

NOTICE OF FILING APPLICATION FOR COLORADO MINED LAND RECLAMATION PERMIT  
FOR CONSTRUCTION MATERIALS LIMITED IMPACT a 10) OPERATION

NOTICE TO THE BOARD OF SUPERVISORS OF THE LOCAL CONSERVATION DISTRICT

Yuma County

DISTRICT

(the "Applicant Operator") has applied for a Construction Materials Limited Impact ( 1 1 0) Reclamation permit the Colorado Mined Land Reclamation Board (the "Board") to conduct the extraction of construction materials in County. The attached information is being provided to notify you of the location and nature of the proposed operation. The entire application is on file with the Division of Reclamation, Mining, and Safety (the "Division") and the local county clerk and recorder.

The applicant, operator, proposes to reclaim the affected land to Pasture use. Pursuant to Section 34-32.5-1] C.R.S., the Board shall confer with the local Conservation Districts before approval of the post-mining land use. Accordingly, the Board would appreciate your comments on the proposed operation. Please note that, in order to preserve your right to a hearing before the Board this application, you must submit written comments on the application within ten ( 1 0) days after the date of the applicant's newspaper publication.

If you would like to discuss the proposed post-mining land use, or any other issue regarding this application, please contact the Division of Reclamation, Mining, and Safety, Shennan Street, Room 215, Denver, Colorado 80203, (303 ) 866-3567.

NOTE TO APPLICANT • ( ) OPERATOR: must attach a copy of the application form to this notice. If this is a notice of a change to a previously filed application you must either attach a copy of the changes, or attach a complete and accurate description of the change.

Received  
5/7/25



Tanya Felt  
Secretary

in Conservation District



# EXHIBIT I

## PROOF OF FILING WITH COUNTY CLERK

I, Sara Vance (Yuma County Clerk & Recorder's Office) received a proposed gravel pit reclamation application, also known as the Newton Pit, on May 7, 2025 (date) for public review pursuant to section 6.3.9 of the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Reclamation of the pit.

Sara Vance (Signature)

Clerk (Title)



# NOTICE

This site is the location of a proposed  
mining operation. Yuma County Road and  
Bridge whose address and phone number  
is 310 Blake Street, Vero, CO 80758,  
970-332-5718 has applied for a  
Reclamation Permit with the Colorado  
Water Land Reclamation Board. Anyone  
wishing to comment on the application  
may view the application at the Yuma  
County Clerk and Recorder's Office 310  
Ark Street, Vero, CO 80758 and should  
do so  
immediately prior to the end of the public  
comment period for the Division of  
Reclamation, Mining and Safety 1313  
Spartan St., Reno, NV 89505. Contact  
Cody@310.5718



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CERTIFICATION

The Applicant, Yuma County (print applicant/company name),

by Tom Andersen (print representative's name), as R&B Supervisor (print representative's title), does hereby certify that Tri-State Generation & Transmission Association Inc. (structure owner) shall

be compensated for any damage from the proposed mining operation (on 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 Newton Pit (operation name),

File Number M-\_\_\_\_-\_\_\_\_.

This form has been approved by the Colorado Mined Land Reclamation Board pursuant to its authority under the Colorado Land Reclamation Act for the Extraction of Construction Materials and the Colorado Mined Land Reclamation Act for Hard Rock, Metal, and Designated Mining Operations. Any alteration or modification to this form shall result in voiding this form.


NOTARY FOR PERMIT APPLICANT

ACKNOWLEDGED BY:

Applicant Yuma County representative Name Tom Andersen  
Date 03/19/2025 Title Road and Bridge Supervisor

STATE OF Colorado )  
 ) ss.  
COUNTY OF Yuma )

The foregoing was acknowledged before me this 19 day of March, 2025, by  
Tom Andersen as Supervisor of Yuma County Road & Bridge

 My Commission Expires: 10/10/2026  
Notary Public

CHRYSTAL  
NOTARY PUBLIC • STATE OF  
COLORADO  
Notary ID #20144039618

M Commission Expires 10/10/2026



The following is an example that you may wish to use for the Notice required for Rule I .6.2( 1)(b).

## NOTICE

This site is the location of a proposed mining operation. (Name of the Applicant-operator) \_\_\_\_\_  
whose address and phone number is (Address and Phone Number of the Applicant/Operator)  
\_\_\_\_\_has applied for a Reclamation Permit with the Colorado Mined Land Reclamation Board.  
Anyone wishing to comment on the application may view the application at the (County Name)  
\_\_\_\_\_ County Clerk and Recorder's Office, (Clerk and Recorder's Office Address)  
\_\_\_\_\_ and should submit comments prior to the end of the public comment period to the  
Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, Colorado 80203.

### Certification:

I, *T. Anderson*, hereby certify that I posted a sign containing the above notice for  
the proposed permit area known as the (Name of Operation) *Newton Pit*,  
(Date Posted) *07/15/2025*.

on

*T. Anderson*  
SIGNATURE

*07/15/2025*  
DATE

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## CERTIFICATION

The Applicant, Yuma County,  
Tom Andersen (print name), as Road and Bridge Supervisor (print name),  
by Newton (structure owner) shall  
representative's representative's title), does  
hereby certify that so 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 \_\_\_\_\_ ion for Newton pit Application  
(operation \_\_\_\_\_ name),

File Number M-

This form has been approved by the Colorado Mined Land Reclamation Board pursuant to its  
authority under the Colorado Land Reclamation Act for the Extraction of Construction Materials and the  
Colorado Mined Land Reclamation Act for Hard Rock, Metal, and Designated Mining Operations. Any  
alteration or modification to this form shall result in voiding this form.

## NOTARY FOR PERMIT APPLICANT

ACKNOWLEDGED BY:

Applicant Yuma County Road and Bridge Representative Name Tom Andersen

Date 03/19/2025 Title Road and bridge Supervisor

STATE OF Colorado )  
) ss.

COUNTY OF Yuma )

The foregoing was acknowledged before me this 19 day of March, 2025, by  
Tom Andersen as Supervisor of Yuma County Road and Bridge

  
Notary Public

My Commission Expires: 3/19/10/10/2026

CHRYSTAL



NOTARY PUBLIC • STATE OF  
COLORADO Notary ID  
commission Expires 10/10/2026



An example Structure Agreement which meets the requirements of the Statutes is shown below.

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## 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 6.3.1 2(a), Rule 6.4.1 9(a), and C.R.S. 34-32.5-1 1 5(4)(e) and with Hard Rock/Metal Mining Rule 6.3.12(a), Rule 6.4.20(a), and C.R. S. 34-32-1 15(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:

Fence surrounding Pasture 1

1. \_\_\_\_\_

2. \_\_\_\_\_

3.

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4.

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5

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(Please list additional structures on a separate page)



NOTARY FOB STRUCTURE OWNER

ACKNOWLEDGED BY: Tri-State Generation and Transm

neratio and Transmission  
Association, Inc.

Structure Owner By: [Signature]

Name H. Steven Gray

2/24/2025

STATE OF COLORADO )

Date Title Senior Manager. Land Rights and  
Permitting

)ss.

COUNTY OF ADAMS

The foregoing was acknowledged before me this day of February, 2025 by H. Steven Gray as Senior  
Manager. Land Rights and Permitting of Tri-State Generation and Transmission Association, Inc.

My Commission Expires: 4-3-2027

Notary Public

JONATHAN CLARK

Notary Public

State of Colorado

Notary ID # 20234012240

My Commission Expires 04-03-  
2027



C

## Exhibit

### MINING PLAN

6.4.4 (a) Access to pit will be from CR T using a new entrance.

A cattle guard will be installed and left after mining is completed. We will begin by removing topsoil and placing it on the south side of the boundary. Soil will be moved with scraper and bulldozer. Soil will be held 25 ft. inside the boundary to leave an area for inspection and maintenance. Topsoil removal will take approximately 2-3 weeks.

(b) Any remaining overburden will be removed by scraper and bulldozer and placed along the west side of our working area. This should be accomplished in about 3 weeks.

(c) Topsoil and overburden will be placed to build a dike around the active mining area. This will create a diversion to create a visual block of the Mining area.  
and to help with reducing noise levels for adjacent landowner.

(d) We will open and excavate in a phase like increments. This will help to lessen the impact on the pasture area and help to lessen the cost to reclamation. The pit will be reclaimed as we go. The landowner will be able to run livestock on the undisturbed portions of the area. Landowner's fence will help to secure our permitted area.





## EXHIBIT C

### MININGPLAN

6.4.4 (e) An approximate timeline will put us in excavation mode in about 8 weeks after permit approval and removal of material in approximately 1 month after that period. This will be a long term mine. Any reclamation will likely take place in 5 to 10 years. The mine will be intermittent and operate less than 180 days per year. Material from this site will be loaded by loader and hauled with trucks to county roads.

(i) Topsoil removal should take 2-3 weeks; overburden removal, another 3 weeks. Material haulage is estimated at 1 to 20 years. Reclamation is estimated to take 2 years or two growing seasons, depending on weather conditions.

(ii) The stages are planned to be in approx.. 10 acre increments.

We will start in the east and work our way west. As each stage is completed, overburden and topsoil will be replaced to begin the re-growth process.

As the east side of the mining operation is completed, mining will move to the west.

(i) The topsoil ranges from 1-2 feet and 3 to 4 ft of overburden.

(ii) Another 10-18 ft. red clay base material then gravel. This material is located on a red clay bottom.



## EXHIBIT C

### MININGPLAN

64.4 (g) Primary and secondary commodities to be extracted will be sandy clay, gravel and clay for road maintenance.

(h) All material will be usable; there will be no incidental products associated with our mining.

(i) A Geotechnical Stability Exhibit will not be needed as no explosives will be used in our mining. No hazardous chemicals will be stored in our permitted acreage nor will any be used to treat the material.



# EXHIBIT

## D

### RECLAMATION PLAN

6.4.5 (1) Mining will be using steeper slopes (i.e., 2:1). The final reclamation plan will be to use overburden to create 3:1 final slopes. Scraper, dozer, and motor graders will be used to establish slopes, smooth the surface, and establish a system of minor terraces to control washing of the topsoil. Topsoil will be replaced at a rate of 3 to 4 inches on all disturbed sites. Seed will be applied using a Grass drill to get a uniform coverage of vegetation. If seed is broadcast, rates will be doubled. Natural Resources Conservation has given us a recommended blend of grass to reseed.

Seeding will be done in the late fall or very early spring. Success will hinge on the amount of moisture available. Winter wheat and or oats will be mixed with our seed blend to get a quicker protective stand. We should have success in 2 to 3 seasons of returning the land to range land. Average pasture rates in this area of the state is 12 acres per animal unit (cow-calf pair).

When topsoil is removed, it will be used as a berm to be visual barrier. The topsoil will be seeded with above seed mixture to keep from blowing and washing and to ensure fertility.



6/9/25, 2:39 PM

Untitled project - Google Earth

ExhibitB NewtöK Pit" M-å0• 024







# EXHIBIT A

## Legal Description

Affected area is 9.5 Acres.

6.4.1 a parcel of land in township 1 north, range 46. In the 6<sup>th</sup> prime meridian. Yuma County Colorado.

All boundaries will be marked with Red painted "T" post.

Posts to be placed as to be seen clearly by operators.

Entrance will be at

40 05'16N W102 29'21W

Elevation is approximately 3,921 Above Sea Level



6/3/25, 12:01 PM

Untitled project - Google Earth

elevati0ff392

<https://earth.google.com/web/search/Eckley.+CO/@40.08965302,-102.49000877,1196.5707956>

.. 1/1



Exhibit A  
Newton Pit

M-2025-024

- 3 -

7. Name of owner of the subsurface rights of affected land: Joc Newton  
Joc Newton

Type of mining operation: ☐ Surface ☐ Underground ☐ In-situ

8. Name of owner of the surface of affected land:

9,

10. Location information: The center of the area where the majority of mining will occur:

COUNTY: Yuma

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

SECTION (write number): S 3

TOWNSHIP (write number and check direction): T 1 ☒ North ☐ South  
South

R 16 ☐ East ☒ West

RANGE (write number and check direction): West ☒ NE ☐ NW ☐ SE ☐ SW

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

QUARTER/QUARTER SECTION (check one):

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

1 mile South of Hwy 34 on county road 1 Elevation 3,926

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

Latitude/Longitude:

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

Latitude (N): 410 min 090 sec 2.31 deg (2 decimal places)  
Longitude 102 min 19 sec 3.52 (W): deg (2 decimal places)

OR

Example: (N) 39.736910  
(W) -104.984490

Latitude (N) 410 .090381 (5 decimal places)

Longitude (W) 102 .192352 (5 decimal places)

OR

Universal Transverse Mercator (UTM)

Example: 201336.3 E NAD27 Zone 13  
4398351.2 N



NAD83

13

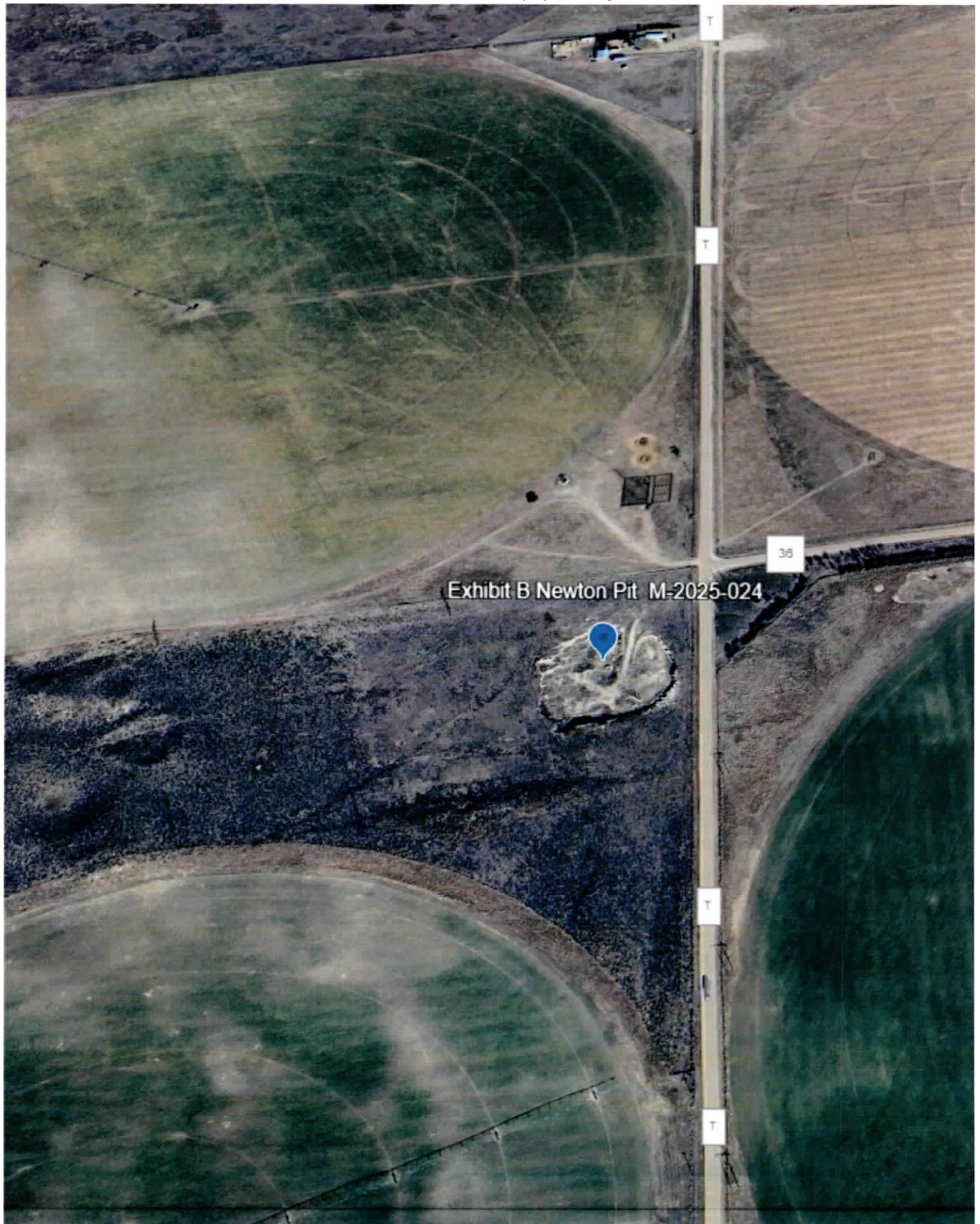
UTM Datum (specify NAD27, NAD83 or WGS 84)

Zone

Easting \_\_\_\_\_

Northing \_\_\_\_\_





..NewtonPlt  
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