
2. Grantee shall reclaim those lands disturbed during initial construction and following any maintenance, repair, replacement, or removal activities following initial construction as nearly as practicable to its original condition and reseed the same as soon as possible. Upon completion of the Pipeline installation and reseeding activities, said temporary construction easement shall terminate.
3. Grantee shall have the right to clear all trees, undergrowth and other obstructions from the Easement Area, and Grantor agrees not to build, construct or create any buildings, structures or engineering works on the Easement Area that will interfere with the normal operation and maintenance of the Pipeline. Grantee shall be responsible for maintaining the Easement Area.
4. Construction activities by Grantee, including removal of all of Grantee's equipment ("Construction Activities") shall be completed within one hundred twenty (120) days following commencement of Construction Activities except for delays caused by events outside of Grantee's control, such as wars or natural disasters. Grantee shall pay to Grantor an amount equal to Five Hundred Dollars (\$500.00) per day if, for any reason, Construction Activities exceed said one hundred twenty (120) day period. Said daily penalty shall be in addition to any amounts owed by Grantee for crop damages or losses pursuant to paragraph 5 hereinafter. Construction Activities shall be limited to (i) the period commencing November 1, 2015, and ending March 15, 2016, or (ii) the period commencing November 1, 2016, and ending March 15, 2017.
5. Grantee agrees to pay to Grantor and to any tenant, as their interests may be, any and all damages to crops, timber, fences, drain tile, or other improvements on said premises that may arise from the exercise of the rights herein granted; provided, however, that after the Pipeline has been constructed hereunder, Grantee shall not be liable for damages caused on the Easement Area by keeping the Easement Area clear of trees, undergrowth, and brush in the exercise of the rights herein granted. Any payment due hereunder may be made direct to the said Grantor or any one of them. The initial consideration paid by Grantee to Grantor includes any and all damages that may be sustained by original construction of the Pipeline within the Easement Area, including, without limitation, cutting trees and damages to surface, fences or any other property owned by Grantor. If the property is leased, Grantee will settle actual damages with the tenant.

6. Grantee agrees that if at any time the Pipeline settles or causes any settling in the area of the Pipeline, it will make all necessary repairs, at Grantee's sole cost and expense, and pay damages to crops within a reasonable period of time. Grantee is required to provide notification to Grantor in the event any maintenance or additions shall be performed on the Pipeline, including damage compensation.

7. Grantor reserves the right to lay, construct and maintain streets and roadways, sidewalks, landscaping (exclusive of trees), grading, signs, and fences, over and across the Easement Area; provided, however, that Grantor, its successors or assigns, shall not use the Easement Area so as to materially impair Grantee's right to use the same for the purposes herein granted.

8. Grantor reserves the right to cross the Pipeline with utilities, as well as to install, or allow to be installed, utilities or other pipelines parallel to the Pipeline within the Easement Area; provided, however, that Grantor, its successors or assigns, shall not use the Easement Area so as to materially impair Grantee's right to use the same for the purposes herein granted.

9. Except to the extent caused by the acts or omissions of Grantor and that of its officers, employees and agents, Grantee agrees to defend, indemnify and hold Grantor, its members, managers, employees, successors and assigns, harmless from and against any and all damages, losses, costs, expenses and liability including, without limitation, claims for injury or death to persons or damage to or loss to property, including reasonable attorneys' fees and costs, arising out of or occasioned by the use and occupancy of the easement, including, construction, maintenance, repair and all other work in the easement and access thereto.

10. Grantee shall not install any equipment or facilities on the surface of the Easement Area.

11. Grantee agrees to consult with Grantor with respect to the location of any pipeline warning signs.

12. In the event the Pipeline shall be abandoned or inactive for a period of twelve (12) consecutive months, the easement shall become null and void; provided, however, that abandonment or nonuse is not the direct result of war, Acts of God, rules or regulations promulgated by any government body, federal or state, having jurisdiction thereof.

The terms, conditions, and provisions of this contract shall extend to and be binding upon the successors and assigns of the parties hereto.

TO HAVE AND TO HOLD said easement, rights, estates, and privileges unto Grantee, its successors and assigns, as long as said easement is used for the purposes granted herein.

IN WITNESS WHEREOF, Grantor has executed this instrument this 21 day of March, 2017.

Grantor:
Wynona B. Thayer Revocable Trust

By: Jill S. Cook trustee
As: Trustee

ACKNOWLEDGEMENT

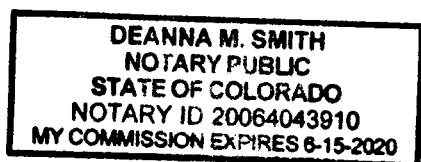
STATE OF COLORADO)
) ss.
COUNTY OF LARIMER)

Before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared **Jill S. Cook, as Trustee of the Wynona B. Thayer Revocable Trust**, known to me to be the same person who executed the within and foregoing instrument, and acknowledged to me that she executed the same as her free and voluntary act and deed, on behalf of said Trust, for the purposes and consideration therein expressed.

Given Under My Hand and Seal of Office this 20th day of March, 2012.

My commission expires: 6/15/2020

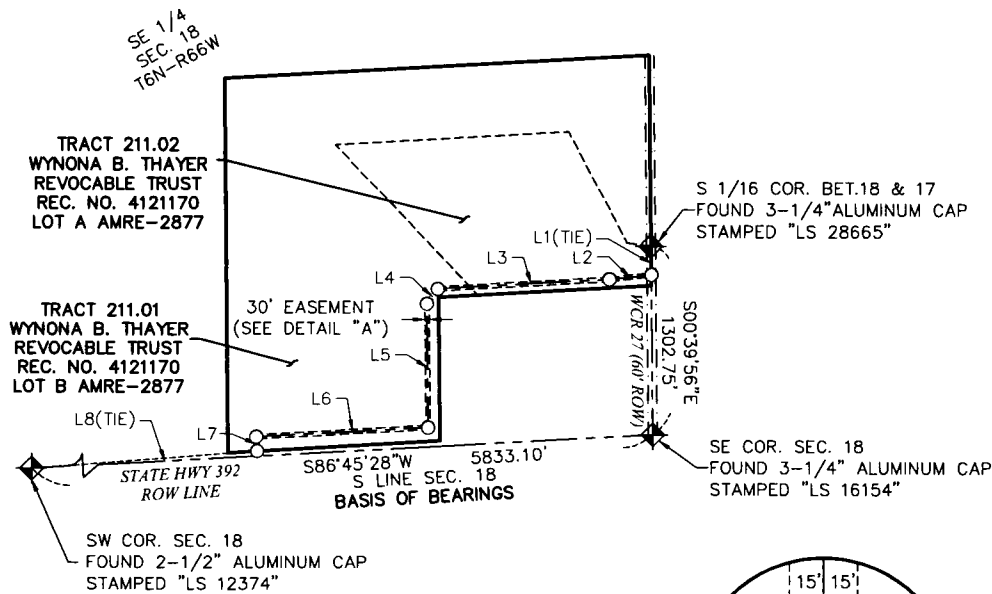
Reed M. Smith
Notary Public



4296169
04/24/2017 01:36 PM R Fee:\$28.00
Carly Kopas, Clerk and Recorder, Weld County, CO

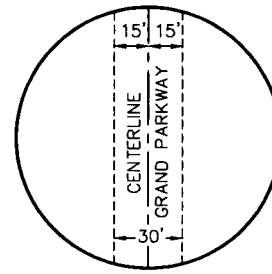
EXHIBIT B

PART OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 6 NORTH, RANGE 66 WEST OF
THE 6TH PRINCIPAL MERIDIAN, WELD COUNTY
STATE OF COLORADO



LINE TABLE

LINE	BEARING	DISTANCE
L1(TIE)	S00°39'56"E	194.58'
L2	S83°32'18"W	288.66'
L3	S86°46'01"W	1175.44'
L4	S35°45'14"W	127.52'
L5	S00°39'15"E	858.04'
L6	S86°45'28"W	1181.99'
L7	S03°14'32"E	100.44'
L8(TIE)	S86°07'23"W	3118.49'



SURVEYOR'S STATEMENT:

I, BRANDON A. MOSER, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS EXHIBIT WAS PREPARED UNDER MY SUPERVISION DURING THE MONTH OF JULY 2015, AND THAT THE PROPOSED PIPELINE LOCATION SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF. I ALSO STATE THAT THIS EXHIBIT IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT AND IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF FENCES, BUILDINGS, OR OTHER FUTURE IMPROVEMENTS.

Scale: 1" = 1000'
0 1000' 2000'
FEET



THE TOTAL LENGTH OF GRAND PARKWAY CENTERLINE
SHOWN HEREON IS 3,732.09 FEET (226.19 RODS).

THE TOTAL AREA OF THE 30' PERMANENT EASEMENT SHOWN
HEREON IS 111,058 SQUARE FEET (2.55 ACRES).

SEE SHEET 2 FOR ADDITIONAL TEMPORARY
WORKSPACE LAYOUT-DETAILS "B" THRU "F"

NOTES:

1. THIS EXHIBIT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND THEREFORE LW SURVEY CO. HAS NOT RESEARCHED OR SHOWN ANY OTHER EASEMENTS, RIGHTS-OF-WAY, VARIANCES AND OR AGREEMENTS OF RECORD EXCEPT AS SHOWN HEREON.

2. THE LOCATION OF THE EASEMENT SHOWN HEREON IS BASED ON THE PROPOSED LOCATION OF THE PIPELINE. THE EXACT LOCATION OF THE CENTERLINE OF THE EASEMENT HERETOFORE CONVEYED SHALL BE ADJUSTED TO MATCH THE AS-CONSTRUCTED LOCATION.

3. THE BEARINGS SHOWN HEREON WERE ESTABLISHED BY COLORADO STATE PLANE NORTH, NAD 83. ALL DISTANCES SHOWN HEREON ARE GRID DISTANCES AND ARE IN U.S. SURVEY FEET. TO OBTAIN GROUND DISTANCES MULTIPLY VALUES GIVEN HEREON BY 1.0002656867.

4. THIS EXHIBIT IS NOT A LAND SURVEY PLAT, OR AN IMPROVEMENT SURVEY PLAT.

○ THIS SYMBOL DOES NOT REPRESENT A MONUMENTED LINE.
THIS SYMBOL ONLY DEPICTS A CHANGE IN DIRECTION



BU: 45000
RC: G017
AFE: 500214021

TRACT 211.01 & 211.02 WYNONA B. THAYER REVOCABLE TRUST

PART OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 6 NORTH,
RANGE 66 WEST, 6TH P.M., WELD COUNTY, COLORADO

SCALE: 1"=1000'

DRAWN BY: JDG

7/10/15

REV: 6 BAM 12/11/15



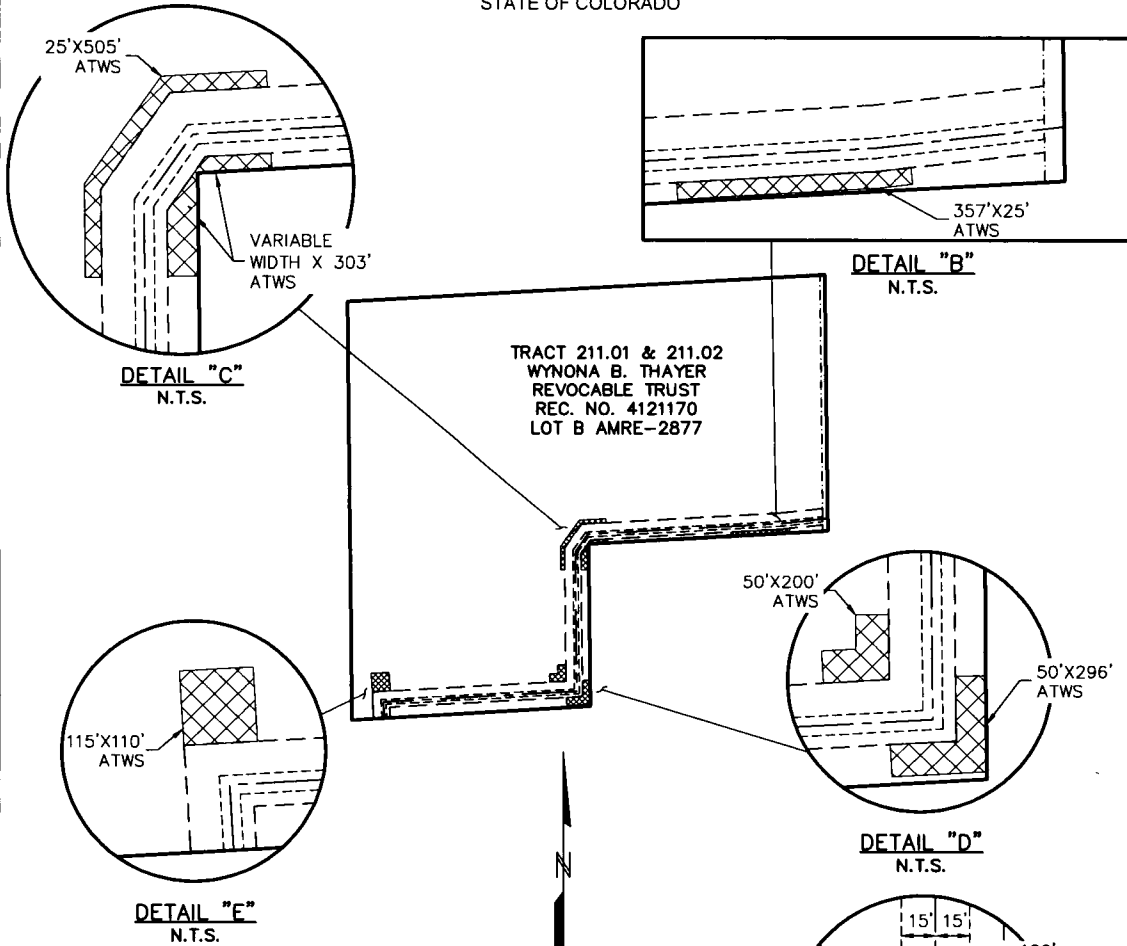
LW Survey Co.
12345 W. Alameda Pkwy, Suite 205
Lakewood, CO 80228

GRAND PARKWAY PIPELINE
WELD COUNTY, COLORADO

SHEET
1 OF 2

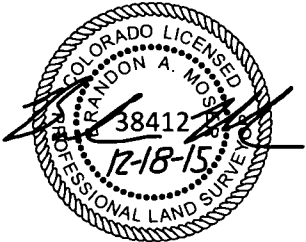
EXHIBIT B

PART OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 6 NORTH, RANGE 66 WEST OF
THE 6TH PRINCIPAL MERIDIAN, WELD COUNTY
STATE OF COLORADO



SURVEYOR'S STATEMENT:

I, BRANDON A. MOSER, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS EXHIBIT WAS PREPARED UNDER MY SUPERVISION DURING THE MONTH OF JULY 2015, AND THAT THE PROPOSED PIPELINE LOCATION SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF. I ALSO STATE THAT THIS EXHIBIT IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT AND IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF FENCES, BUILDINGS, OR OTHER FUTURE IMPROVEMENTS.



NOTES:

1. THIS EXHIBIT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND THEREFORE LW SURVEY CO. HAS NOT RESEARCHED OR SHOWN ANY OTHER EASEMENTS, RIGHTS-OF-WAY, VARIANCES AND OR AGREEMENTS OF RECORD EXCEPT AS SHOWN HEREON.
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4. THIS EXHIBIT IS NOT A LAND SURVEY PLAT, OR AN IMPROVEMENT SURVEY PLAT.

THIS PAGE IS FOR VISUAL REFERENCE ONLY.
SEE SHEET 1 FOR PERMANENT EASEMENT AND CENTERLINE INFORMATION

THE TOTAL AREA OF THE TEMPORARY WORKSPACE (TWS) SHOWN HEREON OUTSIDE OF THE 30' PERMANENT EASEMENT IS 262,633 SQUARE FEET (6.03 ACRES).

THE TOTAL AREA OF THE ADDITIONAL TEMPORARY WORKSPACE (ATWS) SHOWN HEREON IS 63,686 SQUARE FEET (1.46 ACRES).



BU: 45000
RC: G017
AFE: 500214021

TRACT 211.01 & 211.02 WYNONA B. THAYER REVOCABLE TRUST

PART OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 6 NORTH,
RANGE 66 WEST, 6TH P.M., WELD COUNTY, COLORADO

SCALE: N.T.S.

DRAWN BY: JDG 7/10/15

REV: 6 BAW 12/11/15



LW Survey Co.
12345 W. Alameda Pkwy, Suite 205
Lakewood, CO 80228

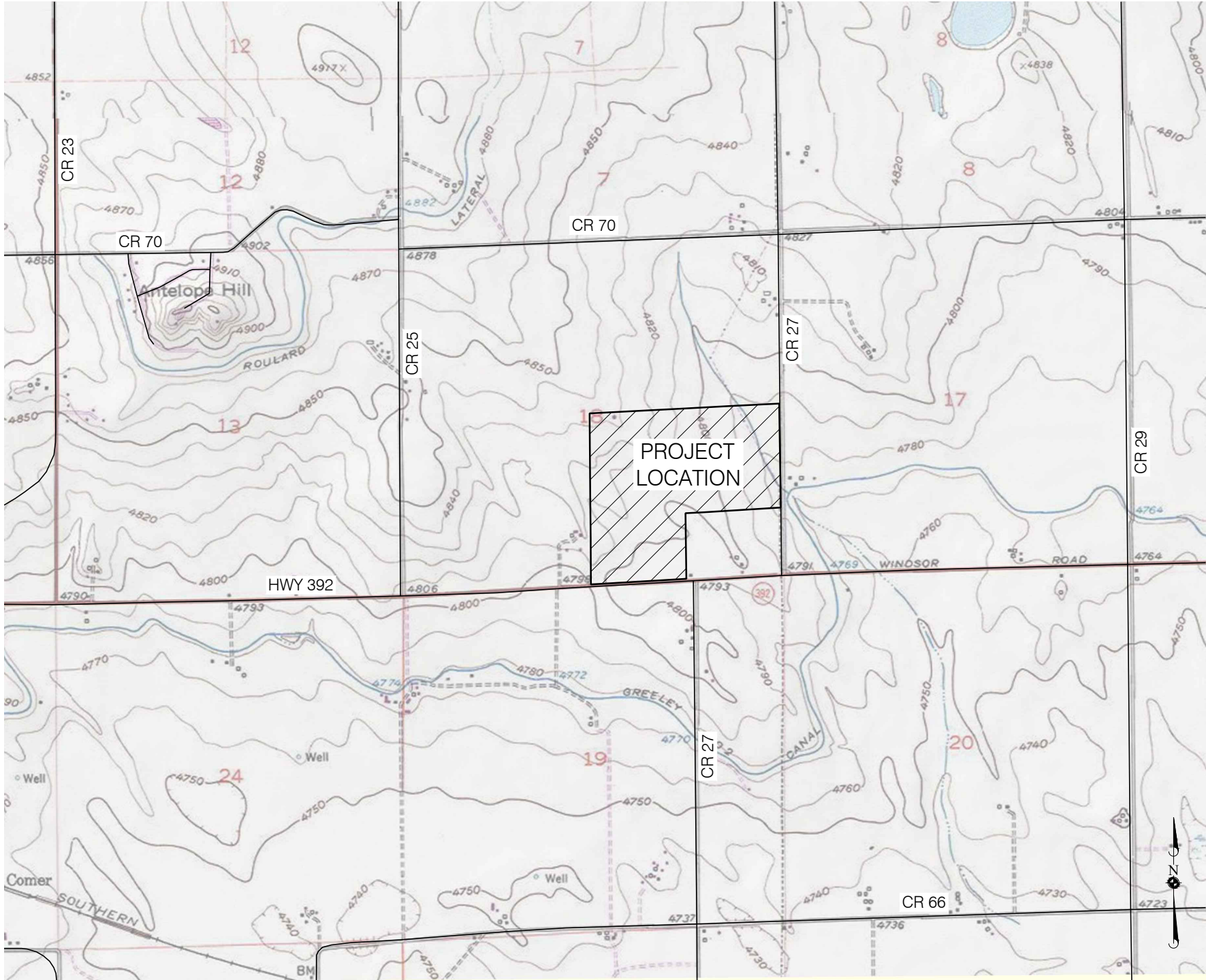
GRAND PARKWAY PIPELINE
WELD COUNTY, COLORADO

SHEET
2 OF 2

Exhibit B

Index Map

See attached map.




 AGPROfessionals DEVELOPERS OF AGRICULTURE 3050 67th Avenue, Suite 200, Greeley, CO 80634 (970) 535-9318 - fax: (970) 535-9854	LTS PERFORMANCE HORSES LLC EXHIBIT B - INDEX MAP WELD COUNTY, CO	DATE: 9/18/24
		SCALE: 1" = 1,000'

Exhibit C

Pre-Mining and Mining Plan Maps of Affected Lands

See attached maps.



Exhibit F

Reclamation Plan Map

See attached map.



	EXISTING GROUND SURFACE CONTOUR AND ELEVATION, FT		EXISTING UTILITY POLE
	PROPOSED GROUND SURFACE CONTOUR AND ELEVATION, FT		EXISTING TRANSMISSION POLE
	AFFECTED LAND		EXISTING GAS WELL
	EXISTING PROPERTY BOUNDARY		EXISTING WATER WELL
	EXISTING ADJACENT BOUNDARY		EXISTING TELEPHONE PED
	RIGHT-OF-WAY		EXISTING WATER METER
	EXISTING WATER FEATURE		EXISTING GAS
	SECTION LINE		EXISTING FO
	EXISTING FENCE		EXISTING SIGN
	EXISTING FIBER OPTIC		EXISTING TREES
	EXISTING OVERHEAD ELEC		EXISTING STRUCTURE
	EXISTING GAS LINE		NATIVE SEED RECLAIM
	EXISTING WATER LINE		IRRIGATED CROPLAND RECLAIM
	EXISTING UNDERGROUND ELEC		IRRIGATED CROPLAND
	EXISTING STORM DRAIN		NATIVE GRASS

1. TOTAL AREA = 133.90 ACRES
2. MINING AREA = 83.41 ACRES
3. VEGETATION ON SITE IS LIMITED TO IRRIGATED CROPS, NATIVE GRASSES, AND LOW SHRUBS. THERE ARE TREES ALONG THE ACCESS ROAD.
4. MINING DEPTH OF EACH PHASE IS 10-14 INCHES OF TOPSOIL.
5. EACH PHASE OF MINING WILL BE COMPLETED WITHIN A PERIOD OF 12-18 MONTHS.

OB	OUT BUILDING
RES	RESIDENCE
TP	TRANSMISSION POLI

Buffalo Grass (Texoka, Sharps Improved)	1.5 lbs pls/acre
Little Bluestem (Blaze, Cimarron, Camper)	1.5 lbs pls/acre
Sideoats Grama (Vaughn, Butte, Niner, El Reno, Haskell)	2 lbs pls/acre
Blue Grama (Hachital, Lovington)	3.5 lbs pls/acre
Western wheatgrass (Arriba, Barton, Rosana)	3 lbs pls/acre
Switchgrass (Nebraska 28, Blackwell)	1.5 lbs pls/acre
Perennial Ryegrass (Calibra or Garibaldi tetraploid)	0.75 lbs pls/acre
Sand dropseed	0.25 lbs pls/acre
Total: 14.00 pounds pls/acre	

Mining Plan

Introduction

LTS Performance Horses LLC (LTS) is requesting this Construction Material Regular (112) Operation Reclamation Permit for the removal of 10-14 inches of topsoil from irrigated farmland. The property is described as Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

The approximately 132-acre site contains approximately 105-acres of active agricultural land under a center pivot irrigation system and 27-acres of “dry corners” outside of the center pivot irrigation range. LTS proposes to mine topsoil from approximately 78-acres. Topsoil will be taken off-site for use on various oil and gas sites throughout Weld County. Reclamation of the site will consist of re-grading to support an appropriate seedbed for revegetation. Following mining activities, the disturbed area will be regraded, tilled, and re-planted and will continue to be leased for growing corn.

LTS is proposing to mine the upper 50-80 percent of topsoil from the irrigated portion of the site. Approximately 10-14 inches of topsoil will be removed, leaving at least 3-6 inches on site for reclamation purposes. The goal is to remove approximately 157,480 tons of topsoil over the course of two years.

Mining Methods and Earthmoving

A variety of earthmoving equipment will be used, including loaders, dozers, scrapers, and haul trucks. Water trucks will be used as necessary for dust control. Mined topsoil will be temporarily stockpiled in the northeast corner along the existing access road and Weld County Road 27. The topsoil will be loaded onto haul trucks for transport to the end user. No explosives will be used for extraction operations.

Water Diversions and Impoundments

The topsoil will be dry mined and will not result in the need for dewatering. The operation will not require any water diversions or impoundments.

Mining Limits

Topsoil excavation will occur within the boundary of Lot B 2AMRECX19-01-2877. The mining limits are shown on Exhibit C - Pre-Mining and Mining Plan Maps of Affected Lands and are generally described as that portion of the site irrigated by the center pivot. Within that irrigated area the mining limits are further restricted by setbacks from property lines and existing structures and easements. The mined area will encompass approximately 78-acres of the 132-acre site.

Mine Phasing

Topsoil excavation will occur in two phases, as depicted on Exhibit C - Pre-Mining and Mining Plan Maps of Affected Lands. Phase 1 will be the northeastern half of the site and Phase 2 will be the southwestern half of the site. Phase 1 is expected to be mined in year one and reclaimed concurrently. Phase 2 is expected to be mined in years one and two and reclaimed concurrently. Final reclamation is expected to be completed within one to two years from the end of excavation for each phase, but not more than five years from the date each phase has commenced.

Commodities and Intended Use

Topsoil will be the only product mined. No secondary commodities or incidental products are anticipated. The topsoil will be taken off-site for use at various oil and gas sites throughout Weld County.

Roadways

There is an existing roadway that runs along the northern portion of the site which will be used for the mining activities. The access point for this roadway is on Weld County Road 27, approximately ½ mile north of Highway 392. As the roadway currently supports heavy agricultural equipment, no on-site roadway improvements are anticipated. No off-site roadway improvements are anticipated as Weld County Road 27 is a paved arterial and Highway 392 is a paved state highway.

Reclamation Plan

Introduction

LTS Performance Horses LLC (LTS) is proposing the removal of 10-14 inches of topsoil from irrigated farmland through the Construction Material Regular (112) Operation Reclamation Permit process. The property is described as Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

The approximately 132-acre site contains approximately 105-acres of active agricultural land under a center pivot irrigation system and 27-acres of “dry corners” outside of the center pivot irrigation range. LTS proposes to mine topsoil from approximately 78-acres. Topsoil will be taken off-site for use on various oil and gas sites throughout Weld County. Reclamation of the site will consist of re-grading to support an appropriate seedbed for revegetation. Following mining activities, the disturbed area will be re-graded, tilled, and re-planted and will continue to be leased for growing corn.

This Reclamation Plan has been developed in accordance with the requirements of 6.4.5 Exhibit E – Reclamation Plan in the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules). This plan describes procedures necessary for reclamation of the disturbed area. This plan will address re-grading, re-seeding, weed control, stormwater mitigation, monitoring, annual reporting, post-reclamation inspection and release of warranties. The operator, and all personnel working on this project, should be familiar with this Reclamation Plan prior to the commencement of mining activities.

Existing Conditions

Location:	Northwest corner of Highway 392 and Weld County Road 37 Part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6 th P.M., Weld County, Colorado Weld County parcel no. 080518400004
Size:	Total property area: 131.897-acres Total area of disturbance: 83.41-acres

Current Land Use:	Agriculture
Vegetation:	Existing: Irrigated cropland Following Reclamation: Irrigated cropland
Soils:	Loam to fine sandy loam. Dominant soil types include Kim loam, Nelson fine sandy loam, and Olney fine sandy loam.
Climate:	Mean annual precipitation: 12 to 16 inches Mean annual air temperature: 46 to 55 degrees Fahrenheit Frost-free period: 130 to 170 days
Water Resources:	An existing irrigation pond is located in the northwestern corner of the site, approximately 50-feet from the proposed area of disturbance. There is a field ditch crossing the northeastern portion of the property, which ties into the Greeley Number 2 Canal on the east side of Weld County Road 27. The field ditch is approximately 250-feet from the proposed area of disturbance.
Wildlife:	No critical wildlife habitat or wildlife species will be impacted by the proposed operation.

Project Description

LTS is proposing to mine the upper 50-80 percent of topsoil from the irrigated portion of the site. Approximately 10-14 inches of topsoil will be removed, leaving at least 3-6 inches on site for reclamation purposes. The goal is to remove approximately 157,480 tons of topsoil in two phases over the course of two years. LTS is the landowner and operator of the mining activity and will be responsible for reclamation of the disturbed area.

Reclamation Methods

Mining and reclamation will occur in two phases:

- Phase 1: northeastern half (36.6-acres) (mined in year one and reclaimed concurrently)
- Phase 2: southwestern half (41.76-acres) (mined in years one and two and reclaimed concurrently)

Phasing is depicted on Exhibit F Reclamation Plan Map. Within the first year following permit approval, the operator will mine topsoil from the northeastern portion of the site then commence reclamation procedures. Active farming will continue on the southwestern portion of the site during Phase 1. Upon completion of topsoil excavation from the northeastern portion of the site, the operator will mine topsoil from the southwestern half of the site then commence reclamation procedures. Backfilling and grading will be completed as soon as feasible after the mining

process is complete. Phase 2 may start in year one, depending on how quickly Phase 1 is completed. The mining operation is expected to be completed within two years.

Long-term stockpiling and stabilization of topsoil will not be necessary. The extracted material will be removed from site and sold to a third party. During this process, the topsoil will be handled as little as possible to maintain soil health and fertility.

Staging

A staging area will be located in the northeastern corner of the site near the site access road. The staging area is approximately 5-acres and will provide an area for equipment storage and loading operations. The inclusion of a staging area will minimize soil compaction across the disturbance area.

Grading and Erosion Control

During active mining, erosion prevention and sediment control Best Management Practices (BMPs) will be installed to minimize erosion from disturbed surfaces and to capture sediment on-site. The proposed BMPs will be included on the final Grading Plan in conjunction with the Colorado Department of Public Health & Environment (CDPHE) Storm Water Discharge Permit and Stormwater Management Plan (SWMP).

Final grading will support an appropriate seedbed for revegetation and will be traversable by farm machinery. Manure and fertilizer will be applied as necessary to support crop growth. All grading shall be done in a manner to control erosion and siltation of the affected lands and to protect areas outside the affected land from slides and other damage. The anticipated post reclamation slope gradient will be similar to the present slope. As required, the maximum gradient will not exceed a 3:1 slope.

Seeding and Revegetation

Following mining activities, the Phase 1 and Phase 2 areas will be revegetated to establish diverse, effective, and long-lasting vegetative cover. The operator will till the disturbed areas to prepare an appropriate seedbed for crop planting. Soil samples are recommended to identify nutrient deficiencies and determine if fertilizer application or soil amendments are needed. Planting corn typically occurs between mid-April to late-May, weather dependent. Planting will be done with typical farming techniques. The planted field will continue to be irrigated by the center pivot irrigation system.

In the staging area, stockpiling of material will take place on undisturbed ground and topsoil won't be removed. Once the temporary stockpile material and equipment has been removed, the site will be re-graded to approximate pre-disturbance grade. No root zones need to be created as the underlying material is soil. The seedbed shall be firm and free of weeds. In areas where there is excessive compaction, tillage, such as chiseling and disking, shall be

done to break up the compaction then harrowed down. The area will then be re-seeded using an approved seed mixture. Dormant planting is possible any time after October 15th or when temperatures are cold enough to prevent seed germination. Seeding on frozen soils will be avoided. Planting may also be done in the print until the end of April or early May and between July 1st and September 1st. The recommended reclamation seeding mix of the stockpile area is the Weld County General Seed Mix for areas north of County Road 68. The seed mix is as follows:

• Buffalo Grass (Taxoka, Sharps Improved)	1.5 lbs pls/acre
• Little Bluestem (Blaze, Cimarron, Camper)	1.5 lbs pls/acre
• Sideoats Grama (Vaughn, Butte, Niner, El Reno, Haskell)	2 lbs pls/acre
• Blue Grama (Hachital, Lovington)	3.5 lbs pls/acre
• Western Wheatgrass (Arriba, Barton, Rosana)	3 lbs pls/acre
• Switchgrass (Nebraska 28, Blackwell)	1.5 lbs pls/acre
• Perennial Ryegrass (Calibra or Garibaldi tetraploid)	0.75 lbs pls/acre
• Sand Dropseed	0.25 lbs pls/acre

Total: 14 pounds pls/acre

Seeds will be planted immediately following completion of mining activities to decrease competition from noxious weed species. Seeds will be planted using drill seeding at the appropriate depths. A one-time application of manure/compost mix will be applied to the seeded area for stabilization and fertilization. The seeded areas will not be irrigated.

Noxious Weed Management

Various state and local regulations require management of noxious weeds. If established quickly, crop cover and standard farming practices will help suppress weed growth. The operator will monitor disturbed areas for noxious weeds during the mining operation. Currently, there are no noxious weeds identified on the subject property. The majority of the site has been under continuous crop cultivation. The greatest period of susceptibility for weeds to establish themselves is during temporary stockpiling and the start of reclamation procedures. Operator will survey the site regularly and monitor weed conditions. Should noxious weeds be identified, the operator will work to eradicate the weeds. Mechanical control methods such as pulling, mowing, and tilling and chemical control methods with the use of herbicides will be used. Proper identification of the suspected noxious weed will ensure the appropriate control methods are utilized. A complete list of Colorado noxious weeds can be found at <https://ag.colorado.gov/conservation/noxious-weeds/species-id>.

If excavation activities are completed before the growing season begins, preventative measures such as spraying will be taken. Establishment of crop cover will be the most effective method of long-term weed suppression.

Upon completion of the mining activities, the stockpile area will be reseeded with native grass according to the recommended seeding procedures and seed mix described above.

Trash, Debris, and Materials Handling

Trash and debris will be collected in a covered dumpster, removed from the site at an appropriate rate, and properly disposed of. No explosives or hazardous materials will be needed to extract topsoil.

Water

Pursuant to Rule 3.1.6 and Rule 3.1.7 compliance with applicable federal and Colorado water quality laws and regulations, including statewide water quality standards and site-specific classifications and standards adopted by the Water Quality Control Commission, and applicable federal and Colorado dredge and fill requirements is required. Given the limited depth of topsoil removal, the proposed mining activities are not expected to have an impact on water quality. Compliance with applicable laws shall be adhered to.

Wildlife

All mining and reclamation activities shall take into account the safety and protection of wildlife. As the reclamation procedures will return the site to current conditions, the post-reclamation conditions for wildlife are expected to be similar to current conditions for wildlife. Additional wildlife information is presented in Exhibit H.

Signs and Markers

Pursuant to Rule 3.1.12, the Operator shall post a sign at a minimum size of eleven (11) by seventeen (17) inch with appropriate font size, including the name of the Operator and the operation name, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board, and the permit number. The boundaries of the affected area will be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries.

Spill Reporting

Pursuant to Rule 3.1.13, the operator will report any spill of hazardous or toxic substance to the Office of Mined Land Reclamation (Office) within twenty-four (24) hours.

Post Mining Land Use

The proposed post mining land use is the current land use, irrigated cropland. The subject property is zoned agricultural and surrounded by farmland. The post mining land use is consistent with Weld County's allowed uses in the Agricultural Zone District as farming is a use by right activity. No public use of the property is expected in the foreseeable future.

Schedule

Reclamation is expected to be completed within one to two years from the end of excavation, but not more than five years from the date each phase has commenced.

Financial Warranty

The Operator will supply to the Office a Performance and Financial Warranty in accordance with Rule 4. Refer to Exhibit L – Reclamation Costs.

Annual Report and Fees

Pursuant to Rule 1.15 Annual Report Inclusions, the Annual Report shall include all information specified on the Annual Report Form, in the format required by the Office, including the following:

- An updated statement regarding the sufficiency of the value of the Financial Warranty.
- A map that accurately depicts the permit boundary, current affected area boundary, location of the acres affected during the current report year, acres reclaimed during the current report year, estimated new acreage to be affected in the next report year, and acres to be reclaimed in the next report year.
- On the anniversary date of the Notice of Intent (NOI) approval, the operator shall submit to the Office an annual fee, as specified in Section 34-32.5-125, C.R.S.

Change in Address, Ownership, and Business Name

Pursuant to Rule 1.16 the Operator shall promptly notify the office of any change in mailing address, transfer of land ownership, and official business name associated with the Performance and Financial Warranty. Where an Operator files a petition of bankruptcy, the Operator shall immediately notify the Office via certified mail of such filing.

Post-Reclamation Inspection and Release of Warranties

Each Phase will be reclaimed pursuant to the Rules. Pursuant to Rule 3.1.3, all reclamation shall be carried to completion by the Operator with all reasonable diligence, and each phase or reclamation shall be completed within five (5) years from the date the Operator informs the Board of Office that such phase has commenced, or from the date the Office has evidence that mining or exploration has ceased, unless extended by the Board or Office. The 5-year period may be applied separately to each phase as it is commenced throughout the life of the mine.

Pursuant to Rule 4.17.1, the Operator or any mining operation processing a 110 Limited Impact Permit, or a 111 Special Operations Permit, or a 112 Reclamation Permit may file a written notice of completion of reclamation and request for release of reclamation responsibility with the Office whenever an Operator believes any or all requirements of the Act, the Rules and Regulations, and the approved reclamation plan have been completed with respect to any or all

of the Affected Lands. The Operator shall include in the notice of the Office the names and addresses and phone numbers of all owners of record to the affected land. The written notice requesting release shall be sent by Certified Mail and be separate from other types of communication to the Office. Such notice shall contain a signed statement by the Operator or their agent that all applicable portions of the Reclamation Plan requirements have been satisfied in accordance with the Rules and all applicable requirements under the Act.

Pursuant to Rule 4.17.2, the Office upon receipt of said notice of completion of reclamation, shall immediately provide notice to all owners of record of the affected land and to the county(s). The Office shall, within sixty (60) calendar days after receiving said notice, or as soon thereafter as weather conditions permit, inspect the lands and reclamation described in the notice to determine if the Permittee has complied with all applicable requirements. If the Office fails to conduct an inspection within the time specified in Rule 4.17.2(2) or fails to advise the Permittee of deficiencies within the time specified in Rule 4.17.2(4), then all Financial Warranties applicable to reclamation described in the notice shall be deemed released as a matter of law. Where the Office finds that a Permittee has not complied with the applicable requirements of the Act, Rules and Regulations, or the approved reclamation plan, it shall advise the Permittee of such non-compliance not more than sixty (60) calendar days after the date of the inspection. Where the Office finds that a Permittee has successfully complied with the requirements of the Act, Rules and Regulations, and the approved reclamation plan, the Office shall release all applicable performance and financial warranties. Release (pending an appeal) shall be in writing and mailed within thirty (30) calendar days to the Permittee after the date of such findings. However, an appeal to the release of the financial and performance warranties shall stay the release on the thirtieth (30) day pending a Form Board Hearing.

October 15, 2024

CERTIFIED MAIL/RETURN RECEIPT REQUESTED # 9414 8112 0620 5482 9574 77

North Weld County Water District
Attn: Jared Rauch
32825 CR 39
Lucerne, CO 80646

Re: AGPRO Project #2253-01
LTS Performance Horses, LLC Topsoil Mine

To Whom It May Concern:

This letter is to inform you that LTS Performance Horses, LLC (Applicant) is filing for a Colorado Division of Reclamation, Mining, and Safety (DRMS) Construction Material Regular (112) Operation Reclamation Permit for the removal of 10-14 inches of topsoil from irrigated farmland. Applicant's property more particularly described below.

Legal Description:

Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

You may have an interest in waterline(s) crossing the Applicant's property per the Valve Site Contract recorded on December 10, 2002, at reception no. 3013241 and the 20-foot Right-of-Way Easement recorded on December 4, 1964 at reception no. 1450757. The private access road that will be used for the grading activities may cross the valve site, and the 20-foot Right-of-Way Easement runs through the area of disturbance.

Pursuant to the DRMS regulations for 112 permits for permanent man-made structures within 200-feet of the 'Affected Land,' we are requesting a notarized letter on your letterhead stating that the mining and reclamation activities, as proposed, will not have a negative effect on your utility.

Enclosed are the Valve Site Contract, Right-of-Way Easement, draft Mining Maps, draft Mining Plan, and draft Reclamation Plan for reference.

If you have any questions, please feel free to contact us at (970) 535-9318, or kbruxvoort@agpros.com. We will be representing the Applicant throughout the application process.

Sincerely,

Kelsey Bruxvoort

Kelsey Bruxvoort
Land Planner

Enclosures:

1. Valve Site Contract
2. Right-of-Way Easement
3. Mining Maps
4. Mining Plan
5. Reclamation Plan

VALVE SITE CONTRACT

FOR AND IN CONSIDERATION OF THE SUM OF Ten dollars (\$10.00) and other good and valuable consideration to be paid prior to the commencement of construction, Milton E. Bartmann and Coleen S. Bartmann, 33499 Weld County Road 27, Windsor, CO 80550, hereinafter called Grantors (whether one or more), do hereby warrant and convey unto NORTH WELD COUNTY WATER DISTRICT, a Political Subdivision of the State of Colorado, the address of which is 33247 Hwy 85, Lucerne Co 80646, its successors and assigns, hereinafter called Grantee, the right to construct, install, maintain, inspect, operate, repair, replace, change or remove gate valves, pressure reducing valve(s) enclosed in a buried vault, and other appurtenances, including but not limited to an above ground mast for telemetry and above ground air intake pipes, apparatus, and equipment used in connection therewith or incident thereto, inclusive of the right, if Grantee so desires, to build such fences and structures as may be necessary to enclose the same, or any part hereof, on the following described land, of which Grantors warrant they are the owners in fee simple, situated in Weld County, State of Colorado, to-wit:

TOWNSHIP 6 NORTH, RANGE 66 WEST, 6th P.M.

Section 18: Lot A of Recorded Exemption No. 0805-18-4 RE2877, situated in the SE/4.

See attached plat for valve site location.

Grantee agrees to restore the land, as near as practical, to the condition as it was prior to construction, and may fence the area or a portion thereof if necessary and/or requested by Grantor.

For the same consideration, Grantors hereby agree that said land may be used for the purposes herein provided as long as any pipelines now or hereafter constructed are maintained upon and over said lands by said Grantee. Said Grantee shall at all times have full rights of ingress and egress to and from Grantor's lands for the full enjoyment by said Grantee of the rights granted herein.

Grantee shall indemnify, defend and save and hold harmless Grantor from any and all claims, demands, causes of action, or liability for damages, loss or injuries that arise out of Grantees operations on the above land. Grantee shall indemnify Grantor and hold Grantor harmless from and against any and all environmental damages or claims if such arise out of Grantees installation, maintenance, repairs, operations or removal of its pipelines and appurtenances.

The terms, conditions and provisions of this contract shall extend to and be binding upon the heirs, executors, administrators, personal representatives, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, said Grantors have hereunto set their hands and seals this 21st day of November, 2002.


Milton E. Bartmann


Coleen S. Bartmann

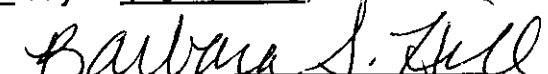
INDIVIDUAL ACKNOWLEDGMENT

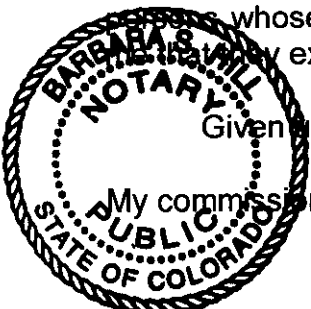
STATE OF COLORADO)
) ss.
COUNTY OF WELD)

Before me, the undersigned, on this day personally appeared Milton E. Bartmann and Coleen S. Bartmann, husband and wife, known to me or proved to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand seal of office this 21st day of November, 2002.

My commission expires: 9-14-06


Notary Public



My Commission Expires 9/14/2006



3013241 12/10/2002 12:23P Weld County, CO
1 of 3 R 16.00 D 0.00 J.A. "Suki" Tsukamoto

PROPERTY DESCRIPTION

Exhibit A

A parcel of land being a part of the Southeast Quarter (SE1/4) of Section Eighteen (18), Township Six North (T.6N.), Range Sixty-six West (R.66W.), Sixth Principal Meridian (6thP.M.), County of Weld, State of Colorado and being more particularly described as follows:

COMMENCING at the East Quarter (E1/4) Corner of said Section 18 and assuming the East line of said SE1/4 as bearing South 00°39'51" East, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/92, a distance of 2605.82 feet with all other bearings contained herein relative thereto:

THENCE South 00°39'51" East along said East line a distance of 1071.90 feet;
THENCE South 89°20'09" West a distance of 30.00 feet to the West Right-of-way (ROW) of Weld County Road #27, said point being the POINT OF BEGINNING;
THENCE continuing South 89°20'09" West a distance of 30.00 feet;
THENCE North 00°39'51" West a distance of 30.00 feet;
THENCE North 89°20'09" East a distance of 30.00 feet to said West ROW;
THENCE South 00°39'51" East along said West ROW a distance of 30.00 feet the POINT OF BEGINNING.

Said parcel contains 900 sq. ft. more or less (±), and is subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.

SURVEYOR'S CERTIFICATE

I, Lawrence S. Pepek, a Colorado Registered Professional Land Surveyor do hereby state that this Property Description was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief.

Lawrence S. Pepek
Colorado Registered Professional
Land Surveyor #33642



KING SURVEYORS, INC.

9299 Eastman Park Drive
Windsor, Colorado 80550
(970) 686-5011

JN: 2002367

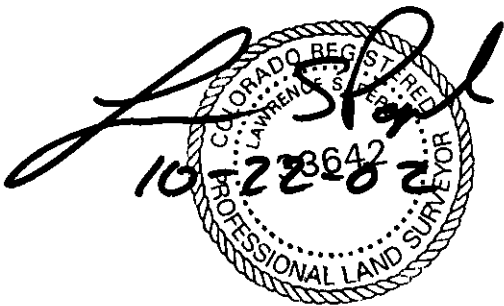
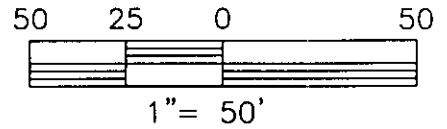
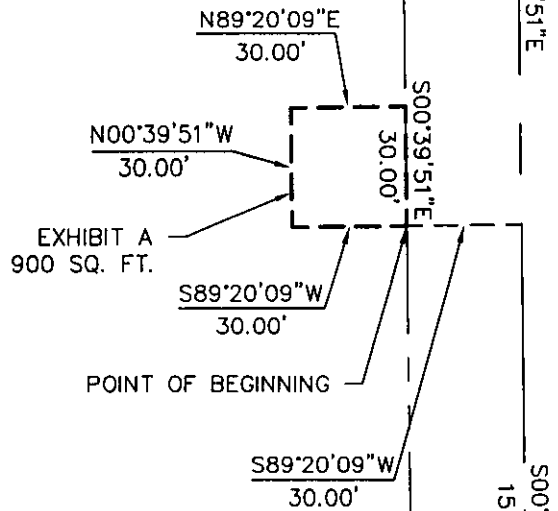


3013241 12/10/2002 12:23P Weld County, CO
2 of 3 R 16.00 D 0.00 J.A. "Suki" Tsukamoto

3013241 12/10/2002 12:23P Weld County, CO
3 of 3 R 16.00 D 0.00 J.A. "Suki" Tsukamoto

EAST QUARTER CORNER
SEC. 18, T.6N., R.66W.
POINT OF COMMENCEMENT

WEST RIGHT-OF-WAY
WELD COUNTY ROAD #27



SOUTHEAST CORNER
SEC. 18, T.6N., R.66W.



KING SURVEYORS, INC.

9299 EASTMAN PARK DRIVE, WINDSOR, CO 80550
PHONE: (970) 686-5011 FAX: (970) 686-5821
WWW.KINGSURVEYORS.COM

PROJECT NO: 2002367
DATE: 10-22-02
CLIENT: N. WELD WATER
DWG: 2002367ESMT

529

Recorded at 8:12 AM DEC 4 - 1964

Ass. No. 1450757

RIGHT OF WAY EASEMENT

2-1

Ass. Examiner, Recorder

INDEXED

KNOW ALL MEN BY THESE PRESENTS, that the undersigned,

SIGURD CARLSON and EVELYN S. CARLSON

, for a good and valuable consideration the receipt whereof is hereby acknowledged, does hereby grant unto the NORTH WELD COUNTY WATER DISTRICT, a statutory District, the right to construct pipe lines over or under the following described property owned by the said undersigned,

SIGURD CARLSON and EVELYN S. CARLSON, within the Counties of Larimer and/or Weld, and to place, operate, repair, maintain, relocate and place thereon, a water transmission or distribution line or system. Said property is described as follows, to-wit:

(Legal description attached)

The undersigned agrees that all water lines or other facilities constructed or installed on the said properties owned by the undersigned, at the District's expense, shall remain the property of the District, removable at the option of the District, upon termination of the agreed service to or on said lands.

FURTHER, the District shall assume all liability for any damage resulting from the construction and/or maintenance of said pipe line, during said construction, or at any time in the future, during the existence of said District, due to the negligence of the District, its authorized agents or employees.

It is further mutually agreed that the terms and conditions of this agreement shall extend to and be binding upon the heirs, administrators, executors and assigns of the parties hereto.

IN WITNESS WHEREOF, the undersigned have set their hands and seals this 5 day of August Dec., 1963.

Sigurd Carlson
Sigurd Carlson

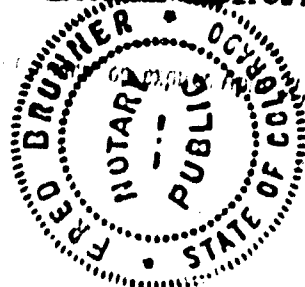
Evelyn S. Carlson
Evelyn S. Carlson

STATE OF COLORADO)
COUNTIES OF WELD and/or LARIMER) ss.

The foregoing instrument was acknowledged before me this 5 day of August Dec. 1963, by Sigurd Carlson and Evelyn S. Carlson.

Witness my hand and official seal.

My commission expires:



Fred Brunner, Jr.
Notary Public

265
me

DEC-4-64

00073

A-3-1

265

EASEMENTS SERVICE LINES

for Tank No. 4

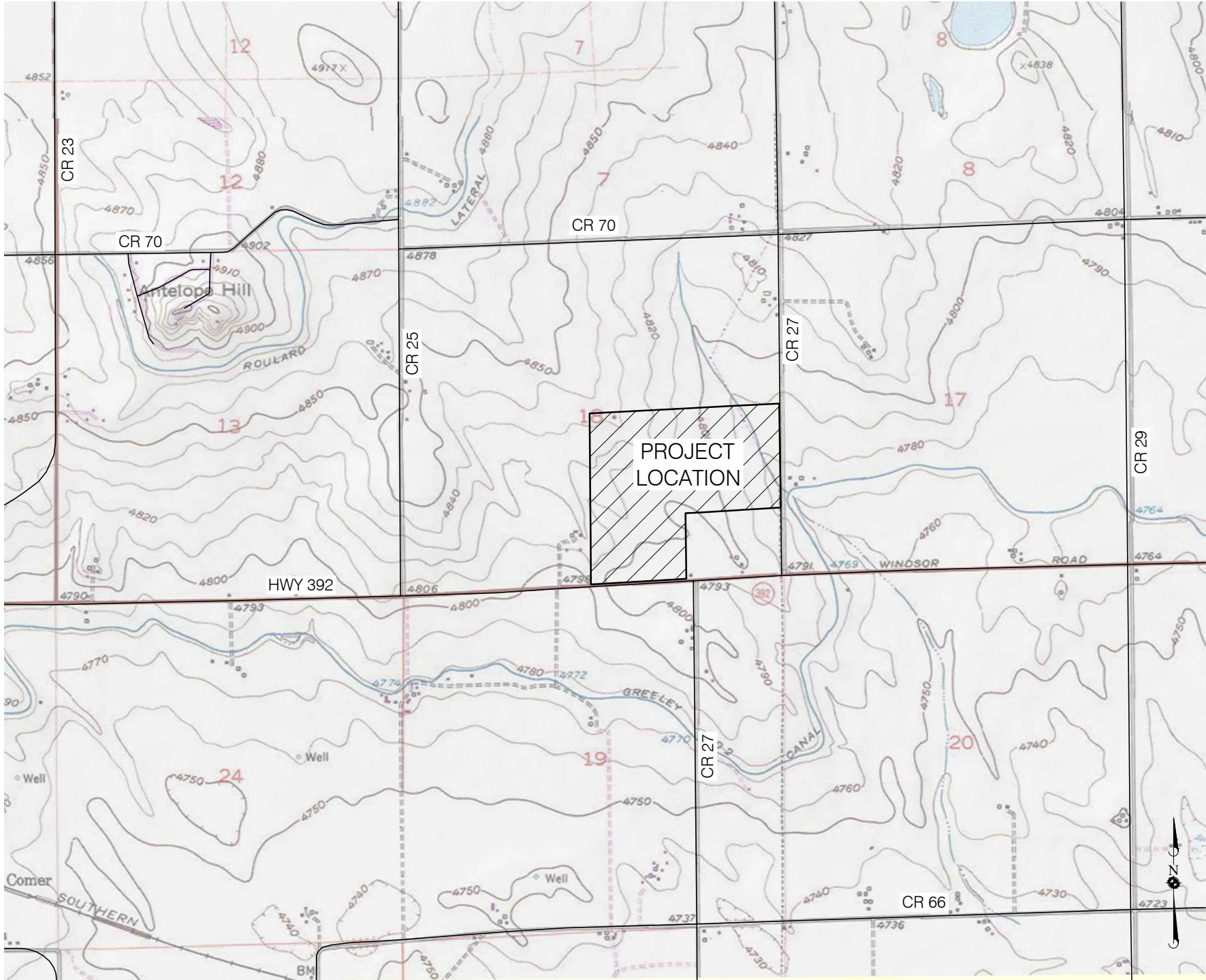
An easement twenty (20) feet in width, located in the Southeast Quarter (SE 1/4) of Section 18, Township 6 North, Range 66 West of the Sixth Principal Meridian, the centerline of which is more particularly described as follows: Commencing at the Northwest (NW) corner of the Southeast Quarter (SE 1/4) of said Section 18; thence East (E) along North (N) line of the Southeast Quarter (SE 1/4) of said Section 18, at an assumed bearing of South $90^{\circ}00'00''$ East, a distance of 314 feet; thence South $47^{\circ}02'$ East, a distance of 41.0 feet, to the point of beginning; thence South $47^{\circ}02'$ East, a distance of 958 feet; thence South $08^{\circ}02'$ East, a distance of 1,091 feet; thence South $45^{\circ}50'$ East, a distance of 441 feet; thence South $23^{\circ}18'$ East, a distance of 260 feet; thence South $04^{\circ}42'$ East, a distance of 104 feet.

An easement twenty (20) feet in width, located in the Southeast Quarter (SE 1/4) of Section 18, Township 6 North, Range 66 West of the Sixth Principal Meridian, the centerline of which easement is more particularly described as follows: Commencing at the Northwest (NW) corner of the Southeast Quarter (SE 1/4) of said Section 18; thence East (E) along the North (N) line of the Southeast Quarter (SE 1/4) of said Section 18, a distance of 381.1 feet, to the point of beginning of the centerline of this easement; thence South $55^{\circ}00'00''$ West, a distance of 17.4 feet.

Exhibit B

Index Map

See attached map.




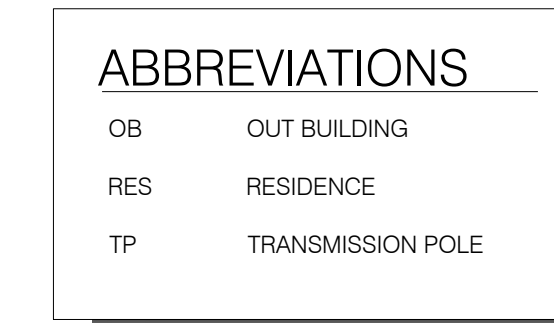
 AGPROfessionals DEVELOPERS OF AGRICULTURE 3050 67th Avenue, Suite 200, Greeley, CO 80634 (970) 535-9318 - fax: (970) 535-9854	LTS PERFORMANCE HORSES LLC EXHIBIT B - INDEX MAP WELD COUNTY, CO	DATE: 9/18/24
		SCALE: 1" = 1,000'

Exhibit C

Pre-Mining and Mining Plan Maps of Affected Lands

See attached maps.



PERMANENT STRUCTURES				
Key	Structure	Owner	Easement / ID	Location
A	Pipeline	Public Service Company, D/B/A Excel Energy	50' Public Service Company Easement, Reception No. 2509013	East of area of disturbance. Access road crosses the easement.
B	Archer-Weld Transmission Line	Transmission Division, Colorado River Storage Project, Bureau of Reclamation, Department of the Interior	100' Electric Transmission Line Easement, Reception No. 1561327	More than 200-feet east of area of disturbance. Access road crosses the easement.
C	Pipeline	Black Hills Gas Distribution, LLC, D/B/A Black Hills Energy	50' Pipeline Easement, Reception No. 2634911, KN Wattenberg Transmission, LLC	East of area of disturbance. Access road crosses the easement.
D	Pipeline	Tall Grass Interstate Gas Transmission LLC, D/B/A Tallgrass Energy	50' Pipeline Easement, Reception No. 3549935, and Amended Pipeline Easement, Reception No. 3608098, Kinder Morgan Interstate Gas Transmission LLC	East of area of disturbance. Access road crosses the easement.
E	Pipeline(s)	Chevron Corporation	30' Right-of-Way Grant, Reception No. 4162720, XTR Midstream, LLC	East of area of disturbance. Access road crosses the easement.
F	Pipeline	DCP Midstream, LP / Phillips 66	35' Pipeline Right-of-Way Grant, Reception No. 1923866, Associated Natural Gas Inc	Along CR 27, Access road crosses the easement.
G	Waterline	North Weld County Water District	Valve Site Contract, Reception No. 3013241	Along CR 27, Access road crosses the easement.
H	Pipeline	Suncor Energy (U.S.A.) Pipeline Company	ROW Contract, Reception No. 800076, Weld County LAP22-0011, Reception No. 4953067 (Blanket Easements)	South of the staging area. Location of proposed pipeline shown is per LAP22-0011 design drawings.
I	Pipeline	DCP Midstream, LP / Phillips 66	30' Pipeline Easement, Reception No. 4296169, DCP Lucerne 2 Plant LLC	South and east of the area of disturbance
J	Waterline	North Weld County Water District	20' Waterline Easement, Reception No. 1450757	Runs through pivot irrigated area
K	Irrigation Pond	LTS Performance Horses LLC	N/A	Northwest of pivot irrigated area
L	Pivot Concrete Pad	LTS Performance Horses LLC	N/A	South and east of the area of disturbance
M	P&A O&G Well	Chevron Corporation	API Label: 05-123-11130 Well Name: 33-18 Carlson	In pivot irrigated area
N	P&A O&G Well	Chevron Corporation	API Label: 05-123-22792 Well Name: 18-41 Carlson	In pivot irrigated area
O	P&A O&G Well	Chevron Corporation	API Label: 05-123-22793 Well Name: 18-43 Carlson	In pivot irrigated area
P	Overhead Electric Distribution Line	PVREA	N/A	West of the area of disturbance
Q	Overhead Electric Distribution Line	PVREA	N/A	Along CR 27

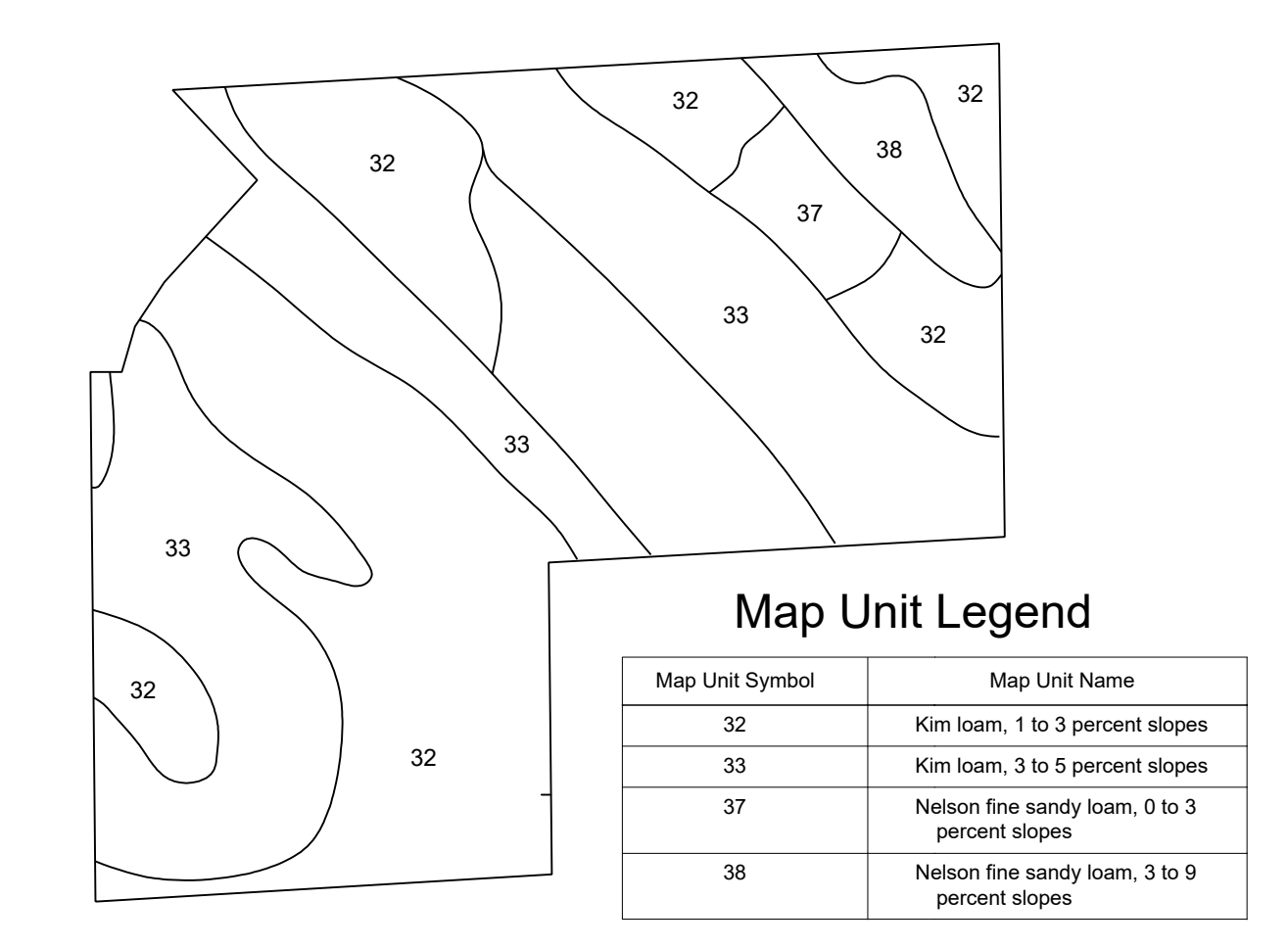


EXHIBIT C - PRE-MINING & MINING PLAN MAP

LTS PERFORMANCE HORSES LLC
 EXHIBIT C - PRE-MINING &
 MINING PLAN MAP
 WELD COUNTY, CO

SHEET:

MP-1

[illegible]

Exhibit F

Reclamation Plan Map

See attached map.



Buffalo Grass (Texoka, Sharps Improved)	1.5 lbs pls/acre
Little Bluestem (Blaze, Cimarron, Camper)	1.5 lbs pls/acre
Sideoats Grama (Vaughn, Butte, Niner, El Reno, Haskell)	2 lbs pls/acre
Blue Grama (Hachital, Lovington)	3.5 lbs pls/acre
Western wheatgrass (Arriba, Barton, Rosana)	3 lbs pls/acre
Switchgrass (Nebraska 28, Blackwell)	1.5 lbs pls/acre
Perennial Ryegrass (Calibra or Garibaldi tetraploid)	0.75 lbs pls/acre
Sand dropseed	0.25 lbs pls/acre
Total: 14.00 pounds pls/acre	

MP-2

Mining Plan

Introduction

LTS Performance Horses LLC (LTS) is requesting this Construction Material Regular (112) Operation Reclamation Permit for the removal of 10-14 inches of topsoil from irrigated farmland. The property is described as Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

The approximately 132-acre site contains approximately 105-acres of active agricultural land under a center pivot irrigation system and 27-acres of “dry corners” outside of the center pivot irrigation range. LTS proposes to mine topsoil from approximately 78-acres. Topsoil will be taken off-site for use on various oil and gas sites throughout Weld County. Reclamation of the site will consist of re-grading to support an appropriate seedbed for revegetation. Following mining activities, the disturbed area will be regraded, tilled, and re-planted and will continue to be leased for growing corn.

LTS is proposing to mine the upper 50-80 percent of topsoil from the irrigated portion of the site. Approximately 10-14 inches of topsoil will be removed, leaving at least 3-6 inches on site for reclamation purposes. The goal is to remove approximately 157,480 tons of topsoil over the course of two years.

Mining Methods and Earthmoving

A variety of earthmoving equipment will be used, including loaders, dozers, scrapers, and haul trucks. Water trucks will be used as necessary for dust control. Mined topsoil will be temporarily stockpiled in the northeast corner along the existing access road and Weld County Road 27. The topsoil will be loaded onto haul trucks for transport to the end user. No explosives will be used for extraction operations.

Water Diversions and Impoundments

The topsoil will be dry mined and will not result in the need for dewatering. The operation will not require any water diversions or impoundments.

Mining Limits

Topsoil excavation will occur within the boundary of Lot B 2AMRECX19-01-2877. The mining limits are shown on Exhibit C - Pre-Mining and Mining Plan Maps of Affected Lands and are generally described as that portion of the site irrigated by the center pivot. Within that irrigated area the mining limits are further restricted by setbacks from property lines and existing structures and easements. The mined area will encompass approximately 78-acres of the 132-acre site.

Mine Phasing

Topsoil excavation will occur in two phases, as depicted on Exhibit C - Pre-Mining and Mining Plan Maps of Affected Lands. Phase 1 will be the northeastern half of the site and Phase 2 will be the southwestern half of the site. Phase 1 is expected to be mined in year one and reclaimed concurrently. Phase 2 is expected to be mined in years one and two and reclaimed concurrently. Final reclamation is expected to be completed within one to two years from the end of excavation for each phase, but not more than five years from the date each phase has commenced.

Commodities and Intended Use

Topsoil will be the only product mined. No secondary commodities or incidental products are anticipated. The topsoil will be taken off-site for use at various oil and gas sites throughout Weld County.

Roadways

There is an existing roadway that runs along the northern portion of the site which will be used for the mining activities. The access point for this roadway is on Weld County Road 27, approximately ½ mile north of Highway 392. As the roadway currently supports heavy agricultural equipment, no on-site roadway improvements are anticipated. No off-site roadway improvements are anticipated as Weld County Road 27 is a paved arterial and Highway 392 is a paved state highway.

Reclamation Plan

Introduction

LTS Performance Horses LLC (LTS) is proposing the removal of 10-14 inches of topsoil from irrigated farmland through the Construction Material Regular (112) Operation Reclamation Permit process. The property is described as Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

The approximately 132-acre site contains approximately 105-acres of active agricultural land under a center pivot irrigation system and 27-acres of “dry corners” outside of the center pivot irrigation range. LTS proposes to mine topsoil from approximately 78-acres. Topsoil will be taken off-site for use on various oil and gas sites throughout Weld County. Reclamation of the site will consist of re-grading to support an appropriate seedbed for revegetation. Following mining activities, the disturbed area will be re-graded, tilled, and re-planted and will continue to be leased for growing corn.

This Reclamation Plan has been developed in accordance with the requirements of 6.4.5 Exhibit E – Reclamation Plan in the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules). This plan describes procedures necessary for reclamation of the disturbed area. This plan will address re-grading, re-seeding, weed control, stormwater mitigation, monitoring, annual reporting, post-reclamation inspection and release of warranties. The operator, and all personnel working on this project, should be familiar with this Reclamation Plan prior to the commencement of mining activities.

Existing Conditions

Location:	Northwest corner of Highway 392 and Weld County Road 37 Part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6 th P.M., Weld County, Colorado Weld County parcel no. 080518400004
Size:	Total property area: 131.897-acres Total area of disturbance: 83.41-acres

Current Land Use:	Agriculture
Vegetation:	Existing: Irrigated cropland Following Reclamation: Irrigated cropland
Soils:	Loam to fine sandy loam. Dominant soil types include Kim loam, Nelson fine sandy loam, and Olney fine sandy loam.
Climate:	Mean annual precipitation: 12 to 16 inches Mean annual air temperature: 46 to 55 degrees Fahrenheit Frost-free period: 130 to 170 days
Water Resources:	An existing irrigation pond is located in the northwestern corner of the site, approximately 50-feet from the proposed area of disturbance. There is a field ditch crossing the northeastern portion of the property, which ties into the Greeley Number 2 Canal on the east side of Weld County Road 27. The field ditch is approximately 250-feet from the proposed area of disturbance.
Wildlife:	No critical wildlife habitat or wildlife species will be impacted by the proposed operation.

Project Description

LTS is proposing to mine the upper 50-80 percent of topsoil from the irrigated portion of the site. Approximately 10-14 inches of topsoil will be removed, leaving at least 3-6 inches on site for reclamation purposes. The goal is to remove approximately 157,480 tons of topsoil in two phases over the course of two years. LTS is the landowner and operator of the mining activity and will be responsible for reclamation of the disturbed area.

Reclamation Methods

Mining and reclamation will occur in two phases:

- Phase 1: northeastern half (36.6-acres) (mined in year one and reclaimed concurrently)
- Phase 2: southwestern half (41.76-acres) (mined in years one and two and reclaimed concurrently)

Phasing is depicted on Exhibit F Reclamation Plan Map. Within the first year following permit approval, the operator will mine topsoil from the northeastern portion of the site then commence reclamation procedures. Active farming will continue on the southwestern portion of the site during Phase 1. Upon completion of topsoil excavation from the northeastern portion of the site, the operator will mine topsoil from the southwestern half of the site then commence reclamation procedures. Backfilling and grading will be completed as soon as feasible after the mining

process is complete. Phase 2 may start in year one, depending on how quickly Phase 1 is completed. The mining operation is expected to be completed within two years.

Long-term stockpiling and stabilization of topsoil will not be necessary. The extracted material will be removed from site and sold to a third party. During this process, the topsoil will be handled as little as possible to maintain soil health and fertility.

Staging

A staging area will be located in the northeastern corner of the site near the site access road. The staging area is approximately 5-acres and will provide an area for equipment storage and loading operations. The inclusion of a staging area will minimize soil compaction across the disturbance area.

Grading and Erosion Control

During active mining, erosion prevention and sediment control Best Management Practices (BMPs) will be installed to minimize erosion from disturbed surfaces and to capture sediment on-site. The proposed BMPs will be included on the final Grading Plan in conjunction with the Colorado Department of Public Health & Environment (CDPHE) Storm Water Discharge Permit and Stormwater Management Plan (SWMP).

Final grading will support an appropriate seedbed for revegetation and will be traversable by farm machinery. Manure and fertilizer will be applied as necessary to support crop growth. All grading shall be done in a manner to control erosion and siltation of the affected lands and to protect areas outside the affected land from slides and other damage. The anticipated post reclamation slope gradient will be similar to the present slope. As required, the maximum gradient will not exceed a 3:1 slope.

Seeding and Revegetation

Following mining activities, the Phase 1 and Phase 2 areas will be revegetated to establish diverse, effective, and long-lasting vegetative cover. The operator will till the disturbed areas to prepare an appropriate seedbed for crop planting. Soil samples are recommended to identify nutrient deficiencies and determine if fertilizer application or soil amendments are needed. Planting corn typically occurs between mid-April to late-May, weather dependent. Planting will be done with typical farming techniques. The planted field will continue to be irrigated by the center pivot irrigation system.

In the staging area, stockpiling of material will take place on undisturbed ground and topsoil won't be removed. Once the temporary stockpile material and equipment has been removed, the site will be re-graded to approximate pre-disturbance grade. No root zones need to be created as the underlying material is soil. The seedbed shall be firm and free of weeds. In areas where there is excessive compaction, tillage, such as chiseling and disking, shall be

done to break up the compaction then harrowed down. The area will then be re-seeded using an approved seed mixture. Dormant planting is possible any time after October 15th or when temperatures are cold enough to prevent seed germination. Seeding on frozen soils will be avoided. Planting may also be done in the print until the end of April or early May and between July 1st and September 1st. The recommended reclamation seeding mix of the stockpile area is the Weld County General Seed Mix for areas north of County Road 68. The seed mix is as follows:

• Buffalo Grass (Taxoka, Sharps Improved)	1.5 lbs pls/acre
• Little Bluestem (Blaze, Cimarron, Camper)	1.5 lbs pls/acre
• Sideoats Grama (Vaughn, Butte, Niner, El Reno, Haskell)	2 lbs pls/acre
• Blue Grama (Hachital, Lovington)	3.5 lbs pls/acre
• Western Wheatgrass (Arriba, Barton, Rosana)	3 lbs pls/acre
• Switchgrass (Nebraska 28, Blackwell)	1.5 lbs pls/acre
• Perennial Ryegrass (Calibra or Garibaldi tetraploid)	0.75 lbs pls/acre
• Sand Dropseed	0.25 lbs pls/acre

Total: 14 pounds pls/acre

Seeds will be planted immediately following completion of mining activities to decrease competition from noxious weed species. Seeds will be planted using drill seeding at the appropriate depths. A one-time application of manure/compost mix will be applied to the seeded area for stabilization and fertilization. The seeded areas will not be irrigated.

Noxious Weed Management

Various state and local regulations require management of noxious weeds. If established quickly, crop cover and standard farming practices will help suppress weed growth. The operator will monitor disturbed areas for noxious weeds during the mining operation. Currently, there are no noxious weeds identified on the subject property. The majority of the site has been under continuous crop cultivation. The greatest period of susceptibility for weeds to establish themselves is during temporary stockpiling and the start of reclamation procedures. Operator will survey the site regularly and monitor weed conditions. Should noxious weeds be identified, the operator will work to eradicate the weeds. Mechanical control methods such as pulling, mowing, and tilling and chemical control methods with the use of herbicides will be used. Proper identification of the suspected noxious weed will ensure the appropriate control methods are utilized. A complete list of Colorado noxious weeds can be found at <https://ag.colorado.gov/conservation/noxious-weeds/species-id>.

If excavation activities are completed before the growing season begins, preventative measures such as spraying will be taken. Establishment of crop cover will be the most effective method of long-term weed suppression.

Upon completion of the mining activities, the stockpile area will be reseeded with native grass according to the recommended seeding procedures and seed mix described above.

Trash, Debris, and Materials Handling

Trash and debris will be collected in a covered dumpster, removed from the site at an appropriate rate, and properly disposed of. No explosives or hazardous materials will be needed to extract topsoil.

Water

Pursuant to Rule 3.1.6 and Rule 3.1.7 compliance with applicable federal and Colorado water quality laws and regulations, including statewide water quality standards and site-specific classifications and standards adopted by the Water Quality Control Commission, and applicable federal and Colorado dredge and fill requirements is required. Given the limited depth of topsoil removal, the proposed mining activities are not expected to have an impact on water quality. Compliance with applicable laws shall be adhered to.

Wildlife

All mining and reclamation activities shall take into account the safety and protection of wildlife. As the reclamation procedures will return the site to current conditions, the post-reclamation conditions for wildlife are expected to be similar to current conditions for wildlife. Additional wildlife information is presented in Exhibit H.

Signs and Markers

Pursuant to Rule 3.1.12, the Operator shall post a sign at a minimum size of eleven (11) by seventeen (17) inch with appropriate font size, including the name of the Operator and the operation name, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board, and the permit number. The boundaries of the affected area will be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries.

Spill Reporting

Pursuant to Rule 3.1.13, the operator will report any spill of hazardous or toxic substance to the Office of Mined Land Reclamation (Office) within twenty-four (24) hours.

Post Mining Land Use

The proposed post mining land use is the current land use, irrigated cropland. The subject property is zoned agricultural and surrounded by farmland. The post mining land use is consistent with Weld County's allowed uses in the Agricultural Zone District as farming is a use by right activity. No public use of the property is expected in the foreseeable future.

Schedule

Reclamation is expected to be completed within one to two years from the end of excavation, but not more than five years from the date each phase has commenced.

Financial Warranty

The Operator will supply to the Office a Performance and Financial Warranty in accordance with Rule 4. Refer to Exhibit L – Reclamation Costs.

Annual Report and Fees

Pursuant to Rule 1.15 Annual Report Inclusions, the Annual Report shall include all information specified on the Annual Report Form, in the format required by the Office, including the following:

- An updated statement regarding the sufficiency of the value of the Financial Warranty.
- A map that accurately depicts the permit boundary, current affected area boundary, location of the acres affected during the current report year, acres reclaimed during the current report year, estimated new acreage to be affected in the next report year, and acres to be reclaimed in the next report year.
- On the anniversary date of the Notice of Intent (NOI) approval, the operator shall submit to the Office an annual fee, as specified in Section 34-32.5-125, C.R.S.

Change in Address, Ownership, and Business Name

Pursuant to Rule 1.16 the Operator shall promptly notify the office of any change in mailing address, transfer of land ownership, and official business name associated with the Performance and Financial Warranty. Where an Operator files a petition of bankruptcy, the Operator shall immediately notify the Office via certified mail of such filing.

Post-Reclamation Inspection and Release of Warranties

Each Phase will be reclaimed pursuant to the Rules. Pursuant to Rule 3.1.3, all reclamation shall be carried to completion by the Operator with all reasonable diligence, and each phase or reclamation shall be completed within five (5) years from the date the Operator informs the Board of Office that such phase has commenced, or from the date the Office has evidence that mining or exploration has ceased, unless extended by the Board or Office. The 5-year period may be applied separately to each phase as it is commenced throughout the life of the mine.

Pursuant to Rule 4.17.1, the Operator or any mining operation processing a 110 Limited Impact Permit, or a 111 Special Operations Permit, or a 112 Reclamation Permit may file a written notice of completion of reclamation and request for release of reclamation responsibility with the Office whenever an Operator believes any or all requirements of the Act, the Rules and Regulations, and the approved reclamation plan have been completed with respect to any or all

of the Affected Lands. The Operator shall include in the notice of the Office the names and addresses and phone numbers of all owners of record to the affected land. The written notice requesting release shall be sent by Certified Mail and be separate from other types of communication to the Office. Such notice shall contain a signed statement by the Operator or their agent that all applicable portions of the Reclamation Plan requirements have been satisfied in accordance with the Rules and all applicable requirements under the Act.

Pursuant to Rule 4.17.2, the Office upon receipt of said notice of completion of reclamation, shall immediately provide notice to all owners of record of the affected land and to the county(s). The Office shall, within sixty (60) calendar days after receiving said notice, or as soon thereafter as weather conditions permit, inspect the lands and reclamation described in the notice to determine if the Permittee has complied with all applicable requirements. If the Office fails to conduct an inspection within the time specified in Rule 4.17.2(2) or fails to advise the Permittee of deficiencies within the time specified in Rule 4.17.2(4), then all Financial Warranties applicable to reclamation described in the notice shall be deemed released as a matter of law. Where the Office finds that a Permittee has not complied with the applicable requirements of the Act, Rules and Regulations, or the approved reclamation plan, it shall advise the Permittee of such non-compliance not more than sixty (60) calendar days after the date of the inspection. Where the Office finds that a Permittee has successfully complied with the requirements of the Act, Rules and Regulations, and the approved reclamation plan, the Office shall release all applicable performance and financial warranties. Release (pending an appeal) shall be in writing and mailed within thirty (30) calendar days to the Permittee after the date of such findings. However, an appeal to the release of the financial and performance warranties shall stay the release on the thirtieth (30) day pending a Form Board Hearing.

October 15, 2024

CERTIFIED MAIL/RETURN RECEIPT REQUESTED # 6414 8112 0620 5489 0357 41

Noble Energy, Inc.
Attn: Rockies Business Unit
2001 16th Street, Suite 900
Denver, CO 80202

Re: AGPRO Project #2253-01
LTS Performance Horses, LLC Topsoil Mine

To Whom It May Concern:

This letter is to inform you that LTS Performance Horses, LLC (Applicant) is filing for a Colorado Division of Reclamation, Mining, and Safety (DRMS) Construction Material Regular (112) Operation Reclamation Permit for the removal of 10-14 inches of topsoil from irrigated farmland. Applicant's property more particularly described below.

Legal Description:

Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

You may have an interest in three plugged and abandoned oil and gas wells on the subject property, facility name Carlson, and facility numbers 33-18, 18-41, and 18-43.

We are requesting your conditions/requirements, if any, for grading activities occurring above the plugged and abandoned wells. Pursuant to the DRMS regulations for 112 permits for permanent man-made structures within 200-feet of the 'Affected Land,' we are requesting a notarized letter on your letterhead stating that the mining and reclamation activities, as proposed, will not have a negative effect on the plugged and abandoned wells.

Enclosed are the COGCC forms for the Carlson wells, property map, draft Mining Maps, draft Mining Plan, and draft Reclamation Plan for reference.

If you have any questions, please feel free to contact us at (970) 535-9318, or kbruxvoort@agpros.com. We will be representing the Applicant throughout the application process.

Sincerely,

Kelsey Bruxvoort

Kelsey Bruxvoort
Land Planner

FORM
09

Rev
02/21

State of Colorado
Oil and Gas Conservation Commission

1120 Lincoln Street, Suite 801, Denver, Colorado 80203 Phone: (303) 894-2100 Fax: (303) 894-2109



Document Number:

403066782

Receive Date:

06/06/2022

TRANSFER OF OPERATORSHIP

A Selling Operator will notify the Commission about the transfer of any Transferable Item associated with its Oil and Gas Operations to a Buying Operator by filing a Form 9, Transfer of Operatorship – Intent, with the Commission at least 30 days, or as soon as practicable, before the anticipated transfer date. (Rule 218.b.) When a transaction subject to a Form 9 – Intent becomes final, the Buying Operator will submit a Form 9 – Subsequent within 7 days of closing. (Rule 218.d.(1).)

Type of Form 9, Transfer of Operatorship: ☐ Intent ☒ Subsequent Intent # 403043182

OPERATOR INFORMATION

SELLING OPERATOR INFORMATION

OGCC Operator Number: 10110

Contact Name and Telephone:

Name of Operator: GREAT WESTERN OPERATING COMPANY LLC

Name: Venessa Chase

Address: 1775 SHERMAN STREET STE 3000

Phone: (303) 318-6102

City: DENVER State: CO Zip: 80203

Email: venessa.chase@pdce.com

BUYING OPERATOR INFORMATION

OGCC Operator Number: 69175

Contact Name and Telephone:

Name of Operator: PDC ENERGY INC

Name: Venessa Chase

Address: 1775 SHERMAN STREET - STE 3000

Phone: (303) 318-6102

City: DENVER State: CO Zip: 80203

Email: venessa.chase@pdce.com

TRANSFER INFO

Transfer Dates

Form 9 Intent - Anticipated Date of Transfer: 06/05/2022

Form 9 Subsequent - Effective Date of Transfer: s05/31/2022

Confidentiality

Transfer is Confidential: No

Financial Assurance

Form 9 Intent - Estimated amount of Financial Assurance the Buying Operator will submit prior to anticipated date of transfer: \$ 6,680,000

Form 9 Subsequent - The Buying Operator's Financial Assurance:

Surety ID	Bond Type	Amount
20140104	PLUGGING	6,580,000
20160047	PLUGGING	100,000

SUBSEQUENT LIABILITY

Rule 218.d.(1).D.i.

"For Transferable Items listed in Rule 218.d.(1).B.i an acknowledgment that upon the effective date of transfer, that the Buying Operator assumes all responsibility for compliance with the Act, the Commission's Rules, and all terms and conditions of existing Permits and Commission orders for the Transferable Items."

In checking this box the Buying Operator's acknowledges the subsequent liability pursuant to Rule 218.d.(1).D.i.



Rule 218.d.(1).D.ii.

"For Transferable Items listed in Rule 218.d.(1).B.ii or iii, an acknowledgment that the Buying Operator may be or may become responsible for compliance with the Act, the Commission's Rules, and all terms and conditions of existing Permits and Commission orders if the Buying Operator takes any action, or fails to take any action, that would cause such Transferable Item to be out of compliance with the Act, the Commission's Rules, and all terms and conditions of existing Permits and Commission orders."



FORM
6Rev
05/18State of Colorado
Oil and Gas Conservation Commission

1120 Lincoln Street, Suite 801, Denver, Colorado 80203 Phone: (303) 894-2100 Fax: (303) 894-2109



DE ET OE ES

Document Number:

401682950

Date Received:

06/22/2018

WELL ABANDONMENT REPORT

This form is to be submitted as an Intent to Abandon whenever an abandonment is planned on a borehole. After the abandonment is complete, this form shall again be submitted as a Subsequent Report of the actual work completed. The approved intent shall be valid for six months after the approval date, after that period, a new intent will be required. Attachments required with the Intent to Abandon are wellbore diagrams of the current configuration and the proposed configuration with plugs set.

A Subsequent Report of Abandonment shall indicate the actual work completed. Attachments required with a Subsequent Report are a wellbore diagram showing plugs that were set and casing remaining in the hole, the job summaries from all plugging contractors used, including wireline and cementing (third party verification) and any logs that may have been run during abandonment.

OGCC Operator Number: 100322

Contact Name: Erich Zwaagstra

Name of Operator: NOBLE ENERGY INC

Phone: (970) 371-7884

Address: 1001 NOBLE ENERGY WAY

Fax:

City: HOUSTON State: TX Zip: 77070

Email: erich.zwaagstra@nblenergy.com

For "Intent" 24 hour notice required,

Name: Tel:

COGCC contact:

Email:

API Number 05-123-22792-00

Well Name: CARLSON

Well Number: 18-41

Location: QtrQtr: NESE Section: 18 Township: 6N Range: 66W Meridian: 6

County: WELD

Federal, Indian or State Lease Number:

Field Name: WATTENBERG

Field Number: 90750

☐ Notice of Intent to Abandon☒ Subsequent Report of Abandonment

Only Complete the Following Background Information for Intent to Abandon

Latitude: 40.485382 Longitude: -104.813531

GPS Data:

Date of Measurement: 02/14/2007 PDOP Reading: 2.8 GPS Instrument Operator's Name: David Gipson

Reason for Abandonment: ☐ Dry ☐ Production Sub-economic ☐ Mechanical Problems☐ OtherCasing to be pulled: ☐ Yes ☐ No Estimated Depth:Fish in Hole: ☐ Yes ☐ No If yes, explain details belowWellbore has Uncemented Casing leaks: ☐ Yes ☐ No If yes, explain details below

Details:

Current and Previously Abandoned Zones

Formation	Perf. Top	Perf. Btm	Abandoned Date	Method of Isolation	Plug Depth
CODELL	7170	7186	02/09/2018	B PLUG CEMENT TOP	6800
NIOBRARA	6850	7088	02/09/2018	B PLUG CEMENT TOP	6800

Total: 2 zone(s)

Casing History

Casing Type	Size of Hole	Size of Casing	Weight Per Foot	Setting Depth	Sacks Cement	Cement Bot	Cement Top	Status
SURF	12+1/4	8+5/8	24	668	470	668	0	VISU
1ST	7+7/8	4+1/2	11.60	7,356	175	7,356	6,400	CBL
S.C. 1.1				6,400	235	6,400	3,360	CBL

**FORM
43**Rev
05/21**State of Colorado
Oil and Gas Conservation Commission**1120 Lincoln Street, Suite 801, Denver, Colorado 80203
Phone: (303) 894-2100 Fax: (303) 894-2109**OGCC RECEPTION****Receive Date:****12/01/2021****Document Number:****402884284****ANALYTICAL SAMPLE DATA SUBMITTAL FORM**Uses of the Analytical Sample Data Submittal Form:

Submission of sample facility information, water sample analytical data, gas sample analytical data, and soil sample analytical data in compliance with COGCC Rules 411.b. (5), 411.c. (5), 420, 614.c, 615, 805.D, 907.b.(9), 909.J, COGCC Policies, and Form Conditions of Approval.

Operator Information

OGCC Operator Number: 100322

Contact Person: Ryan Sokolowski

Company Name: NOBLE ENERGY INC

Phone: (303) 2284446

Address: 1001 NOBLE ENERGY WAY

Fax: ()

City: HOUSTON State: TX Zip: 77070

Email: ryan.sokolowski@chevron.com

Identification Information

API Number: 05 - 123-22793

OGCC Facility ID: 276510

Initial Form 19 or 27 Document number:

Facility Name: CARLSON

Facility Number: 18-43

Facility Type: WELL

Location QtrQtr: SWSE

Section: 18

Township: 6N

Range: 66W

Meridian: 6

County: WELD

Field Name: WATTENBERG

Federal, Indian or State Lease Number:

Information Submitted By:

Company Name: NOBLE ENERGY INC

Agent Name: Ryan Sokolowski

Title: Regulatory Analyst

Phone Number: 303-2284446

Email: ryan.sokolowski@chevron.com

Rule 909.J Inspection Information

Date the Pit was Inspected

On inspection the Pit was:

☐ Unlined☐ Lined☐ Fenced☐ Netted**Sample Location Information:**

The following Sample Locations have been reviewed by COGCC Staff:

Facility ID: 276510	Facility Name: CARLSON 18-43	Facility Type:
Location: QtrQtr: SWSE	Sec: 18	Twp: 6N
Range: 66W	Meridian: 6	
County Name: WELD	Latitude: 40.481547	Longitude: -104.820008

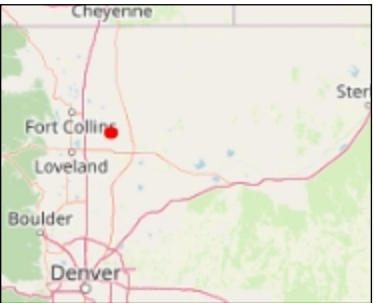
Sample Information:

The following Sample Information has been reviewed by the COGCC:

Batch ID: 93262	Document Name: Carlson 18-43 Bradenhead Liquid	File Name: Carlson 18-43_BDH Liquid_12-4-2019.xlsx
SampleType:	Matrix:	
Facility ID: 276510	Sample ID: 630086	Sample Name:
Collection Point: BDH	Matrix: LIQUID	Pre Post: Bradenhead NON-AQUEOUS LIQUIDS
Project Number:	Remediation Number:	Complaint Number:
Inspection Number:	Spill Number:	Laboratory:
		NOAV Number:
		Lab Sample ID: 18051804-01

Sample Facility Attachment:

No Facility Attachment



Legend

- Parcels
- Highway
- County Boundary



1,144.2 0 572.08 1,144.2 Feet

1: 6,865

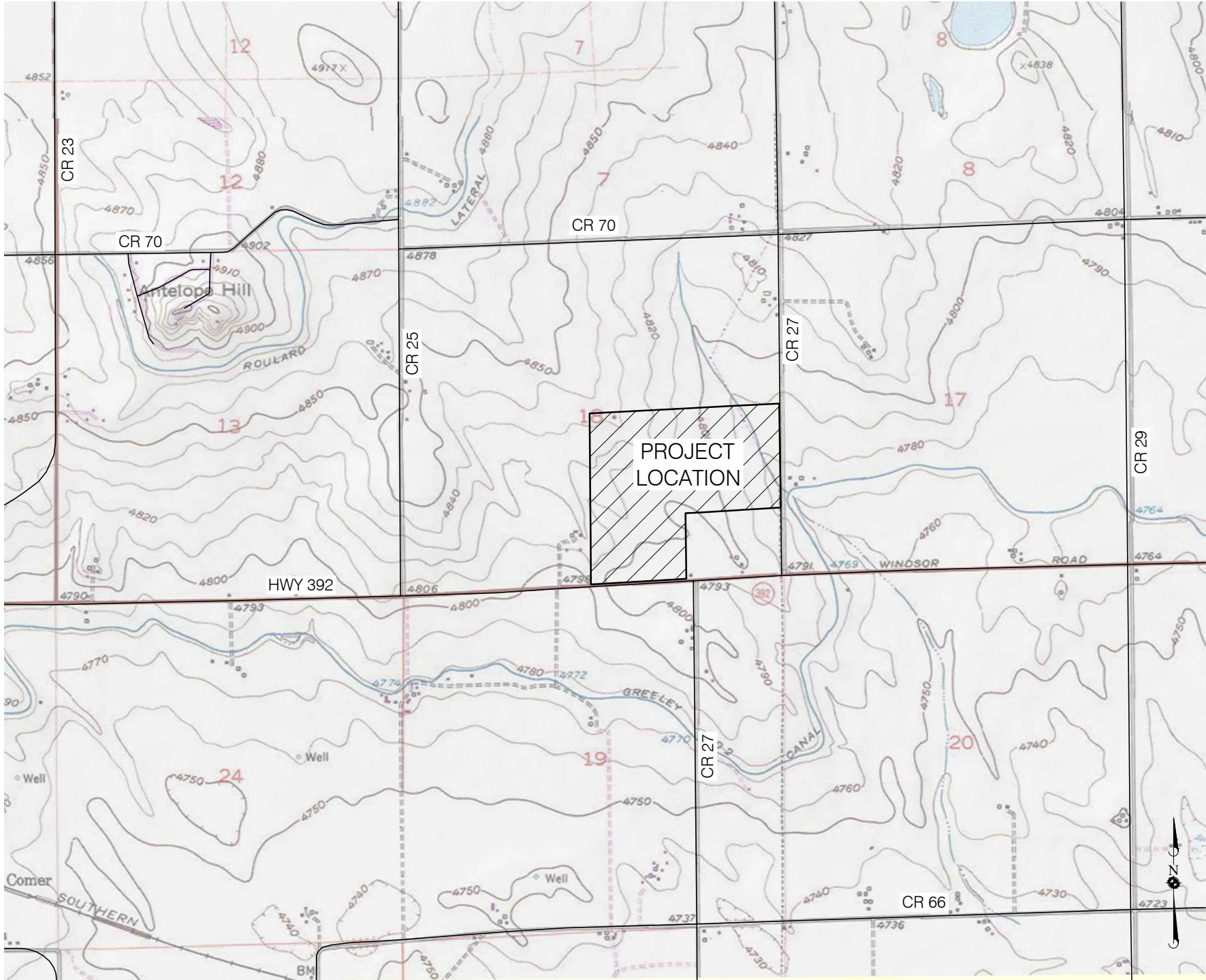


Notes

Exhibit B

Index Map

See attached map.




 AGPROfessionals DEVELOPERS OF AGRICULTURE 3050 67th Avenue, Suite 200, Greeley, CO 80634 (970) 535-9318 - fax: (970) 535-9854	213 Canyon Crest Dr, Suite 100, Twin Falls, ID 83301 (208) 595-5301	LTS PERFORMANCE HORSES LLC		DATE: 9/18/24
		EXHIBIT B - INDEX MAP		SCALE: 1" = 1,000'
		WELD COUNTY, CO		

Exhibit C

Pre-Mining and Mining Plan Maps of Affected Lands

See attached maps.

EXHIBIT C - PRE-MINING & MINING PLAN MAP



LEGEND

--- 4782 ---

EXISTING GROUND SURFACE CONTOUR AND ELEVATION, FT

AFFECTED LAND

EXISTING PROPERTY BOUNDARY

EXISTING ADJACENT BOUNDARY

EXISTING RIGHT-OF-WAY

EXISTING WATER FEATURE

SECTION LINE

EXISTING FENCE

EXISTING FIBER OPTIC

EXISTING OVERHEAD ELEC

EXISTING GAS LINE

EXISTING WATER LINE

EXISTING UNDERGROUND ELEC

EXISTING STORM DRAIN

EXISTING UTILITY POLE

EXISTING TRANSMISSION POLE

EXISTING GAS WELL

EXISTING WATER WELL

EXISTING TELEPHONE PED

EXISTING WATER METER

EXISTING GAS

EXISTING FO

EXISTING SIGN

EXISTING TREES

EXISTING STRUCTURE

IRRIGATED CROPLAND

NATIVE GRASS

NOTES

1. TOTAL AREA = 133.90 ACRES

2. MINING AREA = 83.41 ACRES

3. VEGETATION ON SITE IS LIMITED TO IRRIGATED CROPS, NATIVE GRASSES, AND LOW SHRUBS. THERE ARE TREES ALONG THE ACCESS ROAD.

4. MINING DEPTH OF EACH PHASE IS 10-14 INCHES OF TOPSOIL.

5. EACH PHASE OF MINING WILL BE COMPLETED WITHIN A PERIOD OF 12-18 MONTHS.

ABBREVIATIONS

OB

OUT BUILDING

RES

RESIDENCE

TP

TRANSMISSION POLE

PERMANENT STRUCTURES				
Key	Structure	Owner	Easement / ID	Location
A	Pipeline	Public Service Company, D/B/A Excel Energy	50' Public Service Company Easement, Reception No. 2599013	East of area of disturbance. Access road crosses the easement.
B	Archer-Weld Transmission Line	Transmission Division, Colorado River Storage Project, Bureau of Reclamation, Department of the Interior	100' Electric Transmission Line Easement, Reception No. 1561327	More than 200-feet east of area of disturbance. Access road crosses the easement.
C	Pipeline	Black Hills Gas Distribution, LLC, D/B/A Black Hills Energy	50' Pipeline Easement, Reception No. 2634911, KN Wattenberg Transmission, LLC	East of area of disturbance. Access road crosses the easement.
D	Pipeline	Tall Grass Interstate Gas Transmission LLC, D/B/A Tallgrass Energy	50' Pipeline Easement, Reception No. 3549935, and Amended Pipeline Easement, Reception No. 3608098, Kinder Morgan Interstate Gas Transmission LLC	East of area of disturbance. Access road crosses the easement.
E	Pipeline(s)	Chevron Corporation	30' Right-of-Way Grant, Reception No. 4162720, XTR Midstream, LLC	East of area of disturbance. Access road crosses the easement.
F	Pipeline	DCP Midstream, LP / Phillips 66	35' Pipeline Right-of-Way Grant, Reception No. 1923866, Associated Natural Gas Inc	Along CR 27. Access road crosses the easement.
G	Waterline	North Weld County Water District	Valve Site Contract, Reception No. 3013241	Along CR 27. Access road crosses the easement.
H	Pipeline	Suncor Energy (U.S.A.) Pipeline Company	ROW Contract, Reception No. 800076, Weld County LAP22-0011, Reception No. 4953067 (Blanket Easements)	South of the staging area. Location of proposed pipeline shown is per LAP22-0011 design drawings.
I	Pipeline	DCP Midstream, LP / Phillips 66	30' Pipeline Easement, Reception No. 4296169, DCP Lucerne 2 Plant LLC	South and east of the area of disturbance
J	Waterline	North Weld County Water District	20' Waterline Easement, Reception No. 1450757	Runs through pivot irrigated area
K	Irrigation Pond	LTS Performance Horses LLC	N/A	Northwest of pivot irrigated area
L	Pivot Concrete Pad	LTS Performance Horses LLC	N/A	South and east of the area of disturbance
M	P&A O&G Well	Chevron Corporation	API Label: 05-123-11130 Well Name: 33-18 Carlson	In pivot irrigated area
N	P&A O&G Well	Chevron Corporation	API Label: 05-123-22792 Well Name: 18-41 Carlson	In pivot irrigated area
O	P&A O&G Well	Chevron Corporation	API Label: 05-123-22793 Well Name: 18-43 Carlson	In pivot irrigated area
P	Overhead Electric Distribution Line	PVREA	N/A	West of the area of disturbance
Q	Overhead Electric Distribution Line	PVREA	N/A	Along CR 27

Map Unit Legend

32

Kim loam, 1 to 3 percent slopes

33

Kim loam, 3 to 5 percent slopes

37

Nelson fine sandy loam, 0 to 3 percent slopes

38

Nelson fine sandy loam, 3 to 9 percent slopes

LTS PERFORMANCE HORSES LLC

EXHIBIT C - PRE-MINING & MINING PLAN MAP

WELD COUNTY, CO

DATE: September 19, 2024

ISSUE / REVISION:

ISSUED FOR REVIEW

08/20/24

811 CALL 811 .COM

AGPROfessionals

DEVELOPERS OF AGRICULTURE

3050 67th Avenue, Suite 200, Greeley, CO 80634

(970) 535-9318 • fax: (970) 535-9854

SHEET:

MP-1

Exhibit F

Reclamation Plan Map

See attached map.



Buffalo Grass (Texoka, Sharps Improved)	1.5 lbs pls/acre
Little Bluestem (Blaze, Cimarron, Camper)	1.5 lbs pls/acre
Sideoats Grama (Vaughn, Butte, Niner, El Reno, Haskell)	2 lbs pls/acre
Blue Grama (Hachital, Lovington)	3.5 lbs pls/acre
Western wheatgrass (Arriba, Barton, Rosana)	3 lbs pls/acre
Switchgrass (Nebraska 28, Blackwell)	1.5 lbs pls/acre
Perennial Ryegrass (Calibra or Garibaldi tetraploid)	0.75 lbs pls/acre
Sand dropseed	0.25 lbs pls/acre
Total: 14.00 pounds pls/acre	

MP-2

Mining Plan

Introduction

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The approximately 132-acre site contains approximately 105-acres of active agricultural land under a center pivot irrigation system and 27-acres of “dry corners” outside of the center pivot irrigation range. LTS proposes to mine topsoil from approximately 78-acres. Topsoil will be taken off-site for use on various oil and gas sites throughout Weld County. Reclamation of the site will consist of re-grading to support an appropriate seedbed for revegetation. Following mining activities, the disturbed area will be regraded, tilled, and re-planted and will continue to be leased for growing corn.

LTS is proposing to mine the upper 50-80 percent of topsoil from the irrigated portion of the site. Approximately 10-14 inches of topsoil will be removed, leaving at least 3-6 inches on site for reclamation purposes. The goal is to remove approximately 157,480 tons of topsoil over the course of two years.

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A variety of earthmoving equipment will be used, including loaders, dozers, scrapers, and haul trucks. Water trucks will be used as necessary for dust control. Mined topsoil will be temporarily stockpiled in the northeast corner along the existing access road and Weld County Road 27. The topsoil will be loaded onto haul trucks for transport to the end user. No explosives will be used for extraction operations.

Water Diversions and Impoundments

The topsoil will be dry mined and will not result in the need for dewatering. The operation will not require any water diversions or impoundments.

Mining Limits

Topsoil excavation will occur within the boundary of Lot B 2AMRECX19-01-2877. The mining limits are shown on Exhibit C - Pre-Mining and Mining Plan Maps of Affected Lands and are generally described as that portion of the site irrigated by the center pivot. Within that irrigated area the mining limits are further restricted by setbacks from property lines and existing structures and easements. The mined area will encompass approximately 78-acres of the 132-acre site.

Mine Phasing

Topsoil excavation will occur in two phases, as depicted on Exhibit C - Pre-Mining and Mining Plan Maps of Affected Lands. Phase 1 will be the northeastern half of the site and Phase 2 will be the southwestern half of the site. Phase 1 is expected to be mined in year one and reclaimed concurrently. Phase 2 is expected to be mined in years one and two and reclaimed concurrently. Final reclamation is expected to be completed within one to two years from the end of excavation for each phase, but not more than five years from the date each phase has commenced.

Commodities and Intended Use

Topsoil will be the only product mined. No secondary commodities or incidental products are anticipated. The topsoil will be taken off-site for use at various oil and gas sites throughout Weld County.

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There is an existing roadway that runs along the northern portion of the site which will be used for the mining activities. The access point for this roadway is on Weld County Road 27, approximately ½ mile north of Highway 392. As the roadway currently supports heavy agricultural equipment, no on-site roadway improvements are anticipated. No off-site roadway improvements are anticipated as Weld County Road 27 is a paved arterial and Highway 392 is a paved state highway.

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This Reclamation Plan has been developed in accordance with the requirements of 6.4.5 Exhibit E – Reclamation Plan in the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules). This plan describes procedures necessary for reclamation of the disturbed area. This plan will address re-grading, re-seeding, weed control, stormwater mitigation, monitoring, annual reporting, post-reclamation inspection and release of warranties. The operator, and all personnel working on this project, should be familiar with this Reclamation Plan prior to the commencement of mining activities.

Existing Conditions

Location:	Northwest corner of Highway 392 and Weld County Road 37 Part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6 th P.M., Weld County, Colorado Weld County parcel no. 080518400004
Size:	Total property area: 131.897-acres Total area of disturbance: 83.41-acres

Current Land Use:	Agriculture
Vegetation:	Existing: Irrigated cropland Following Reclamation: Irrigated cropland
Soils:	Loam to fine sandy loam. Dominant soil types include Kim loam, Nelson fine sandy loam, and Olney fine sandy loam.
Climate:	Mean annual precipitation: 12 to 16 inches Mean annual air temperature: 46 to 55 degrees Fahrenheit Frost-free period: 130 to 170 days
Water Resources:	An existing irrigation pond is located in the northwestern corner of the site, approximately 50-feet from the proposed area of disturbance. There is a field ditch crossing the northeastern portion of the property, which ties into the Greeley Number 2 Canal on the east side of Weld County Road 27. The field ditch is approximately 250-feet from the proposed area of disturbance.
Wildlife:	No critical wildlife habitat or wildlife species will be impacted by the proposed operation.

Project Description

LTS is proposing to mine the upper 50-80 percent of topsoil from the irrigated portion of the site. Approximately 10-14 inches of topsoil will be removed, leaving at least 3-6 inches on site for reclamation purposes. The goal is to remove approximately 157,480 tons of topsoil in two phases over the course of two years. LTS is the landowner and operator of the mining activity and will be responsible for reclamation of the disturbed area.

Reclamation Methods

Mining and reclamation will occur in two phases:

- Phase 1: northeastern half (36.6-acres) (mined in year one and reclaimed concurrently)
- Phase 2: southwestern half (41.76-acres) (mined in years one and two and reclaimed concurrently)

Phasing is depicted on Exhibit F Reclamation Plan Map. Within the first year following permit approval, the operator will mine topsoil from the northeastern portion of the site then commence reclamation procedures. Active farming will continue on the southwestern portion of the site during Phase 1. Upon completion of topsoil excavation from the northeastern portion of the site, the operator will mine topsoil from the southwestern half of the site then commence reclamation procedures. Backfilling and grading will be completed as soon as feasible after the mining

process is complete. Phase 2 may start in year one, depending on how quickly Phase 1 is completed. The mining operation is expected to be completed within two years.

Long-term stockpiling and stabilization of topsoil will not be necessary. The extracted material will be removed from site and sold to a third party. During this process, the topsoil will be handled as little as possible to maintain soil health and fertility.

Staging

A staging area will be located in the northeastern corner of the site near the site access road. The staging area is approximately 5-acres and will provide an area for equipment storage and loading operations. The inclusion of a staging area will minimize soil compaction across the disturbance area.

Grading and Erosion Control

During active mining, erosion prevention and sediment control Best Management Practices (BMPs) will be installed to minimize erosion from disturbed surfaces and to capture sediment on-site. The proposed BMPs will be included on the final Grading Plan in conjunction with the Colorado Department of Public Health & Environment (CDPHE) Storm Water Discharge Permit and Stormwater Management Plan (SWMP).

Final grading will support an appropriate seedbed for revegetation and will be traversable by farm machinery. Manure and fertilizer will be applied as necessary to support crop growth. All grading shall be done in a manner to control erosion and siltation of the affected lands and to protect areas outside the affected land from slides and other damage. The anticipated post reclamation slope gradient will be similar to the present slope. As required, the maximum gradient will not exceed a 3:1 slope.

Seeding and Revegetation

Following mining activities, the Phase 1 and Phase 2 areas will be revegetated to establish diverse, effective, and long-lasting vegetative cover. The operator will till the disturbed areas to prepare an appropriate seedbed for crop planting. Soil samples are recommended to identify nutrient deficiencies and determine if fertilizer application or soil amendments are needed. Planting corn typically occurs between mid-April to late-May, weather dependent. Planting will be done with typical farming techniques. The planted field will continue to be irrigated by the center pivot irrigation system.

In the staging area, stockpiling of material will take place on undisturbed ground and topsoil won't be removed. Once the temporary stockpile material and equipment has been removed, the site will be re-graded to approximate pre-disturbance grade. No root zones need to be created as the underlying material is soil. The seedbed shall be firm and free of weeds. In areas where there is excessive compaction, tillage, such as chiseling and disking, shall be

done to break up the compaction then harrowed down. The area will then be re-seeded using an approved seed mixture. Dormant planting is possible any time after October 15th or when temperatures are cold enough to prevent seed germination. Seeding on frozen soils will be avoided. Planting may also be done in the print until the end of April or early May and between July 1st and September 1st. The recommended reclamation seeding mix of the stockpile area is the Weld County General Seed Mix for areas north of County Road 68. The seed mix is as follows:

• Buffalo Grass (Taxoka, Sharps Improved)	1.5 lbs pls/acre
• Little Bluestem (Blaze, Cimarron, Camper)	1.5 lbs pls/acre
• Sideoats Grama (Vaughn, Butte, Niner, El Reno, Haskell)	2 lbs pls/acre
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• Sand Dropseed	0.25 lbs pls/acre

Total: 14 pounds pls/acre

Seeds will be planted immediately following completion of mining activities to decrease competition from noxious weed species. Seeds will be planted using drill seeding at the appropriate depths. A one-time application of manure/compost mix will be applied to the seeded area for stabilization and fertilization. The seeded areas will not be irrigated.

Noxious Weed Management

Various state and local regulations require management of noxious weeds. If established quickly, crop cover and standard farming practices will help suppress weed growth. The operator will monitor disturbed areas for noxious weeds during the mining operation. Currently, there are no noxious weeds identified on the subject property. The majority of the site has been under continuous crop cultivation. The greatest period of susceptibility for weeds to establish themselves is during temporary stockpiling and the start of reclamation procedures. Operator will survey the site regularly and monitor weed conditions. Should noxious weeds be identified, the operator will work to eradicate the weeds. Mechanical control methods such as pulling, mowing, and tilling and chemical control methods with the use of herbicides will be used. Proper identification of the suspected noxious weed will ensure the appropriate control methods are utilized. A complete list of Colorado noxious weeds can be found at <https://ag.colorado.gov/conservation/noxious-weeds/species-id>.

If excavation activities are completed before the growing season begins, preventative measures such as spraying will be taken. Establishment of crop cover will be the most effective method of long-term weed suppression.

Upon completion of the mining activities, the stockpile area will be reseeded with native grass according to the recommended seeding procedures and seed mix described above.

Trash, Debris, and Materials Handling

Trash and debris will be collected in a covered dumpster, removed from the site at an appropriate rate, and properly disposed of. No explosives or hazardous materials will be needed to extract topsoil.

Water

Pursuant to Rule 3.1.6 and Rule 3.1.7 compliance with applicable federal and Colorado water quality laws and regulations, including statewide water quality standards and site-specific classifications and standards adopted by the Water Quality Control Commission, and applicable federal and Colorado dredge and fill requirements is required. Given the limited depth of topsoil removal, the proposed mining activities are not expected to have an impact on water quality. Compliance with applicable laws shall be adhered to.

Wildlife

All mining and reclamation activities shall take into account the safety and protection of wildlife. As the reclamation procedures will return the site to current conditions, the post-reclamation conditions for wildlife are expected to be similar to current conditions for wildlife. Additional wildlife information is presented in Exhibit H.

Signs and Markers

Pursuant to Rule 3.1.12, the Operator shall post a sign at a minimum size of eleven (11) by seventeen (17) inch with appropriate font size, including the name of the Operator and the operation name, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board, and the permit number. The boundaries of the affected area will be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries.

Spill Reporting

Pursuant to Rule 3.1.13, the operator will report any spill of hazardous or toxic substance to the Office of Mined Land Reclamation (Office) within twenty-four (24) hours.

Post Mining Land Use

The proposed post mining land use is the current land use, irrigated cropland. The subject property is zoned agricultural and surrounded by farmland. The post mining land use is consistent with Weld County's allowed uses in the Agricultural Zone District as farming is a use by right activity. No public use of the property is expected in the foreseeable future.

Schedule

Reclamation is expected to be completed within one to two years from the end of excavation, but not more than five years from the date each phase has commenced.

Financial Warranty

The Operator will supply to the Office a Performance and Financial Warranty in accordance with Rule 4. Refer to Exhibit L – Reclamation Costs.

Annual Report and Fees

Pursuant to Rule 1.15 Annual Report Inclusions, the Annual Report shall include all information specified on the Annual Report Form, in the format required by the Office, including the following:

- An updated statement regarding the sufficiency of the value of the Financial Warranty.
- A map that accurately depicts the permit boundary, current affected area boundary, location of the acres affected during the current report year, acres reclaimed during the current report year, estimated new acreage to be affected in the next report year, and acres to be reclaimed in the next report year.
- On the anniversary date of the Notice of Intent (NOI) approval, the operator shall submit to the Office an annual fee, as specified in Section 34-32.5-125, C.R.S.

Change in Address, Ownership, and Business Name

Pursuant to Rule 1.16 the Operator shall promptly notify the office of any change in mailing address, transfer of land ownership, and official business name associated with the Performance and Financial Warranty. Where an Operator files a petition of bankruptcy, the Operator shall immediately notify the Office via certified mail of such filing.

Post-Reclamation Inspection and Release of Warranties

Each Phase will be reclaimed pursuant to the Rules. Pursuant to Rule 3.1.3, all reclamation shall be carried to completion by the Operator with all reasonable diligence, and each phase or reclamation shall be completed within five (5) years from the date the Operator informs the Board of Office that such phase has commenced, or from the date the Office has evidence that mining or exploration has ceased, unless extended by the Board or Office. The 5-year period may be applied separately to each phase as it is commenced throughout the life of the mine.

Pursuant to Rule 4.17.1, the Operator or any mining operation processing a 110 Limited Impact Permit, or a 111 Special Operations Permit, or a 112 Reclamation Permit may file a written notice of completion of reclamation and request for release of reclamation responsibility with the Office whenever an Operator believes any or all requirements of the Act, the Rules and Regulations, and the approved reclamation plan have been completed with respect to any or all

of the Affected Lands. The Operator shall include in the notice of the Office the names and addresses and phone numbers of all owners of record to the affected land. The written notice requesting release shall be sent by Certified Mail and be separate from other types of communication to the Office. Such notice shall contain a signed statement by the Operator or their agent that all applicable portions of the Reclamation Plan requirements have been satisfied in accordance with the Rules and all applicable requirements under the Act.

Pursuant to Rule 4.17.2, the Office upon receipt of said notice of completion of reclamation, shall immediately provide notice to all owners of record of the affected land and to the county(s). The Office shall, within sixty (60) calendar days after receiving said notice, or as soon thereafter as weather conditions permit, inspect the lands and reclamation described in the notice to determine if the Permittee has complied with all applicable requirements. If the Office fails to conduct an inspection within the time specified in Rule 4.17.2(2) or fails to advise the Permittee of deficiencies within the time specified in Rule 4.17.2(4), then all Financial Warranties applicable to reclamation described in the notice shall be deemed released as a matter of law. Where the Office finds that a Permittee has not complied with the applicable requirements of the Act, Rules and Regulations, or the approved reclamation plan, it shall advise the Permittee of such non-compliance not more than sixty (60) calendar days after the date of the inspection. Where the Office finds that a Permittee has successfully complied with the requirements of the Act, Rules and Regulations, and the approved reclamation plan, the Office shall release all applicable performance and financial warranties. Release (pending an appeal) shall be in writing and mailed within thirty (30) calendar days to the Permittee after the date of such findings. However, an appeal to the release of the financial and performance warranties shall stay the release on the thirtieth (30) day pending a Form Board Hearing.

Enclosures:

1. 33-18 Carlson – Transfer of Operatorship
2. 18-41 Carlson – Well Abandonment Report
3. 18-43 Carlson – Analytical Sample Data
4. Property Map – O&G Wells
5. Mining Maps
6. Mining Plan
7. Reclamation Plan

October 15, 2024

CERTIFIED MAIL/RETURN RECEIPT REQUESTED # 9414 8112 0620 5489 0105 19

Poudre Valley REA
7649 REA Parkway
Fort Collins, CO 80528

Re: AGPRO Project #2253-01
LTS Performance Horses, LLC Topsoil Mine

To Whom It May Concern:

This letter is to inform you that LTS Performance Horses, LLC (Applicant) is filing for a Colorado Division of Reclamation, Mining, and Safety (DRMS) Construction Material Regular (112) Operation Reclamation Permit for the removal of 10-14 inches of topsoil from irrigated farmland. Applicant's property more particularly described below.

Legal Description:

Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

You may have an interest in two electric distribution lines crossing the Applicant's property. One line extends north from Highway 392 along the western property line. The other line runs along County Road 27.

There are no proposed grading activities under either distribution line and the existing access road will be utilized. The access road is part of the 'Affected Land' of the mining activities. Pursuant to the DRMS regulations for 112 permits for permanent man-made structures within 200-feet of the 'Affected Land,' we are requesting a notarized letter on your letterhead stating that the mining and reclamation activities, as proposed, will not have a negative effect on your utility.

Enclosed are the draft Mining Maps, draft Mining Plan, and draft Reclamation Plan for reference.

If you have any questions, please feel free to contact us at (970) 535-9318, or kbruxvoort@agpros.com. We will be representing the Applicant throughout the application process.

Sincerely,

Kelsey Bruxvoort

Kelsey Bruxvoort
Land Planner

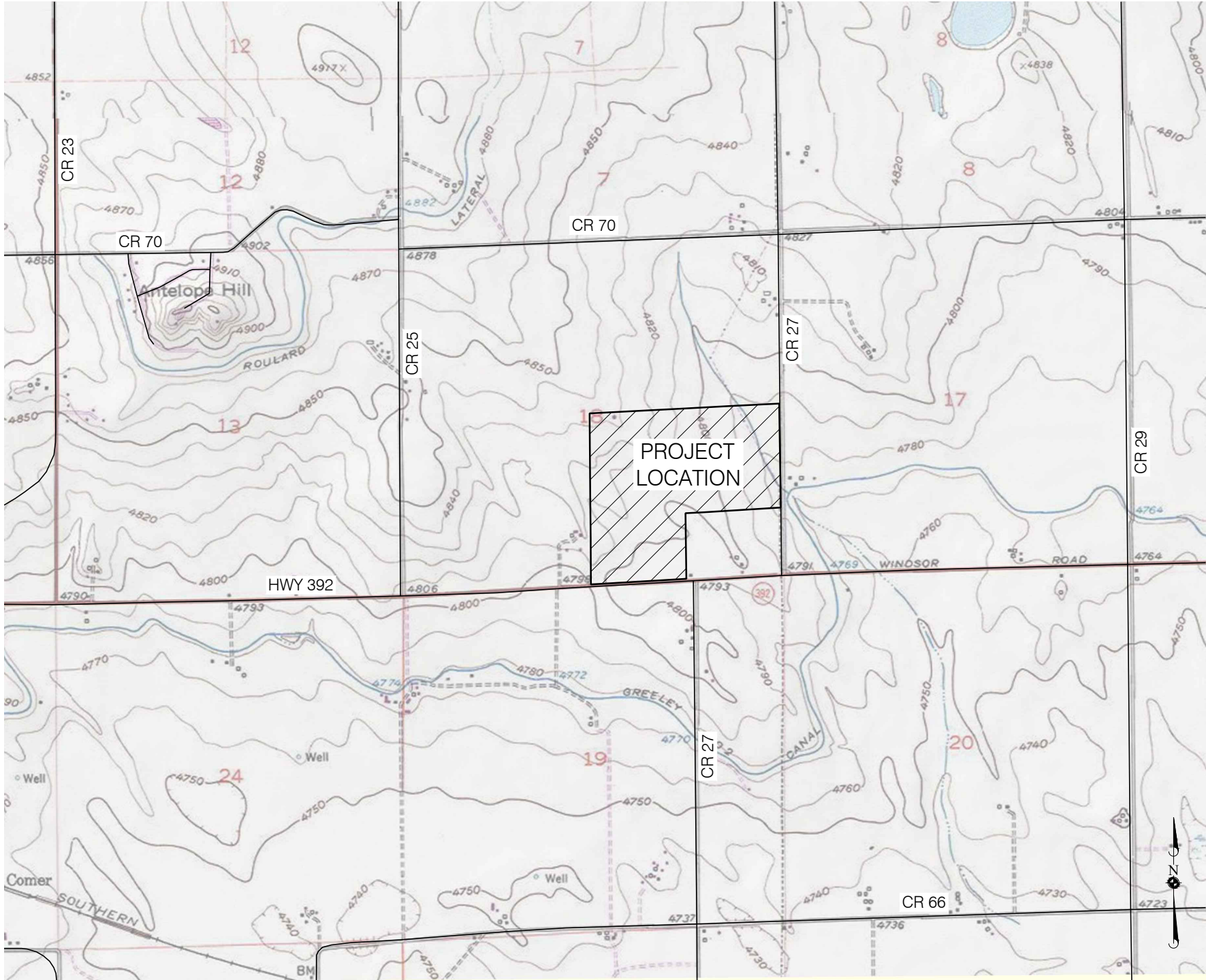
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1. Mining Maps
2. Mining Plan
3. Reclamation Plan

Exhibit B

Index Map

See attached map.



AGPROfessionals
DEVELOPERS OF AGRICULTURE
3050 67th Avenue, Suite 200, | 213 Canyon Crest Dr, Suite 100,
Greeley, CO 80634 | Twin Falls, ID 83301
(970) 535-9318 - fax: (970) 535-9854 | (208) 595-5301



LTS PERFORMANCE HORSES LLC
EXHIBIT B - INDEX MAP
WELD COUNTY, CO

DATE: 9/18/24
SCALE: 1" = 1,000'

Exhibit C

Pre-Mining and Mining Plan Maps of Affected Lands

See attached maps.



Exhibit F

Reclamation Plan Map

See attached map.



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Following mining activities, the Phase 1 and Phase 2 areas will be revegetated to establish diverse, effective, and long-lasting vegetative cover. The operator will till the disturbed areas to prepare an appropriate seedbed for crop planting. Soil samples are recommended to identify nutrient deficiencies and determine if fertilizer application or soil amendments are needed. Planting corn typically occurs between mid-April to late-May, weather dependent. Planting will be done with typical farming techniques. The planted field will continue to be irrigated by the center pivot irrigation system.

In the staging area, stockpiling of material will take place on undisturbed ground and topsoil won't be removed. Once the temporary stockpile material and equipment has been removed, the site will be re-graded to approximate pre-disturbance grade. No root zones need to be created as the underlying material is soil. The seedbed shall be firm and free of weeds. In areas where there is excessive compaction, tillage, such as chiseling and disking, shall be

done to break up the compaction then harrowed down. The area will then be re-seeded using an approved seed mixture. Dormant planting is possible any time after October 15th or when temperatures are cold enough to prevent seed germination. Seeding on frozen soils will be avoided. Planting may also be done in the print until the end of April or early May and between July 1st and September 1st. The recommended reclamation seeding mix of the stockpile area is the Weld County General Seed Mix for areas north of County Road 68. The seed mix is as follows:

• Buffalo Grass (Taxoka, Sharps Improved)	1.5 lbs pls/acre
• Little Bluestem (Blaze, Cimarron, Camper)	1.5 lbs pls/acre
• Sideoats Grama (Vaughn, Butte, Niner, El Reno, Haskell)	2 lbs pls/acre
• Blue Grama (Hachital, Lovington)	3.5 lbs pls/acre
• Western Wheatgrass (Arriba, Barton, Rosana)	3 lbs pls/acre
• Switchgrass (Nebraska 28, Blackwell)	1.5 lbs pls/acre
• Perennial Ryegrass (Calibra or Garibaldi tetraploid)	0.75 lbs pls/acre
• Sand Dropseed	0.25 lbs pls/acre

Total: 14 pounds pls/acre

Seeds will be planted immediately following completion of mining activities to decrease competition from noxious weed species. Seeds will be planted using drill seeding at the appropriate depths. A one-time application of manure/compost mix will be applied to the seeded area for stabilization and fertilization. The seeded areas will not be irrigated.

Noxious Weed Management

Various state and local regulations require management of noxious weeds. If established quickly, crop cover and standard farming practices will help suppress weed growth. The operator will monitor disturbed areas for noxious weeds during the mining operation. Currently, there are no noxious weeds identified on the subject property. The majority of the site has been under continuous crop cultivation. The greatest period of susceptibility for weeds to establish themselves is during temporary stockpiling and the start of reclamation procedures. Operator will survey the site regularly and monitor weed conditions. Should noxious weeds be identified, the operator will work to eradicate the weeds. Mechanical control methods such as pulling, mowing, and tilling and chemical control methods with the use of herbicides will be used. Proper identification of the suspected noxious weed will ensure the appropriate control methods are utilized. A complete list of Colorado noxious weeds can be found at <https://ag.colorado.gov/conservation/noxious-weeds/species-id>.

If excavation activities are completed before the growing season begins, preventative measures such as spraying will be taken. Establishment of crop cover will be the most effective method of long-term weed suppression.

Upon completion of the mining activities, the stockpile area will be reseeded with native grass according to the recommended seeding procedures and seed mix described above.

Trash, Debris, and Materials Handling

Trash and debris will be collected in a covered dumpster, removed from the site at an appropriate rate, and properly disposed of. No explosives or hazardous materials will be needed to extract topsoil.

Water

Pursuant to Rule 3.1.6 and Rule 3.1.7 compliance with applicable federal and Colorado water quality laws and regulations, including statewide water quality standards and site-specific classifications and standards adopted by the Water Quality Control Commission, and applicable federal and Colorado dredge and fill requirements is required. Given the limited depth of topsoil removal, the proposed mining activities are not expected to have an impact on water quality. Compliance with applicable laws shall be adhered to.

Wildlife

All mining and reclamation activities shall take into account the safety and protection of wildlife. As the reclamation procedures will return the site to current conditions, the post-reclamation conditions for wildlife are expected to be similar to current conditions for wildlife. Additional wildlife information is presented in Exhibit H.

Signs and Markers

Pursuant to Rule 3.1.12, the Operator shall post a sign at a minimum size of eleven (11) by seventeen (17) inch with appropriate font size, including the name of the Operator and the operation name, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board, and the permit number. The boundaries of the affected area will be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries.

Spill Reporting

Pursuant to Rule 3.1.13, the operator will report any spill of hazardous or toxic substance to the Office of Mined Land Reclamation (Office) within twenty-four (24) hours.

Post Mining Land Use

The proposed post mining land use is the current land use, irrigated cropland. The subject property is zoned agricultural and surrounded by farmland. The post mining land use is consistent with Weld County's allowed uses in the Agricultural Zone District as farming is a use by right activity. No public use of the property is expected in the foreseeable future.

Schedule

Reclamation is expected to be completed within one to two years from the end of excavation, but not more than five years from the date each phase has commenced.

Financial Warranty

The Operator will supply to the Office a Performance and Financial Warranty in accordance with Rule 4. Refer to Exhibit L – Reclamation Costs.

Annual Report and Fees

Pursuant to Rule 1.15 Annual Report Inclusions, the Annual Report shall include all information specified on the Annual Report Form, in the format required by the Office, including the following:

- An updated statement regarding the sufficiency of the value of the Financial Warranty.
- A map that accurately depicts the permit boundary, current affected area boundary, location of the acres affected during the current report year, acres reclaimed during the current report year, estimated new acreage to be affected in the next report year, and acres to be reclaimed in the next report year.
- On the anniversary date of the Notice of Intent (NOI) approval, the operator shall submit to the Office an annual fee, as specified in Section 34-32.5-125, C.R.S.

Change in Address, Ownership, and Business Name

Pursuant to Rule 1.16 the Operator shall promptly notify the office of any change in mailing address, transfer of land ownership, and official business name associated with the Performance and Financial Warranty. Where an Operator files a petition of bankruptcy, the Operator shall immediately notify the Office via certified mail of such filing.

Post-Reclamation Inspection and Release of Warranties

Each Phase will be reclaimed pursuant to the Rules. Pursuant to Rule 3.1.3, all reclamation shall be carried to completion by the Operator with all reasonable diligence, and each phase or reclamation shall be completed within five (5) years from the date the Operator informs the Board of Office that such phase has commenced, or from the date the Office has evidence that mining or exploration has ceased, unless extended by the Board or Office. The 5-year period may be applied separately to each phase as it is commenced throughout the life of the mine.

Pursuant to Rule 4.17.1, the Operator or any mining operation processing a 110 Limited Impact Permit, or a 111 Special Operations Permit, or a 112 Reclamation Permit may file a written notice of completion of reclamation and request for release of reclamation responsibility with the Office whenever an Operator believes any or all requirements of the Act, the Rules and Regulations, and the approved reclamation plan have been completed with respect to any or all

of the Affected Lands. The Operator shall include in the notice of the Office the names and addresses and phone numbers of all owners of record to the affected land. The written notice requesting release shall be sent by Certified Mail and be separate from other types of communication to the Office. Such notice shall contain a signed statement by the Operator or their agent that all applicable portions of the Reclamation Plan requirements have been satisfied in accordance with the Rules and all applicable requirements under the Act.

Pursuant to Rule 4.17.2, the Office upon receipt of said notice of completion of reclamation, shall immediately provide notice to all owners of record of the affected land and to the county(s). The Office shall, within sixty (60) calendar days after receiving said notice, or as soon thereafter as weather conditions permit, inspect the lands and reclamation described in the notice to determine if the Permittee has complied with all applicable requirements. If the Office fails to conduct an inspection within the time specified in Rule 4.17.2(2) or fails to advise the Permittee of deficiencies within the time specified in Rule 4.17.2(4), then all Financial Warranties applicable to reclamation described in the notice shall be deemed released as a matter of law. Where the Office finds that a Permittee has not complied with the applicable requirements of the Act, Rules and Regulations, or the approved reclamation plan, it shall advise the Permittee of such non-compliance not more than sixty (60) calendar days after the date of the inspection. Where the Office finds that a Permittee has successfully complied with the requirements of the Act, Rules and Regulations, and the approved reclamation plan, the Office shall release all applicable performance and financial warranties. Release (pending an appeal) shall be in writing and mailed within thirty (30) calendar days to the Permittee after the date of such findings. However, an appeal to the release of the financial and performance warranties shall stay the release on the thirtieth (30) day pending a Form Board Hearing.

December 27, 2024

CERTIFIED MAIL/RETURN RECEIPT REQUESTED # 9412 8112 0620 6884 9912 43

Weld County Planning Services
Attn: Dawn Anderson, Development Review Manager
Weld County Planning Services
1402 N. 17th Ave
Greeley, CO 80631

Re: AGPRO Project #2253-01
LTS Performance Horses, LLC Topsoil Mine, M-2024-055

Ms. Anderson:

This letter is to inform you that LTS Performance Horses, LLC (Applicant) is filing for a Colorado Division of Reclamation, Mining, and Safety (DRMS) Construction Material Regular (112) Operation Reclamation Permit for the removal of 10-14 inches of topsoil from irrigated farmland. The mining permit number is M-2024-055. Applicant's property more particularly described below.

Legal Description:

Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

The site access is on County Road (CR) 27 approximately ½ mile north of Highway 392. The existing access road is within a 35-foot access and utility easement for the benefit of Lots A and B of 2AMRECX19-01-2877.

The proposed grading activities are over 200 feet west of CR 27. The access road is part of the 'Affected Land' of the mining activities. Pursuant to the DRMS regulations for 112 permits for permanent man-made structures within 200-feet of the 'Affected Land,' we are requesting a signed Structure Agreement for CR 27 stating that Weld County will be compensated for any damage from the proposed mining operation to CR 27.

Following approval of mining permit no. M-2024-055, a Weld County Use by Special Review (USR) application will be submitted for the topsoil removal activities. AGPRO anticipates that a Road Maintenance Agreement will be a condition of approval of the USR. We are requesting the signed Structure Agreement for M-2024-055 with the understanding that a future Road Maintenance Agreement will be entered into with the USR prior to operation.

Enclosed are the Structure Agreement, 2AMRECX19-01-2877 plat, draft Mining Maps, draft Mining Plan, and draft Reclamation Plan for reference.

If you have any questions, please feel free to contact us at (970) 535-9318, or kbruxvoort@agpros.com. We will be representing the Applicant throughout the application process.

Sincerely,

Kelsey Bruxvoort

Kelsey Bruxvoort
Land Planner

Enclosures:

1. Structure Agreement
2. 2AMRECX19-01-2877 plat
3. Mining Maps
4. Mining Plan
5. Reclamation Plan

Structure Agreement

This letter has been provided to you as the owner of a structure on or within two hundred (200) feet of a proposed mine site. The State of Colorado, Division of Reclamation, Mining and Safety (“Division”) requires that where a mining operation will adversely affect the stability of any significant, valuable and permanent man-made structure located within two hundred (200) feet of the affected land, the Applicant shall either:

- a) Provide a notarized agreement between the Applicant and the Person(s) having an interest in the structure, that the Applicant is to provide compensation for any damage to the structure; or
- b) Where such an agreement cannot be reached, the Applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- c) Where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have “no negative effect” on their utility. (*Construction Materials Rule 6.3.12 and Rule 6.4.19 & Hard Rock/Metal Mining Rule 6.3.12 and Rule 6.4.20*)

The Colorado Mined Land Reclamation Board (“Board”) has determined that this form, if properly executed, represents an agreement that complies with Construction Materials Rule 6.3.12(a), Rule 6.4.19(a), and C.R.S. § 34-32.5-115(4)(e) and with Hard Rock/Metal Mining Rule 6.3.12(a), Rule 6.4.20(a), and C.R.S. § 34-32-115(4)(d). This form is for the sole purpose of ensuring compliance with the Rules and Regulations and shall not make the Board or Division a necessary party to any private civil lawsuit to enforce the terms of the agreement or create any enforcement obligations in the Board or the Division.

The following structures are located on or within 200 feet of the proposed affected area:

- 1. County Road 27
- 2. _____
- 3. _____
- 4. _____
- 5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, LTS Performance Horses LLC (print applicant/company name),
by Dakota Rathbun (print representative's name), as owner (print
representative's title), does hereby certify that Weld County (structure owner) shall
be compensated for any damage from the proposed mining operation to the above listed structure(s)
located on or within 200 feet of the proposed affected area described within Exhibit A, of the Reclamation
Permit Application for LTS Topsoil Mine (operation name),
File Number M-2024-055.

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

NOTARY FOR PERMIT APPLICANT

ACKNOWLEDGED BY:

Applicant LTS Performance Horses LLC Representative Name Dakota Rathbun

Date _____ Title Owner

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing was acknowledged before me this _____ day of _____, 20____, by
_____ as _____ of _____.

Notary Public My Commission Expires: _____

NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner Weld County Name _____

Date _____ Title _____

STATE OF _____)
) ss.

COUNTY OF _____)

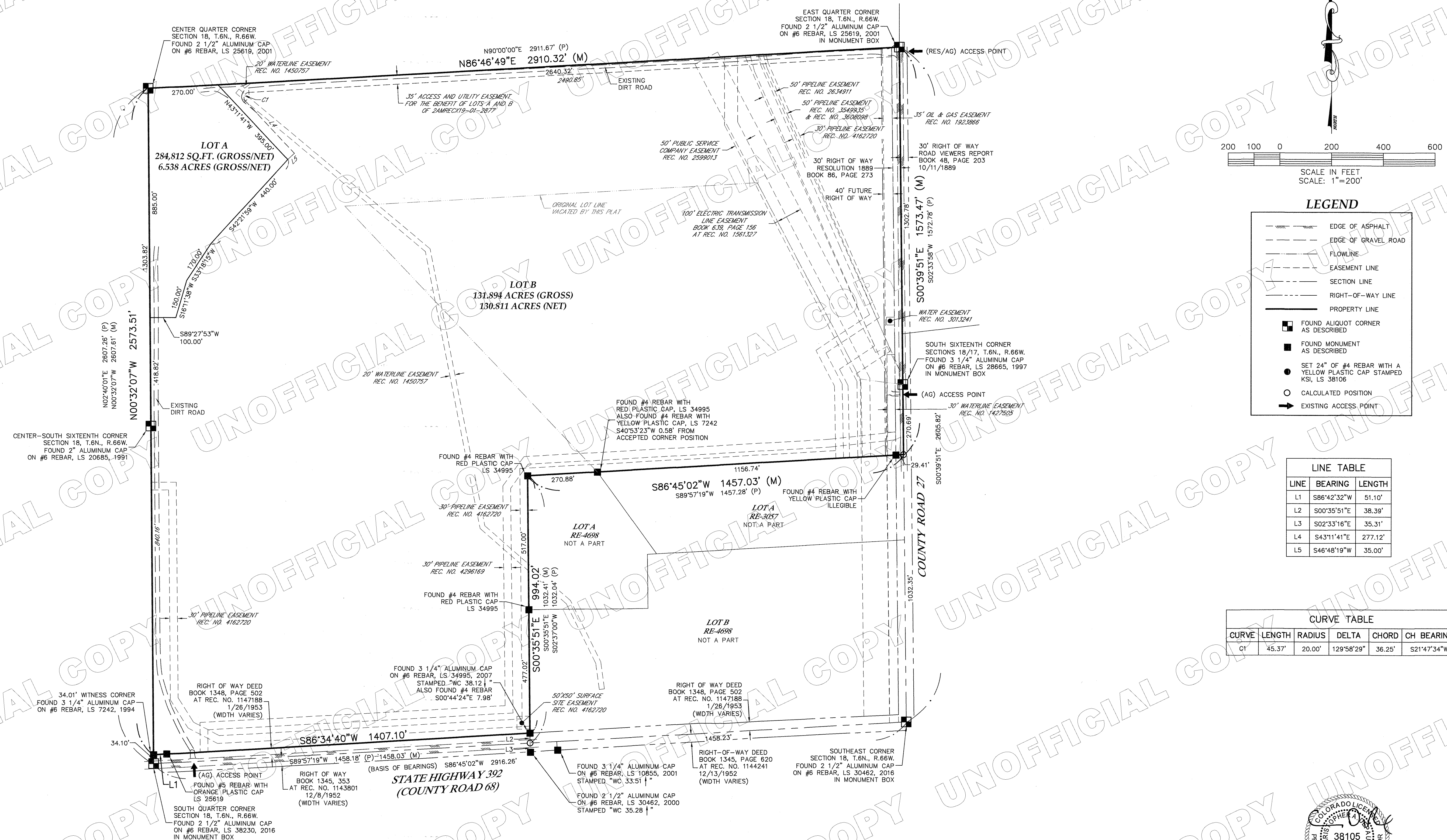
The foregoing was acknowledged before me this ____ day of _____, 20____, by
_____ as _____ of _____.

_____ My Commission Expires: _____

Notary Public

AMENDED RECORDED EXEMPTION NO. 0805-18-4 2AMRECX19-01-2877

Being a Replat of Lots A and B, Amended Recorded Exemption No. 0805-18-4 AMRE-2877,
Situate in the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M.,
County of Weld, State of Colorado



LINE TABLE		
LINE	BEARING	LENGTH
L1	S86°42'32"W	51.10'
L2	S00°35'51"E	38.39'
L3	S02°33'16"E	35.31'
L4	S43°11'41"E	277.12'
L5	S46°48'19"W	35.00'

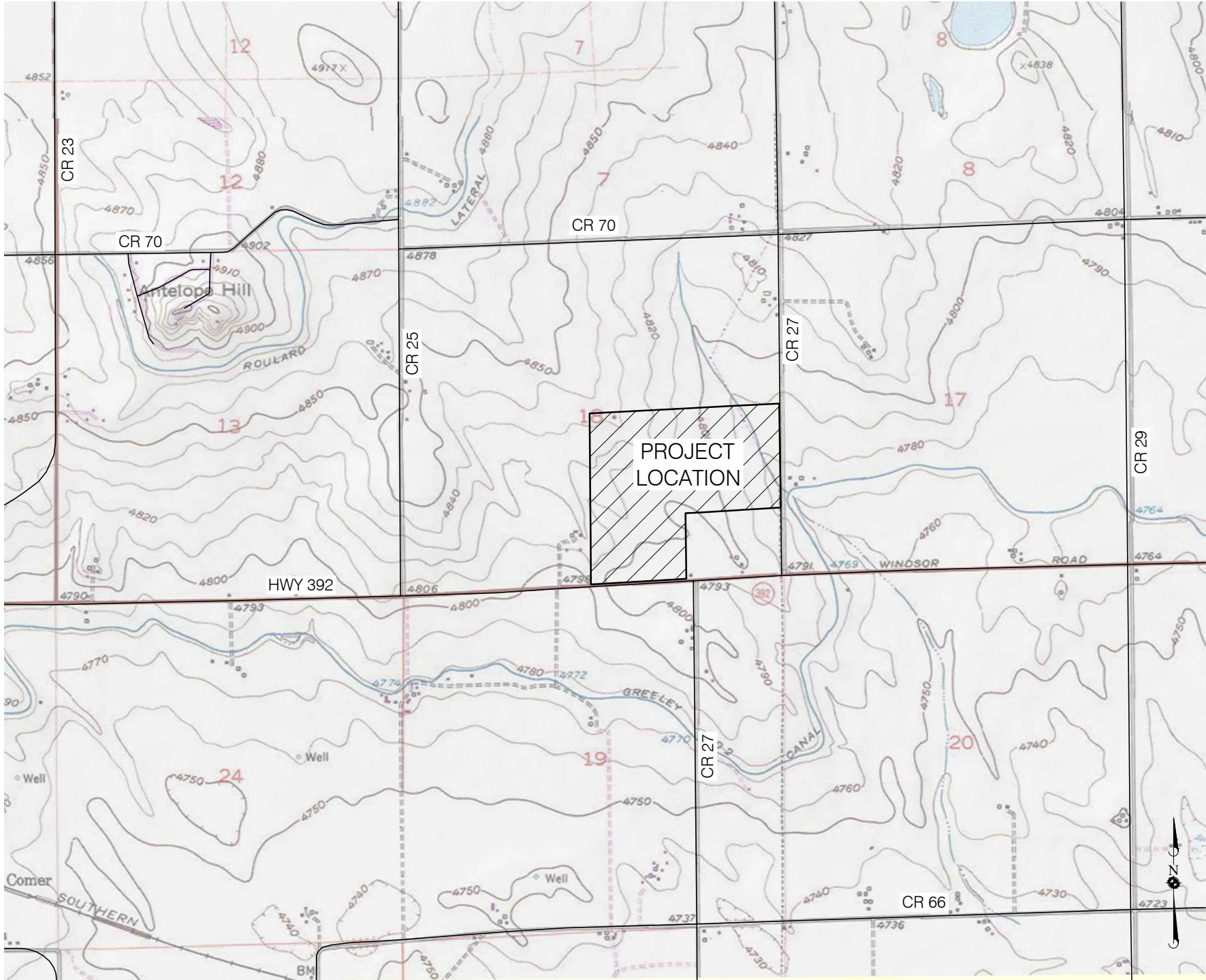
CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C1	45.37'	20.00'	129°58'29"	36.25'	S21°47'34"W

Christopher A. DePaulis - On Behalf Of King Surveyors
Colorado Licensed Professional
Land Surveyor #38105

Exhibit B

Index Map

See attached map.



AGPROfessionals
DEVELOPERS OF AGRICULTURE
3050 67th Avenue, Suite 200, | 213 Canyon Crest Dr, Suite 100,
Greeley, CO 80634 | Twin Falls, ID 83301
(970) 535-9318 - fax: (970) 535-9854 | (208) 595-5301

LTS PERFORMANCE HORSES LLC
EXHIBIT B - INDEX MAP

DATE: 9/18/24
SCALE: 1" = 1,000'

WELD COUNTY, CO

Exhibit C

Pre-Mining and Mining Plan Maps of Affected Lands

See attached maps.

EXHIBIT C - PRE-MINING & MINING PLAN MAP



LEGEND

4782---

AFFECTED LAND

EXISTING PROPERTY BOUNDARY

EXISTING ADJACENT BOUNDARY

EXISTING RIGHT-OF-WAY

EXISTING WATER FEATURE

SECTION LINE

EXISTING FENCE

EXISTING FIBER OPTIC

EXISTING OVERHEAD ELEC

EXISTING GAS LINE

EXISTING WATER LINE

EXISTING UNDERGROUND ELEC

EXISTING STORM DRAIN

EXISTING UTILITY POLE

EXISTING TRANSMISSION POLE

EXISTING GAS WELL

EXISTING WATER WELL

EXISTING TELEPHONE PED

EXISTING WATER METER

EXISTING GAS

EXISTING FO

EXISTING SIGN

EXISTING TREES

EXISTING STRUCTURE

IRRIGATED CROPLAND

NATIVE GRASS

NOTES

1. TOTAL AREA = 133.90 ACRES

2. MINING AREA = 83.41 ACRES

3. VEGETATION ON SITE IS LIMITED TO IRRIGATED CROPS, NATIVE GRASSES, AND LOW SHRUBS. THERE ARE TREES ALONG THE ACCESS ROAD.

4. MINING DEPTH OF EACH PHASE IS 10-14 INCHES OF TOPSOIL.

5. EACH PHASE OF MINING WILL BE COMPLETED WITHIN A PERIOD OF 12-18 MONTHS.

ABBREVIATIONS

OB

OUT BUILDING

RES

RESIDENCE

TP

TRANSMISSION POLE

PERMANENT STRUCTURES				
Key	Structure	Owner	Easement / ID	Location
A	Pipeline	Public Service Company, D/B/A Excel Energy	50' Public Service Company Easement, Reception No. 2599013	East of area of disturbance. Access road crosses the easement.
B	Archer-Weld Transmission Line	Transmission Division, Colorado River Storage Project, Bureau of Reclamation, Department of the Interior	100' Electric Transmission Line Easement, Reception No. 1561327	More than 200-feet east of area of disturbance. Access road crosses the easement.
C	Pipeline	Black Hills Gas Distribution, LLC, D/B/A Black Hills Energy	50' Pipeline Easement, Reception No. 2634911, KN Wattenberg Transmission, LLC	East of area of disturbance. Access road crosses the easement.
D	Pipeline	Tall Grass Interstate Gas Transmission LLC, D/B/A Tallgrass Energy	50' Pipeline Easement, Reception No. 3549935, and Amended Pipeline Easement, Reception No. 3608098, Kinder Morgan Interstate Gas Transmission LLC	East of area of disturbance. Access road crosses the easement.
E	Pipeline(s)	Chevron Corporation	30' Right-of-Way Grant, Reception No. 4162720, XTR Midstream, LLC	East of area of disturbance. Access road crosses the easement.
F	Pipeline	DCP Midstream, LP / Phillips 66	35' Pipeline Right-of-Way Grant, Reception No. 1923866, Associated Natural Gas Inc	Along CR 27. Access road crosses the easement.
G	Waterline	North Weld County Water District	Valve Site Contract, Reception No. 3013241	Along CR 27. Access road crosses the easement.
H	Pipeline	Suncor Energy (U.S.A.) Pipeline Company	ROW Contract, Reception No. 800076, Weld County LAP22-0011, Reception No. 4953067 (Blanket Easements)	South of the staging area. Location of proposed pipeline shown is per LAP22-0011 design drawings.
I	Pipeline	DCP Midstream, LP / Phillips 66	30' Pipeline Easement, Reception No. 4296169, DCP Lucerne 2 Plant LLC	South and east of the area of disturbance
J	Waterline	North Weld County Water District	20' Waterline Easement, Reception No. 1450757	Runs through pivot irrigated area
K	Irrigation Pond	LTS Performance Horses LLC	N/A	Northwest of pivot irrigated area
L	Pivot Concrete Pad	LTS Performance Horses LLC	N/A	South and east of the area of disturbance
M	P&A O&G Well	Chevron Corporation	API Label: 05-123-11130 Well Name: 33-18 Carlson	In pivot irrigated area
N	P&A O&G Well	Chevron Corporation	API Label: 05-123-22792 Well Name: 18-41 Carlson	In pivot irrigated area
O	P&A O&G Well	Chevron Corporation	API Label: 05-123-22793 Well Name: 18-43 Carlson	In pivot irrigated area
P	Overhead Electric Distribution Line	PVREA	N/A	West of the area of disturbance
Q	Overhead Electric Distribution Line	PVREA	N/A	Along CR 27

Map Unit Legend

Map Unit Symbol

Map Unit Name

32

Kim loam, 1 to 3 percent slopes

33

Kim loam, 3 to 5 percent slopes

37

Nelson fine sandy loam, 0 to 3 percent slopes

38

Nelson fine sandy loam, 3 to 9 percent slopes

LTS PERFORMANCE HORSES LLC
EXHIBIT C - PRE-MINING &
MINING PLAN MAP

Exhibit F

Reclamation Plan Map

See attached map.



Buffalo Grass (Texoka, Sharps Improved)	1.5 lbs pls/acre
Little Bluestem (Blaze, Cimarron, Camper)	1.5 lbs pls/acre
Sideoats Grama (Vaughn, Butte, Niner, El Reno, Haskell)	2 lbs pls/acre
Blue Grama (Hachital, Lovington)	3.5 lbs pls/acre
Western wheatgrass (Arriba, Barton, Rosana)	3 lbs pls/acre
Switchgrass (Nebraska 28, Blackwell)	1.5 lbs pls/acre
Perennial Ryegrass (Calibra or Garibaldi tetraploid)	0.75 lbs pls/acre
Sand dropseed	0.25 lbs pls/acre
Total: 14.00 pounds pls/acre	

MP-2

Mining Plan

Introduction

LTS Performance Horses LLC (LTS) is requesting this Construction Material Regular (112) Operation Reclamation Permit for the removal of 10-14 inches of topsoil from irrigated farmland. The property is described as Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

The approximately 132-acre site contains approximately 105-acres of active agricultural land under a center pivot irrigation system and 27-acres of “dry corners” outside of the center pivot irrigation range. LTS proposes to mine topsoil from approximately 78-acres. Topsoil will be taken off-site for use on various oil and gas sites throughout Weld County. Reclamation of the site will consist of re-grading to support an appropriate seedbed for revegetation. Following mining activities, the disturbed area will be regraded, tilled, and re-planted and will continue to be leased for growing corn.

LTS is proposing to mine the upper 50-80 percent of topsoil from the irrigated portion of the site. Approximately 10-14 inches of topsoil will be removed, leaving at least 3-6 inches on site for reclamation purposes. The goal is to remove approximately 157,480 tons of topsoil over the course of two years.

Mining Methods and Earthmoving

A variety of earthmoving equipment will be used, including loaders, dozers, scrapers, and haul trucks. Water trucks will be used as necessary for dust control. Mined topsoil will be temporarily stockpiled in the northeast corner along the existing access road and Weld County Road 27. The topsoil will be loaded onto haul trucks for transport to the end user. No explosives will be used for extraction operations.

Water Diversions and Impoundments

The topsoil will be dry mined and will not result in the need for dewatering. The operation will not require any water diversions or impoundments.

Mining Limits

Topsoil excavation will occur within the boundary of Lot B 2AMRECX19-01-2877. The mining limits are shown on Exhibit C - Pre-Mining and Mining Plan Maps of Affected Lands and are generally described as that portion of the site irrigated by the center pivot. Within that irrigated area the mining limits are further restricted by setbacks from property lines and existing structures and easements. The mined area will encompass approximately 78-acres of the 132-acre site.

Mine Phasing

Topsoil excavation will occur in two phases, as depicted on Exhibit C - Pre-Mining and Mining Plan Maps of Affected Lands. Phase 1 will be the northeastern half of the site and Phase 2 will be the southwestern half of the site. Phase 1 is expected to be mined in year one and reclaimed concurrently. Phase 2 is expected to be mined in years one and two and reclaimed concurrently. Final reclamation is expected to be completed within one to two years from the end of excavation for each phase, but not more than five years from the date each phase has commenced.

Commodities and Intended Use

Topsoil will be the only product mined. No secondary commodities or incidental products are anticipated. The topsoil will be taken off-site for use at various oil and gas sites throughout Weld County.

Roadways

There is an existing roadway that runs along the northern portion of the site which will be used for the mining activities. The access point for this roadway is on Weld County Road 27, approximately ½ mile north of Highway 392. As the roadway currently supports heavy agricultural equipment, no on-site roadway improvements are anticipated. No off-site roadway improvements are anticipated as Weld County Road 27 is a paved arterial and Highway 392 is a paved state highway.

Reclamation Plan

Introduction

LTS Performance Horses LLC (LTS) is proposing the removal of 10-14 inches of topsoil from irrigated farmland through the Construction Material Regular (112) Operation Reclamation Permit process. The property is described as Lot B 2AMRECX19-01-2877 located in part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado.

The approximately 132-acre site contains approximately 105-acres of active agricultural land under a center pivot irrigation system and 27-acres of “dry corners” outside of the center pivot irrigation range. LTS proposes to mine topsoil from approximately 78-acres. Topsoil will be taken off-site for use on various oil and gas sites throughout Weld County. Reclamation of the site will consist of re-grading to support an appropriate seedbed for revegetation. Following mining activities, the disturbed area will be re-graded, tilled, and re-planted and will continue to be leased for growing corn.

This Reclamation Plan has been developed in accordance with the requirements of 6.4.5 Exhibit E – Reclamation Plan in the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules). This plan describes procedures necessary for reclamation of the disturbed area. This plan will address re-grading, re-seeding, weed control, stormwater mitigation, monitoring, annual reporting, post-reclamation inspection and release of warranties. The operator, and all personnel working on this project, should be familiar with this Reclamation Plan prior to the commencement of mining activities.

Existing Conditions

Location:	Northwest corner of Highway 392 and Weld County Road 37 Part of the Southeast Quarter of Section 18, Township 6 North, Range 66 West of the 6 th P.M., Weld County, Colorado Weld County parcel no. 080518400004
Size:	Total property area: 131.897-acres Total area of disturbance: 83.41-acres

Current Land Use:	Agriculture
Vegetation:	Existing: Irrigated cropland Following Reclamation: Irrigated cropland
Soils:	Loam to fine sandy loam. Dominant soil types include Kim loam, Nelson fine sandy loam, and Olney fine sandy loam.
Climate:	Mean annual precipitation: 12 to 16 inches Mean annual air temperature: 46 to 55 degrees Fahrenheit Frost-free period: 130 to 170 days
Water Resources:	An existing irrigation pond is located in the northwestern corner of the site, approximately 50-feet from the proposed area of disturbance. There is a field ditch crossing the northeastern portion of the property, which ties into the Greeley Number 2 Canal on the east side of Weld County Road 27. The field ditch is approximately 250-feet from the proposed area of disturbance.
Wildlife:	No critical wildlife habitat or wildlife species will be impacted by the proposed operation.

Project Description

LTS is proposing to mine the upper 50-80 percent of topsoil from the irrigated portion of the site. Approximately 10-14 inches of topsoil will be removed, leaving at least 3-6 inches on site for reclamation purposes. The goal is to remove approximately 157,480 tons of topsoil in two phases over the course of two years. LTS is the landowner and operator of the mining activity and will be responsible for reclamation of the disturbed area.

Reclamation Methods

Mining and reclamation will occur in two phases:

- Phase 1: northeastern half (36.6-acres) (mined in year one and reclaimed concurrently)
- Phase 2: southwestern half (41.76-acres) (mined in years one and two and reclaimed concurrently)

Phasing is depicted on Exhibit F Reclamation Plan Map. Within the first year following permit approval, the operator will mine topsoil from the northeastern portion of the site then commence reclamation procedures. Active farming will continue on the southwestern portion of the site during Phase 1. Upon completion of topsoil excavation from the northeastern portion of the site, the operator will mine topsoil from the southwestern half of the site then commence reclamation procedures. Backfilling and grading will be completed as soon as feasible after the mining

process is complete. Phase 2 may start in year one, depending on how quickly Phase 1 is completed. The mining operation is expected to be completed within two years.

Long-term stockpiling and stabilization of topsoil will not be necessary. The extracted material will be removed from site and sold to a third party. During this process, the topsoil will be handled as little as possible to maintain soil health and fertility.

Staging

A staging area will be located in the northeastern corner of the site near the site access road. The staging area is approximately 5-acres and will provide an area for equipment storage and loading operations. The inclusion of a staging area will minimize soil compaction across the disturbance area.

Grading and Erosion Control

During active mining, erosion prevention and sediment control Best Management Practices (BMPs) will be installed to minimize erosion from disturbed surfaces and to capture sediment on-site. The proposed BMPs will be included on the final Grading Plan in conjunction with the Colorado Department of Public Health & Environment (CDPHE) Storm Water Discharge Permit and Stormwater Management Plan (SWMP).

Final grading will support an appropriate seedbed for revegetation and will be traversable by farm machinery. Manure and fertilizer will be applied as necessary to support crop growth. All grading shall be done in a manner to control erosion and siltation of the affected lands and to protect areas outside the affected land from slides and other damage. The anticipated post reclamation slope gradient will be similar to the present slope. As required, the maximum gradient will not exceed a 3:1 slope.

Seeding and Revegetation

Following mining activities, the Phase 1 and Phase 2 areas will be revegetated to establish diverse, effective, and long-lasting vegetative cover. The operator will till the disturbed areas to prepare an appropriate seedbed for crop planting. Soil samples are recommended to identify nutrient deficiencies and determine if fertilizer application or soil amendments are needed. Planting corn typically occurs between mid-April to late-May, weather dependent. Planting will be done with typical farming techniques. The planted field will continue to be irrigated by the center pivot irrigation system.

In the staging area, stockpiling of material will take place on undisturbed ground and topsoil won't be removed. Once the temporary stockpile material and equipment has been removed, the site will be re-graded to approximate pre-disturbance grade. No root zones need to be created as the underlying material is soil. The seedbed shall be firm and free of weeds. In areas where there is excessive compaction, tillage, such as chiseling and disking, shall be

done to break up the compaction then harrowed down. The area will then be re-seeded using an approved seed mixture. Dormant planting is possible any time after October 15th or when temperatures are cold enough to prevent seed germination. Seeding on frozen soils will be avoided. Planting may also be done in the print until the end of April or early May and between July 1st and September 1st. The recommended reclamation seeding mix of the stockpile area is the Weld County General Seed Mix for areas north of County Road 68. The seed mix is as follows:

• Buffalo Grass (Taxoka, Sharps Improved)	1.5 lbs pls/acre
• Little Bluestem (Blaze, Cimarron, Camper)	1.5 lbs pls/acre
• Sideoats Grama (Vaughn, Butte, Niner, El Reno, Haskell)	2 lbs pls/acre
• Blue Grama (Hachital, Lovington)	3.5 lbs pls/acre
• Western Wheatgrass (Arriba, Barton, Rosana)	3 lbs pls/acre
• Switchgrass (Nebraska 28, Blackwell)	1.5 lbs pls/acre
• Perennial Ryegrass (Calibra or Garibaldi tetraploid)	0.75 lbs pls/acre
• Sand Dropseed	0.25 lbs pls/acre

Total: 14 pounds pls/acre

Seeds will be planted immediately following completion of mining activities to decrease competition from noxious weed species. Seeds will be planted using drill seeding at the appropriate depths. A one-time application of manure/compost mix will be applied to the seeded area for stabilization and fertilization. The seeded areas will not be irrigated.

Noxious Weed Management

Various state and local regulations require management of noxious weeds. If established quickly, crop cover and standard farming practices will help suppress weed growth. The operator will monitor disturbed areas for noxious weeds during the mining operation. Currently, there are no noxious weeds identified on the subject property. The majority of the site has been under continuous crop cultivation. The greatest period of susceptibility for weeds to establish themselves is during temporary stockpiling and the start of reclamation procedures. Operator will survey the site regularly and monitor weed conditions. Should noxious weeds be identified, the operator will work to eradicate the weeds. Mechanical control methods such as pulling, mowing, and tilling and chemical control methods with the use of herbicides will be used. Proper identification of the suspected noxious weed will ensure the appropriate control methods are utilized. A complete list of Colorado noxious weeds can be found at <https://ag.colorado.gov/conservation/noxious-weeds/species-id>.

If excavation activities are completed before the growing season begins, preventative measures such as spraying will be taken. Establishment of crop cover will be the most effective method of long-term weed suppression.

Upon completion of the mining activities, the stockpile area will be reseeded with native grass according to the recommended seeding procedures and seed mix described above.

Trash, Debris, and Materials Handling

Trash and debris will be collected in a covered dumpster, removed from the site at an appropriate rate, and properly disposed of. No explosives or hazardous materials will be needed to extract topsoil.

Water

Pursuant to Rule 3.1.6 and Rule 3.1.7 compliance with applicable federal and Colorado water quality laws and regulations, including statewide water quality standards and site-specific classifications and standards adopted by the Water Quality Control Commission, and applicable federal and Colorado dredge and fill requirements is required. Given the limited depth of topsoil removal, the proposed mining activities are not expected to have an impact on water quality. Compliance with applicable laws shall be adhered to.

Wildlife

All mining and reclamation activities shall take into account the safety and protection of wildlife. As the reclamation procedures will return the site to current conditions, the post-reclamation conditions for wildlife are expected to be similar to current conditions for wildlife. Additional wildlife information is presented in Exhibit H.

Signs and Markers

Pursuant to Rule 3.1.12, the Operator shall post a sign at a minimum size of eleven (11) by seventeen (17) inch with appropriate font size, including the name of the Operator and the operation name, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board, and the permit number. The boundaries of the affected area will be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries.

Spill Reporting

Pursuant to Rule 3.1.13, the operator will report any spill of hazardous or toxic substance to the Office of Mined Land Reclamation (Office) within twenty-four (24) hours.

Post Mining Land Use

The proposed post mining land use is the current land use, irrigated cropland. The subject property is zoned agricultural and surrounded by farmland. The post mining land use is consistent with Weld County's allowed uses in the Agricultural Zone District as farming is a use by right activity. No public use of the property is expected in the foreseeable future.

Schedule

Reclamation is expected to be completed within one to two years from the end of excavation, but not more than five years from the date each phase has commenced.

Financial Warranty

The Operator will supply to the Office a Performance and Financial Warranty in accordance with Rule 4. Refer to Exhibit L – Reclamation Costs.

Annual Report and Fees

Pursuant to Rule 1.15 Annual Report Inclusions, the Annual Report shall include all information specified on the Annual Report Form, in the format required by the Office, including the following:

- An updated statement regarding the sufficiency of the value of the Financial Warranty.
- A map that accurately depicts the permit boundary, current affected area boundary, location of the acres affected during the current report year, acres reclaimed during the current report year, estimated new acreage to be affected in the next report year, and acres to be reclaimed in the next report year.
- On the anniversary date of the Notice of Intent (NOI) approval, the operator shall submit to the Office an annual fee, as specified in Section 34-32.5-125, C.R.S.

Change in Address, Ownership, and Business Name

Pursuant to Rule 1.16 the Operator shall promptly notify the office of any change in mailing address, transfer of land ownership, and official business name associated with the Performance and Financial Warranty. Where an Operator files a petition of bankruptcy, the Operator shall immediately notify the Office via certified mail of such filing.

Post-Reclamation Inspection and Release of Warranties

Each Phase will be reclaimed pursuant to the Rules. Pursuant to Rule 3.1.3, all reclamation shall be carried to completion by the Operator with all reasonable diligence, and each phase or reclamation shall be completed within five (5) years from the date the Operator informs the Board of Office that such phase has commenced, or from the date the Office has evidence that mining or exploration has ceased, unless extended by the Board or Office. The 5-year period may be applied separately to each phase as it is commenced throughout the life of the mine.

Pursuant to Rule 4.17.1, the Operator or any mining operation processing a 110 Limited Impact Permit, or a 111 Special Operations Permit, or a 112 Reclamation Permit may file a written notice of completion of reclamation and request for release of reclamation responsibility with the Office whenever an Operator believes any or all requirements of the Act, the Rules and Regulations, and the approved reclamation plan have been completed with respect to any or all

of the Affected Lands. The Operator shall include in the notice of the Office the names and addresses and phone numbers of all owners of record to the affected land. The written notice requesting release shall be sent by Certified Mail and be separate from other types of communication to the Office. Such notice shall contain a signed statement by the Operator or their agent that all applicable portions of the Reclamation Plan requirements have been satisfied in accordance with the Rules and all applicable requirements under the Act.

Pursuant to Rule 4.17.2, the Office upon receipt of said notice of completion of reclamation, shall immediately provide notice to all owners of record of the affected land and to the county(s). The Office shall, within sixty (60) calendar days after receiving said notice, or as soon thereafter as weather conditions permit, inspect the lands and reclamation described in the notice to determine if the Permittee has complied with all applicable requirements. If the Office fails to conduct an inspection within the time specified in Rule 4.17.2(2) or fails to advise the Permittee of deficiencies within the time specified in Rule 4.17.2(4), then all Financial Warranties applicable to reclamation described in the notice shall be deemed released as a matter of law. Where the Office finds that a Permittee has not complied with the applicable requirements of the Act, Rules and Regulations, or the approved reclamation plan, it shall advise the Permittee of such non-compliance not more than sixty (60) calendar days after the date of the inspection. Where the Office finds that a Permittee has successfully complied with the requirements of the Act, Rules and Regulations, and the approved reclamation plan, the Office shall release all applicable performance and financial warranties. Release (pending an appeal) shall be in writing and mailed within thirty (30) calendar days to the Permittee after the date of such findings. However, an appeal to the release of the financial and performance warranties shall stay the release on the thirtieth (30) day pending a Form Board Hearing.



SUNCOR ENERGY (U.S.A.) PIPELINE COMPANY

Rocky Mountain District Office
1700 Custer Road
Cheyenne, Wyoming 82001
(307) 775-8106

Monday, October 21, 2024

www.suncor.com

“Developer”

AGPROfessionals, LLC
3050 67th Avenue, Suite 200
Greeley, CO 80634

The “Property”

Township 06 North Range 66 West
Section 18: Pt. SE
Weld County, Colorado
APN: 080518400004
LOT B REC EXEMPT 2AMRECX19-01-2877
Suncor Mile Post: 122.67

RIGHT OF WAY DEVELOPMENT PROVISIONS

1. Suncor Energy (U.S.A.) Pipeline Company (hereinafter referred to as "Company") maintains its pipelines in accordance with industry standards for safe operations. Should a Developer/Landowner (hereinafter referred to as "Developer") propose plans to alter the right-of-way area through which Company lines pass (the “Company Easement”), such modifications require the Company’s prior written approval, which approval may be withheld at Company’s sole discretion, and the cost of any approved modifications shall be borne solely by Developer. In the event of Company’s approval, such approval shall not interfere with Company’s rights granted under the Company Easement or applicable right-of-way agreements.
2. No buildings, engineering works, deep rooted plants, septic systems, or other similar permanent structures will be allowed over any portion of the Company Easement or within 50 feet of Company pipelines without Company’s prior written approval, which approval may be withheld at Company’s sole discretion. Company may remove any and/or all unapproved facilities at direct cost to the Developer.
3. No road proposed to run parallel with the pipeline shall be allowed within 25 feet of the line. Road crossings shall (i) require Developer's execution of a Hold Harmless Agreement which releases Company from all damages to the asphalt and concrete associated with any maintenance performed on Company line, (ii) be in accordance with the latest guidelines for property development as published by the American Petroleum Institute (the “API Guidelines”) or as otherwise restricted by the Company Easement, (iii) cross the pipeline at no less than a 60 degree angle, and (iv) where the pipeline depth is less than 48 inches (including borrow ditches), at the sole discretion of the Company, at Developer’s cost, mechanical protection of the pipeline may be installed by the Company. In addition, it may be necessary to lower or reroute the lines at the point of crossing to insure that they are not subjected to excessive stress from movement of traffic. Any such modification to the lines (a) shall be made at Developer's sole cost and expense, and (b) requires Company’s prior written consent, which consent may be withheld at Company’s sole discretion. The API Guidelines are available at www.api.org/pubs.
4. At any point in the Company Easement where the existing grade profile will be altered, written Company consent and approval is required prior to such alteration. Company lines must be maintained to a depth which provides a minimum cover of 36 inches (residential areas may require 48 inches) after final grading. Any line relocation or modification which is necessary (i) shall require Company’s prior written approval, which approval may be withheld at Company’s sole discretion, (ii) shall be done at Developer's sole cost and expense, and (iii) expenses shall include coating and wrapping the entire exposed portion of line and all other reconditioning work required as identified by Company.
5. Construction of concrete parking lots over the lines will not be allowed. Asphalt parking lots overlying the lines will be allowed only with Company prior written approval and with Developer's

Initial

execution of Hold Harmless Agreement which releases Company from all damages to the asphalt associated with any maintenance performed on Company pipelines.


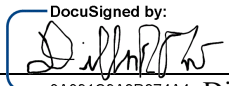
6. All utilities that cross Company lines must conform to Suncor's engineering review process and be approved by the Company in writing. Utilities shall cross perpendicular, or as close to 90 degrees as possible, to the existing pipeline and its designated right-of-way. Unless agreed to by Company in writing, utilities shall not run parallel or nearly parallel (at an angle 60 degrees or less) to Company lines within the boundaries of the right-of-way for the existing pipeline. Utilities approved by Company to run parallel to Company lines must maintain a minimum separation distance of 25 feet from the utility's outside wall to the Company's pipeline outside wall or as may be further restricted pursuant to the Company Easement or applicable right-of-way agreements. Utilities shall be adequately marked on both sides of the pipeline, which markers shall be maintained in perpetuity. Any future relocation of the utility line due to Company's pipeline maintenance shall be done at the Developer's sole cost and expense. If there are specific instances for which gravity flow utilities will not be able to comply with this requirement, Developer shall provide an accurate description of the proposed utility and Company will be willing to discuss possible alternate solutions. Cables (including telephone cables, and electric cables) and gas lines should be contained within a PVC conduit of schedule 40 or greater strength, and either have a red colored concrete slab 6 inches thick above the conduit for a distance of 10 feet on each side of the existing pipeline, or be encased within concrete, as long as there is 6 inches of red concrete above the conduit, or otherwise be installed according to National Electrical Code or local electrical code standards. Fiber optics crossing Suncor pipelines must maintain a minimum of ten (10) feet of clearance below the pipeline; if the fiber optic is installed via open trenching, the fiber must be encased in steel for five (5) feet on each side of the pipeline wall and must have a minimum of two (2) feet clearance beneath the pipeline.
7. If any lines crossing Company lines are installed and constructed of a material requiring cathodic protection, an interference survey shall be made and necessary steps will be taken to prevent the sacrifice of either line. All such work, including, without limitation, the cost of the survey, will be done at Developer's sole cost and expense.
8. The Developer will allow no material or equipment to be used in the construction which would hinder or impair Company's ability to safely maintain and operate Company lines. The movement of heavy equipment by Developer across the Company Easement and Company's underground facilities shall require Company's prior written approval. Any such crossing request by Developer shall be made in writing to Company noting the location, the type of equipment and weight, and the method proposed to be employed by Developer to prevent damage to the Company's underground facilities. In the event of unapproved line crossings and/or failure of Developer to implement the damage prevention controls outlined in the approved crossing agreement, Developer shall pay all inspection and line reconditioning costs incurred by Company.
9. Company retains the right to adequately mark Company pipelines with permanent line markers to ensure public safety and the future safe operation of the lines.
10. Prior to the commencement of any construction, the Company must be provided with construction drawings for all work which may affect the Company Easement, including a present plat and a profile (along the pipeline centerline) showing any grade work to be done. Upon receipt of such information, the Company will prepare a written response to Developer outlining Company's approval conditions and requirements, which response may include a cost estimate of any modifications to our lines as deemed necessary.



11. Developer will be charged actual costs for design/construction as incurred by Company and an overhead charge to cover procurement, accounting, and legal services, whether higher or lower than our estimated costs. Any part of the cost estimate not spent will be returned to Developer or, in the alternative, Developer will be invoiced for amounts exceeding the cost estimate. Any construction work which is required for modifications to Company facilities or assets shall be done by Company or one of Company's approved maintenance contractors. Company reserves the right to have an inspector on the job, at Developer's sole cost and expense, to witness all of Developer's construction within the Company Easement. Company reserves the right to require that 100% of the cash equivalent of Company cost estimate be deposited with Company prior to construction.
12. Company requires a minimum of ten days written notice prior to any excavation, construction, or movement of equipment across the Company Easement so that Company lines can be staked to minimize the possibility of accidental damage. Developer shall make all required notifications under the One Call System in the state where the excavation or construction work will be performed. In the event that construction by Developer is necessary, Company, and its parent, subsidiaries, affiliated companies and their officers, directors, employees and agents, shall be indemnified and held harmless from and against any and all claims for injuries to person or persons or for damages to property arising directly or indirectly from work to be performed by the Developer or those under contract to the Developer.
13. Should Developer request that Company restrict the width of the Company Easement, Company will consider such request only upon receipt of a centerline survey of the line across Developer's land, which survey shall be prepared by a registered land surveyor at the Developer's sole cost and expense. Developer shall also provide proof of ownership of the Property (e.g., warranty deed). Acceptance of any such request is at Company's sole discretion.
14. All correspondence shall be mailed to the Company at:

Suncor Energy (U.S.A.) Pipeline Company
1700 Cutler Road
Cheyenne, WY 82001
ATTN: ROW Coordinator

I/WE HEREBY AGREE TO ABIDE BY THE ABOVE DEVELOPMENT PROVISIONS

<p style="text-align: center;"><u>DEVELOPER</u> LTS Performance Horses LLC</p> <p>By: </p> <hr/> <p>Name: Dakota Rathbun Its: Owner Dated 11/6/2024 8:35:38 AM MST</p>	<p style="text-align: center;"><u>Suncor</u> SUNCOR ENERGY (U.S.A.) PIPELINE COMPANY</p> <p>By: </p> <hr/> <p>Name: 8A891C9A3D374A4... Dillon R. Ohrt Its: Right-of-Way & Public Awareness Coordinator Dated 11/6/2024 8:45:43 AM MST</p>
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NORTH WELD COUNTY WATER DISTRICT

32825 CR 39 • LUCERNE, CO 80646

P.O. BOX 56 • BUS: 970-356-3020 • FAX: 970-395-0997

WWW.NWCWD.ORG • EMAIL: WATER@NWCWD.ORG

January 21, 2025

AGPROfessionals
ATTN: Kelsey Bruxvoort
3050 67th Avenue
Greeley, CO 80634

RE: LTS Performance Horses Mining Permit M-2024-055
Weld County Parcel # 080518400004

Ms. Bruxvoort,

North Weld County Water District (District) requests the following regarding the proposed mining activities:

- The District owns a 6-inch Asbestos Cement (AC) waterline that runs through the subject parcel (see map on next page). Due to the fragile nature of AC waterlines, and the fact that this waterline dates back to the 1960's, we require the mining operations to maintain 10-foot horizontal clearance on either side of the waterline.
- Due to limited locational information dating back to the 1960's, the exact location and depth of the waterline must be verified in order to establish the location of the 20-foot wide buffer area around the waterline. To verify the exact location and depth, we will require that the waterline be potholed at multiple locations along the alignment. Please reach out to me at 970-415-1357 or jaredr@nwcwd.org when the potholing has been scheduled so that we can provide a staff member on-site during the potholing activities.
- Regarding the ability of mining equipment to briefly pass over the above-mentioned 20-foot buffer area to access one side or the other, we will rely on the requested pothole data to determine existing depth of cover, which will allow us to determine the allowable loading on top of the waterline.

Please don't hesitate to reach out with any questions or concerns.

North Weld County Water District

By: Jared Rauch
Jared Rauch, Development Review Engineer



Structure Agreement

This letter has been provided to you as the owner of a structure on or within two hundred (200) feet of a proposed mine site. The State of Colorado, Division of Reclamation, Mining and Safety ("Division") requires that where a mining operation will adversely affect the stability of any significant, valuable and permanent man-made structure located within two hundred (200) feet of the affected land, the Applicant shall either:

- a) Provide a notarized agreement between the Applicant and the Person(s) having an interest in the structure, that the Applicant is to provide compensation for any damage to the structure; or
- b) Where such an agreement cannot be reached, the Applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- c) Where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility. (*Construction Materials Rule 6.3.12 and Rule 6.4.19 & Hard Rock/Metal Mining Rule 6.3.12 and Rule 6.4.20*)

The Colorado Mined Land Reclamation Board ("Board") has determined that this form, if properly executed, represents an agreement that complies with Construction Materials Rule 6.3.12(a), Rule 6.4.19(a), and C.R.S. § 34-32.5-115(4)(e) and with Hard Rock/Metal Mining Rule 6.3.12(a), Rule 6.4.20(a), and C.R.S. § 34-32-115(4)(d). This form is for the sole purpose of ensuring compliance with the Rules and Regulations and shall not make the Board or Division a necessary party to any private civil lawsuit to enforce the terms of the agreement or create any enforcement obligations in the Board or the Division.

The following structures are located on or within 200 feet of the proposed affected area:

1. County Road 27
2. _____
3. _____
4. _____
5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, LTS Performance Horses LLC (print applicant/company name),
by Dakota Rathbun (print representative's name), as owner (print
representative's title), does hereby certify that Weld County (structure owner) shall
be compensated for any damage from the proposed mining operation to the above listed structure(s)
located on or within 200 feet of the proposed affected area described within Exhibit A, of the Reclamation
Permit Application for LTS Topsoil Mine (operation name),
File Number M-2024-055.

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

NOTARY FOR PERMIT APPLICANT

ACKNOWLEDGED BY: 

Applicant LTS Performance Horses LLC Representative Name Dakota Rathbun

Date 1/17/25 Title Owner

STATE OF Texas)
) ss.
COUNTY OF Denton)

The foregoing was acknowledged before me this 17 day of JAN, 2025, by
Dakota Rathbun as owner of LTS Performance Horses.


Notary Public

My Commission Expires: 07-26-2027



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY: Perry L. Buck

Structure Owner Weld County

Name

Perry L. Buck

Date January 15, 2025

Title Chair, Board of Weld County Commissioners

STATE OF _____)

) ss.

COUNTY OF _____)

The foregoing was acknowledged before me this 15th day of January, 2025, by
Perry L. Buck as Chair of Weld County Board of Commissioners

Houston Marie Aragon My Commission Expires: September 20, 2028
Notary Public

HOUSTAN MARIE ARAGON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20244035426
MY COMMISSION EXPIRES SEPTEMBER 20, 2028

Parcel #: 080518400004
Client: LTS Performance Horses LLC
AGPRO Project #: 2253-01
DRMS Mining Permit #: M-2024-055
Date: 22 Jan. 2025

PERMANENT MAN-MADE STRUCTURES MEMORANDUM

This memo provides a detailed explanation and assurances of our opinion that the topsoil mining operations on the LTS Performance Horses LLC property will have no negative effect on or cause damage to adjacent permanent man-made structures, including multiple underground gas pipelines, an overhead transmission line, an irrigation ditch, an irrigation pond, and a center pivot slab. A copy of the list of permanent man-made structures adjacent to the mining operation, as depicted on Exhibit C – Pre-Mining and Mining Plan Map, is included as Figure 1 below.

Key	Structure	Owner	Easement / ID	Location
A	Pipeline	Public Service Company, D/B/A Excel Energy	50' Public Service Company Easement, Reception No. 2599013	East of area of disturbance. Access road crosses the easement.
B	Archer-Weld Transmission Line	Transmission Division, Colorado River Storage Project, Bureau of Reclamation, Department of the Interior	100' Electric Transmission Line Easement, Reception No. 1561327	More than 200-feet east of area of disturbance. Access road crosses the easement.
C	Pipeline	Black Hills Gas Distribution, LLC, D/B/A Black Hills Energy	50' Pipeline Easement, Reception No. 2634911, KN Wattenberg Transmission, LLC	East of area of disturbance. Access road crosses the easement.
D	Pipeline	Tall Grass Interstate Gas Transmission LLC, D/B/A Tallgrass Energy	50' Pipeline Easement, Reception No. 3549935, and Amended Pipeline Easement, Reception No. 3608098, Kinder Morgan Interstate Gas Transmission LLC	East of area of disturbance. Access road crosses the easement.
E	Pipeline(s)	Chevron Corporation	30' Right-of-Way Grant, Reception No. 4162720, XTR Midstream, LLC	East of area of disturbance. Access road crosses the easement.
F	Pipeline	DCP Midstream, LP / Phillips 66	35' Pipeline Right-of-Way Grant, Reception No. 1923866, Associated Natural Gas Inc	Along CR 27. Access road crosses the easement.
G	Waterline	North Weld County Water District	Valve Site Contract, Reception No. 3013241	Along CR 27. Access road crosses the easement.
H	Pipeline	Suncor Energy (U.S.A.) Pipeline Company	ROW Contract, Reception No. 800076, Weld County LAP22-0011, Reception No. 4953067 (Blanket Easements)	South of the staging area. Location of proposed pipeline shown is per LAP22-0011 design drawings.
I	Pipeline	DCP Midstream, LP / Phillips 66	30' Pipeline Easement, Reception No. 4296169, DCP Lucerne 2 Plant LLC	South and east of the area of disturbance
J	Waterline	North Weld County Water District	20' Waterline Easement, Reception No. 1450757	Runs through pivot irrigated area
K	Irrigation Pond	LTS Performance Horses LLC	N/A	Northwest of pivot irrigated area
L	Pivot Concrete Pad	LTS Performance Horses LLC	N/A	South and east of the area of disturbance
M	P&A O&G Well	Chevron Corporation	API Label: 05-123-11130 Well Name: 33-18 Carlson	In pivot irrigated area
N	P&A O&G Well	Chevron Corporation	API Label: 05-123-22792 Well Name: 18-41 Carlson	In pivot irrigated area
O	P&A O&G Well	Chevron Corporation	API Label: 05-123-22793 Well Name: 18-43 Carlson	In pivot irrigated area
P	Overhead Electric Distribution Line	PVREA	N/A	West of the area of disturbance
Q	Overhead Electric Distribution Line	PVREA	N/A	Along CR 27
R	CR 27	Weld County	30' ROW Resolution 1889, BK 86, PG 273 & 60' ROW Petition 1889 BOCC BK 5, PG 287	East of site

Figure 1 – Permanent Man-Made Structures List

ENGINEERING, PLANNING, CONSULTING & REAL ESTATE

HQ: 3050 67th Avenue, Suite 200, Greeley, CO 80634

Idaho: 195 River Vista Place, #306, Twin Falls, ID 83301

970.535.9318 / office ☐ 970.535.9854 / fax ☐ www.agpros.com

Structures Adjacent to Mining Area – Structures A-I, P & Q

Setback from Utilities

The easements for the underground gas pipelines and overhead electrical lines are typically separated more than 100 feet from the designated areas for topsoil mining. This setback distance significantly exceeds standard industry recommendations and regulatory guidelines concerning the safe operation of excavating, mining, and heavy equipment adjacent to existing utilities and infrastructure. According to the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA), a general guideline for avoiding damage to underground pipelines during excavation activities is to maintain a minimum distance of 25 feet. Similarly, the National Electrical Safety Code (NESC) suggests a minimum separation of 10 feet between transmission lines and excavation operations to prevent accidental contact. By maintaining setbacks of over 100 feet, the project significantly reduces the risk of damage to utilities and structures, ensuring that the mining operations will not be compromising the integrity of the surrounding infrastructure. Colorado 811 will be called prior to any excavation activities.

Hauling Road Crossing

The hauling road, which will be used to transport the mined topsoil, already exists and is routinely used for the passage of heavy agricultural equipment. Agricultural operations, per the United States Department of Agriculture (USDA) and the Agricultural Engineers Society (ASAE EP496.4), often involve the use of heavy machinery on roads near utility structures, provided the road is well-maintained and properly engineered. The fact that the hauling road is already in use for such operations provides additional assurance that the weight and traffic associated with the topsoil mining operation will not have a measurable impact on the utilities or structures. The utilities (gas pipelines and overhead electrical lines) are engineered to withstand potential surface disturbances. In this case, the road will cross over the utilities to deliver mined topsoil to the staging areas, but given the road's existing use for heavy equipment, this operation will not present new risks.

Staging Area and Proximity to Utilities

The staging area, where mined topsoil will be temporarily stored, is situated adjacent to the utilities; however, no direct mining will occur in this area. As specified by the Environmental Protection Agency (EPA) (40 CFR § 761.60), mining activities should avoid disturbance to sensitive areas such as utility easements and rights-of-way. By maintaining this buffer and not disturbing the structures during the temporary operation of the staging area, we ensure that the utilities remain unaffected by direct mining operations.

Erosion Control Measures

The mining operation will include comprehensive erosion control measures, as required by local and federal guidelines, such as the National Pollutant Discharge Elimination System (NPDES) program by the EPA (40 CFR § 122.26). All disturbed areas, including those

affected by the mining process, will be stabilized with appropriate measures, such as seeding and surface roughening and employment of structural controls such as silt-fences and erosion control blankets. These methods are designed to prevent soil erosion, protect the surrounding environment, and ensure that water runoff does not negatively impact the utilities or adjacent areas. The depth of the topsoil removal is 10-14 inches. The proposed slope within the mining area and tie-in slopes from the mining area to existing grade are designed to be relatively gradual (4:1 or less), which are generally considered less prone to erosion compared to steeper slopes (2:1 or greater). Erosion control is a standard practice in soil excavation and mining operations, and it will minimize any potential erosion impacts on the underground pipelines.

Structures Within Mining Area – Structures J, M, N, & O

Structure J – North Weld County Water District Waterline

The protection of Structure J will be coordinated directly with the North Weld County Water District (Weld County Code, Chapter 8, Section 4). No topsoil will be removed directly above this waterline. A request to verify the required setback from the waterline was sent to North Weld County Water District on December 26, 2024. A response was received on January 21, 2025, requiring that the mining operations maintain a 10-foot horizontal clearance on either side of the waterline. The waterline will be potholed to determine its exact location. NWCWD will rely on the pothole data to determine the allowable loading on top of the waterline.

Abandoned Well Structures (Structures M, N, & O)

Structures M, N, & O are abandoned wells. The abandoned wells will not be negatively impacted by the topsoil mining operations above, as proper well abandonment procedures are specifically designed to isolate and secure the wellbore, preventing surface activities from affecting the well. Well abandonment typically involves filling the well with appropriate materials, such as cement, to prevent groundwater contamination and ensure the well's structural integrity (Code of Colorado Regulations, 2 CCR 404-1, Well Abandonment Requirements). Additionally, topsoil removal, being a shallow activity that typically affects only the surface layer, will not reach the depth of the abandoned wells or disturb the sealing materials placed within the well during abandonment. As long as the well abandonment process has been properly carried out in accordance with regulatory standards, and no direct disturbance to the well itself occurs, the integrity of the well will be maintained, and mining activities will not compromise its structure. Local site conditions, including well depth and the extent of topsoil removal, will be considered to ensure that no unanticipated impacts arise.

Existing Irrigation Structures – Structures K & L

The irrigation pond and center pivot slab located adjacent to the topsoil mining operations are owned by the landowner and will remain functional for the landowner's use following the completion of mining activities. The landowner intends to continue utilizing these structures for irrigation purposes, and efforts will be made to minimize any impact from the mining process. However, the landowner acknowledges that, as the beneficiary of the mining operations, damage to these structures that may occur during the process will be the landowner and the mining contractor's responsibility to address. This agreement allows the landowner to maintain agricultural use of the land following the mining operations while also permitting topsoil extraction.

County Road 27 – Structure R

Following approval of M-2024-055, a Weld County Use by Special Review (USR) permit will be submitted. With the USR, a Road Maintenance Agreement will be established with Weld County Public Works per Weld County Code Section 8, Article 2 and Section 23, Article 2, Division 4 to outline compensation for any damages that may occur to County Road 27 as a result of the topsoil mining operations. As the USR will follow approval of the mining permit, a request to provide a notarized Structure Agreement stating that LTS Performance Horses will provide compensation for any damage to CR 27 was sent to Weld County on December 27, 2024. The Structure Agreement was approved by the Weld County Board of County Commissioners on January 21, 2025.

This Structure Agreement and the forthcoming Road Maintenance Agreement will ensure that the County is reimbursed for any necessary repairs or maintenance caused by the increased traffic or equipment use associated with the mining activities. The use of County Road 27 will be temporary, limited to the duration of the mining operations, and access to the road will be carefully managed to minimize impact. Once the mining operations are completed, the road condition will be evaluated.

Chad TeVelde, PE
Sr. Professional Engineer
AGPROfessionals



Works Cited:

Code of Colorado Regulations. "Well Abandonment Requirements." 2 CCR 404-1. Colorado Department of Natural Resources, 2023.

<https://www.sos.state.co.us/CCR/>

Environmental Protection Agency (EPA). "40 CFR § 122.26 – Stormwater Discharges." United States Government, 2020.

<https://www.ecfr.gov/current/title-40>

National Electrical Safety Code (NESC). "NESC 2023 – National Electrical Safety Code." Institute of Electrical and Electronics Engineers (IEEE), 2023.

<https://standards.ieee.org/nesc>

Pipeline and Hazardous Materials Safety Administration (PHMSA). "Guidelines for Excavation Near Pipelines." U.S. Department of Transportation, 2019.

<https://www.phmsa.dot.gov>

United States Department of Agriculture (USDA). "Agricultural Engineering Handbook." USDA Natural Resources Conservation Service, 2019.

<https://www.nrcs.usda.gov>

Agricultural Engineers Society (ASAE). "EP496.4 – Agricultural Machinery: Roads and Bridge Crossings." American Society of Agricultural and Biological Engineers, 2018.

<https://www.asabe.org>

Weld County Code. "Section 8, Article 2 – Improvements Agreements," "Section 23, Article 2, Division 4 – Uses by Special Review." Weld County, CO, 2024.

<https://www.weldgov.com>

Exhibit L

Reclamation Costs

See attached cost estimate.



3050 67th Avenue
Greeley, CO 80634
Telephone (970) 535-9318
www.agpros.com

Project Number: 2253-01 Date: 1/21/25 3:43 PM
Project Name: LTS Performance Horses Sheet: 1 of 1
Filing/Case #: -
Property Address: Lot B 2AMRECX19-01-2877, PT SE4 18-6-66
Subject: Reclamation Cost Estimate

Estimated Reclamation Cost

Improvement		Quantity	Unit	Unit Cost (\$)	Construction Cost (\$)
Reclamation	Ph 1 Irrigated Crop Land Reclaim ₃	36.60	AC	\$ 235.00	\$ 8,601.00
	Ph 2 Irrigated Crop Reclaim ₃	41.76	AC	\$ 235.00	\$ 9,813.60
	Processing Area Cleanup and Grading	1	LS	\$ 10,000.00	\$ 10,000.00
	Alfalfa Reclaim (Processing Area) ₃	5.05	AC	\$ 220.00	\$ 1,111.00
	Noxious Weed Control (Processing Area)	5.05	AC	\$ 50.00	\$ 252.50
Reclamation Costs - Sub Total					\$ 29,778.10
5% Contingency:					\$ 1,488.91

Total Reclamation Costs: \$ 31,267.01

Notes:

1. Final design has not been approved at the time of this estimate.
2. Unit price estimates are based off similar projects in the area and the 2024 CDOT Cost Data Report are subject to change. This estimate is not a guarantee of project costs.
3. Unit price includes cost for disking, mulching, field cultivating, planting, seed, and fertilizer based on *Colorado State University Custom Rates for Colorado Farms & Ranches in 2022* and adjusted for inflation.

Exhibit R

Proof of Filing with County Clerk and Recorder

A copy of the LTS Performance Horses Construction Material Regular (112) Operation Reclamation Permit for the removal of 10-14 inch of topsoil from irrigated farmland was placed with the local County Clerk and Recorder for public review on the following date:

Carly Koppes

1-24-25

Clerk and Recorder Certificate