

**DIVISION OF RECLAMATION, MINING AND SAFETY**

Department of Natural Resources

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

**RECEIVED**

JUN 25 2025



DIVISION OF RECLAMATION,  
CONSTRUCTION MINING AND SAFETY

**LIMITED IMPACT (110) OPERATION  
RECLAMATION PERMIT APPLICATION PACKAGE**

**APPLICABILITY:**

This application package is for a construction material extraction operation affecting LESS than 10 acres. If you plan to conduct a construction material extraction operation which meets these criteria, please follow the instructions provided in this package, in the Rules and Regulations, and in the Colorado Land Reclamation Act for the Extraction of Construction Materials, as required.

**RECOMMENDATIONS PRIOR TO FILING:**

The Construction Material Rules and Regulations (the Colorado Land Reclamation Act for the Extraction of Construction Materials, Section 34-32.5-101, et seq., C.R.S., and 2 CCR 407-1), and the Colorado Mined Land Reclamation Board (the "Board") regulate the permitting, operational and reclamation requirements for all construction material extraction operations in Colorado. It is your obligation to comply with the Act and Regulations. You are encouraged to obtain and review a copy of the Rules, available for \$8.00 from the Division of Reclamation, Mining, and Safety (the "Office"). In order to submit your application properly, it is recommended that you review the Act and:

- |            |   |
|------------|---|
| Rule 1.1   | Definitions;                                      |
| Rule 1.4   | Application Review and Consideration Process;     |
| Rule 1.6   | Public Notice Procedures;                         |
| Rule 3.1   | Reclamation Performance Standards;                |
| Rule 3.3.1 | Operating without a Permit - Penalty;             |
| Rule 4     | Performance Warranties and Financial Warranties;  |
| Rule 6     | Permit Application Exhibit Requirements;          |
| Rule 6.2   | General Requirements of Exhibits;                 |
| Rule 6.3   | Specific Permit Application Exhibit Requirements; |
| Rule 6.5   | Geotechnical Stability Exhibit (as required).     |

It is recommended that you contact the agencies listed in the application section titled "Compliance With Other Laws" prior to submitting the application to the Office .

# STATE OF COLORADO

**DIVISION OF RECLAMATION, MINING AND SAFETY**  
Department of Natural Resources

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JUN 25 2025

**DIVISION OF RECLAMATION  
MINING AND SAFETY**



**CONSTRUCTION MATERIALS  
LIMITED IMPACT (110) OPERATION  
RECLAMATION PERMIT APPLICATION FORM**

**M-2025-031  
JR2/AME**

**CHECK ONE:** ☐ **There is a File Number Already Assigned to this Operation**  
Permit # M - - - - - (Please reference the file number currently assigned to this operation)  
☒ **New Application (Rule 1.4.5)** ☐ **Amendment Application (Rule 1.10)**  
☐ **Conversion Application (Rule 1.11)**  
Permit # M - - - - - (provide for Amendments and Conversions of existing permits)

The application for a Construction Materials Limited Impact (110) Operation Reclamation Permit contains three major parts: (1) the application form; (2) Exhibits A-J, Exhibit L, Addendum 1, any sections of Exhibit 6.5 and Geotechnical Stability Exhibit, as required by the Office, and outlined in Rules 6.1, 6.2, 6.3, 6.5, and 1.6.2(1)(b); and (3) the application fee. When you submit your application, be sure to include one (1) complete signed and notarized ORIGINAL and one (1) copy of the completed application form, two (2) copies of Exhibits A-J, Exhibit L, Addendum 1, and appropriate sections of 6.5 (Geotechnical Stability Exhibit), as required, and a check for the application fee described under (4) below. Exhibits should **NOT** be bound or in a 3-ring binder; maps should be folded to 8 1/2" X 11" or 8 1/2" X 14" size. To expedite processing, please provide the information in the format and order described in this form.

**GENERAL OPERATION INFORMATION**

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

1. **Applicant/operator or company name (name to be used on permit):** YUMA COUNTY ROAD AND BRIDGE
  - 1.1 Type of organization (corporation, partnership, etc.): \_\_\_\_\_
2. **Operation name (pit, mine or site name):** NEWTON PIT
3. **Permitted acreage (new or existing site):** 9.5 permitted acres
  - 3.1 Change in acreage (+) \_\_\_\_\_ acres
  - 3.2 Total Acreage in Permit Area 9.5 acres
4. **Fees:**
  - 4.1 New Application: \$1258.00 application fee
  - Amendment Fee (C.R.S. 34-32.5-125(II)): \$827.00 application fee
5. **Primary commodity(ies) to be mined:** \_\_\_\_\_
  - 5.1 Incidental commodity(ies) to be mined: 1. 5,000 lbs/Tons/yr 2. / lbs/Tons/yr 3. / lbs/Tons/yr  
4. / lbs/Tons/yr 5. / lbs/Tons/yr
  - 5.2 Anticipated end use of primary commodity(ies) to be mined: ROAD BASE/GRAVEL  
Anticipated end use of incidental commodity(ies) to be mined: ROAD BASE/GRAVEL

11. **Correspondence Information:**

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

Contact's Name: TOM ANDERSEN Title: ROAD AND BRIDGE SUP.  
Company Name: YUMA COUNTY ROAD AND BRIDGE  
Street/P.O. Box: 1310 BLAKE ST. P.O. Box: \_\_\_\_\_  
City: WRAY  
State: colorado Zip Code: 80758  
Telephone Number: ( 970 ) - 332-5718  
Fax Number: ( \_\_\_\_\_ ) - \_\_\_\_\_

**PERMITTING CONTACT** (if different from applicant/operator above)

Contact's Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Company Name: \_\_\_\_\_  
Street/P.O. Box: \_\_\_\_\_ P.O. Box: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Telephone Number: ( \_\_\_\_\_ ) - \_\_\_\_\_  
Fax Number: ( \_\_\_\_\_ ) - \_\_\_\_\_

**INSPECTION CONTACT**

Contact's Name: TOM ANDERSEN Title: ROAD AND BRIDGE SUP.  
Company Name: YUMA COUNTY ROAD AND BRIDGE  
Street/P.O. Box: County 1310 S Blake street wray colorado 80758 P.O. Box: \_\_\_\_\_  
City: WRAY  
State: \_\_\_\_\_ Zip Code: 80758  
Telephone Number: ( 970 ) - 332-5718  
Fax Number: ( \_\_\_\_\_ ) - \_\_\_\_\_

**CC: STATE OR FEDERAL LANDOWNER (if any)**

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

**CC: STATE OR FEDERAL LANDOWNER (if any)**

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

12. **Primary future (Post-mining) land use (check one):**

<input type="checkbox"/> Cropland(CR)	<input checked="" type="checkbox"/> Pastureland(PL)	<input type="checkbox"/> General Agriculture(GA)
<input type="checkbox"/> Rangeland(RL)	<input type="checkbox"/> Forestry(FR)	<input type="checkbox"/> Wildlife Habitat(WL)
<input type="checkbox"/> Residential(RS)	<input type="checkbox"/> Recreation(RC)	<input type="checkbox"/> Industrial/Commercial(IC)
<input type="checkbox"/> Developed Water Resources(WR)		<input type="checkbox"/> Solid Waste Disposal(WD)

13. **Primary present land use (check one):**

<input type="checkbox"/> Cropland(CR)	<input checked="" type="checkbox"/> Pastureland(PL)	<input type="checkbox"/> General Agriculture(GA)
<input type="checkbox"/> Rangeland(RL)	<input type="checkbox"/> Forestry(FR)	<input type="checkbox"/> Wildlife Habitat(WL)
<input type="checkbox"/> Residential(RS)	<input type="checkbox"/> Recreation(RC)	<input type="checkbox"/> Industrial/Commercial(IC)
<input type="checkbox"/> Developed Water Resources (WR)		<input type="checkbox"/> Mining (MN)

14. If this operation will use designated chemicals, or will result, or presently has acid mine drainage - you cannot use this application form. You must submit either a 110d or 112d application form for Designated Mining Operations. In either case, you must list any acidic or toxic-forming materials, exposed or disturbed as a result of the mining operation, and whether the operation will result in or presently has acid mine drainage:

15. **Description of Amendment or Conversion:**

If you are amending or converting an existing operation, provide a brief narrative describing the proposed change(s):

**Maps & Exhibits:**

Submit two (2) complete, unbound copies of the following application exhibits:

- 6.3.1 EXHIBIT A - Legal Description and Location Map
- 6.3.2 EXHIBIT B - Site Description
- 6.3.3 EXHIBIT C - Mining Plan
- 6.3.4 EXHIBIT D - Reclamation Plan
- 6.3.5 EXHIBIT E - Maps, to include the location of any recorded easements
- 6.3.6 EXHIBIT F - List of Other Permits and Licenses Required
- 6.3.7 EXHIBIT G - Source of Legal Right-to-Enter
- 6.3.8 EXHIBIT H - Municipalities Within a Two-mile Radius
- 6.3.9 EXHIBIT I - Proof of Filing with County Clerk
- 6.3.10 EXHIBIT J - Proof of Mailing Notices of Permit Application
- 6.3.12 EXHIBIT L - Permanent Man-Made Structures
- 1.6.2(1)(b) ADDENDUM 1 - Notice Requirements (sample enclosed)
- 6.5 Geotechnical Stability Exhibit (as required)



**NOTARY FOR STRUCTURE OWNER**

ACKNOWLEDGED BY: Tri-State Generation and Transmission Association, Inc.

Structure Owner By: [Signature] Name H. Steven Gray

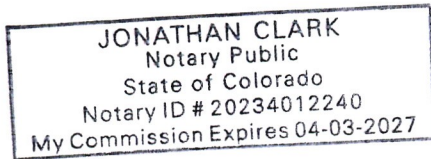
Date 2/24/2025 Title Senior Manager, Land Rights and Permitting

STATE OF COLORADO     )  
  )ss.  
COUNTY OF ADAMS     )

The foregoing was acknowledged before me this 24 day of February, 2025 by H. Steven Gray as Senior Manager, Land Rights and Permitting of Tri-State Generation and Transmission Association, Inc.

[Signature]  
Notary Public

My Commission Expires: 4-3-2027



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

\*\*\*\*\*

### 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. Fence surrounding Pasture \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

(Please list additional structures on a separate page)

force

### CERTIFICATION

The Applicant, Yuma County (print applicant/company name),  
by Tom Andersen (print representative's name), as Road and Bridge Supervisor (print  
representative's title), does hereby certify that Joc Newton (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 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 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 Bridge

Chrystal Hammond  
Notary Public

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





The following is an example that you may wish to use for the Notice required for Rule 1.6.2(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 send comments prior to the end of the public comment period to the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, Colorado 80203.

**Certification:**

I, Tom 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, on (Date Posted) 04/15/2025.

Tom Anderson  
SIGNATURE

04/15/2025  
DATE

mc

**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 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 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

  
Notary Public

My Commission Expires: 10/10/2026





# 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 OF FILING APPLICATION  
FOR COLORADO MINED LAND RECLAMATION PERMIT  
FOR CONSTRUCTION MATERIALS LIMITED IMPACT (110) OPERATION

NOTICE TO THE BOARD OF SUPERVISORS  
OF THE LOCAL CONSERVATION DISTRICT

Yuma County DISTRICT

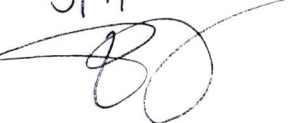
Yuma County (the "Applicant Operator") has applied for a Construction Materials Limited Impact (110) Reclamation permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct the extraction of construction materials in Yuma County. The attached information is being provided to notify 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 34-32.5-116(4)(m), C.R.S., the Board may confer with the local Conservation Districts before approving 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 on this application, you must submit written comments on the application within ten (10) 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, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567.

NOTE TO APPLICANT/OPERATOR: You 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  
Yuma County Conservation District

Legal Right to enter

# YUMA COUNTY ROAD AND BRIDGE

1310 SOUTH BLAKE - WRAY, COLORADO 80758

Mr. Joe Newton  
Mrs  
Land Owner  
Address

Dear : Joe

This letter is to ensure that Yuma County Road and Bridge, who is operating the \_Newton\_ Pit has the legal right to enter upon your land for mining and extraction of minerals for use by Yuma County Road and Bridge for the maintenance and repairs of roadways in the Yuma County area.

As of this time, Yuma County Road and Bridge has a mining permit Number M-\_\_\_\_\_ on file with the State of Colorado to mine at the NE \_\_, S\_\_ Section \_3\_ Township \_\_1\_\_ Range \_\_\_\_46\_\_\_\_.

All vehicles will enter and exit the gravel pit site using the existing access road off of CR \_\_T\_\_ between CR \_36\_ and CR\_35\_\_.

By signing on the land owner signature line below you are granting access to Yuma County Road and Bridge and other entities on above said land for the purpose of extraction of gravel.

We appreciate your time and consideration. If you have any additional questions, please do not hesitate to contact me on my cell @ 970-630-3979.

Sincerely, Tom Andersen, Yuma County Road & Bridge supervisor.

Landowner \_\_\_\_\_

*[Signature]*  
Blue ink only

Subscribed and affirmed before me in the county of Yuma, state of Colorado,  
This 25 day of March 2025

*[Signature]*  
\_\_\_\_\_  
Official signature or Notary Public or other qualified person

3/16/2026  
\_\_\_\_\_  
Commission expiration date

KIMBERLY GAUL  
NOTARY PUBLIC - STATE OF COLORADO  
Notary ID #20224010584  
My Commission Expires 3/16/2026

The following is an example that you may wish to use for the Notice required for Rule 1.6.2(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 send comments prior to the end of the public comment period to the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, Colorado 80203.

### Certification:

I, Te 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, on (Date Posted) 04/15/2025.

Te Anderson  
SIGNATURE

04/15/2025  
DATE





Exhibit B Site Description

M-2025-024



NOTICE OF FILING APPLICATION  
FOR COLORADO MINED LAND RECLAMATION PERMIT  
FOR CONSTRUCTION MATERIALS LIMITED IMPACT (110) OPERATION

NOTICE TO THE BOARD OF SUPERVISORS  
OF THE LOCAL CONSERVATION DISTRICT

Yuma County DISTRICT

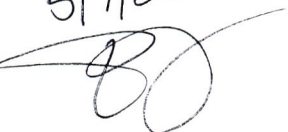
Yuma County (the "Applicant Operator") has applied for a Construction Materials Limited Impact (110) Reclamation permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct the extraction of construction materials in Yuma County. The attached information is being provided to notify 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 34-32.5-116(4)(m), C.R.S., the Board may confer with the local Conservation Districts before approving 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 on this application, you must submit written comments on the application within ten (10) 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, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567.

NOTE TO APPLICANT/OPERATOR: You 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 Fell  
Yuma County Conservation District

## EXHIBIT D

### MINING PLAN

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 10 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.

(f)

(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 D**

### **MINING PLAN**

**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 E**

## **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 re-seed.

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.



Overburden will be placed on the west side, west of the mine.

As each 10 +/- acre plot is mined out, we will begin to replace overburden and topsoil to start the regeneration of plant material. .

The resources of the local Natural Resources Conservation Service will be used for advice on need for soil tests, terracing, and seeding to insure success for our reclamation. Placing 3 to 4 inches of topsoil should give an ample root zone to start grass to growing.

Section 34-32.5-109(3), C.R.S. requires a mining operator to be responsible for assuring that the mining operation and the post-mining land use comply with local land use regulations and any master plan for extraction adopted pursuant to Section 34-1-304, C.R.S.

**COMPLETION OF MINING:**

Upon completion of any phase of reclamation, you should consult Rule 3.1 for reclamation standards and 4.16 for details on how to request a reclamation responsibility release from the Board.

### **APPLICATION REVIEW PROCEDURES:**

The Office shall approve or deny the application within thirty (30) days of filing unless the date for consideration by the Office is extended pursuant to Rule 1.8. The time for consideration shall not be extended beyond thirty (30) days after the last such change submitted. For complex applications, the review period may be extended an additional sixty (60) days. Please see Rule 1.1(10) for the definition of what constitutes a complex application.

### **APPLICATION APPROVAL/DENIAL:**

If the requirements of the Act and Mineral Rules have been satisfied, the Office will approve the application. The Act also provides for automatic approval if no action is taken by the Office by the end of the review period.

If the Act and Regulation requirements have not been satisfied, the Office will deny the application. If the Office denies the application, you may appeal to the Board for a final determination by submitting a written request for administrative appeal to the Board within 60 days of the decision date (Rule 1.4.7).

### **PERFORMANCE AND FINANCIAL WARRANTIES:**

A performance warranty, and a financial warranty dollar amount determined during the application review process, must be submitted and approved by the Office PRIOR to permit issuance. A financial warranty should NOT be submitted until a decision on the application has been made. If the applicant is a unit of state or county government, then ONLY a performance warranty is required.

Several different types of financial warranties are allowed by the law. Please review Rule 4.0 to determine which type of financial warranty you desire to use. You may obtain the appropriate warranty forms from the Office during the application review period.

Please note that an application approval DOES NOT convey a right to begin operations. You MUST submit, and have approval of your performance and financial warranties, and receive your copy of the signed permit document PRIOR to beginning on-site mining activity.

### **AUTOMATIC PERMIT APPROVAL:**

An automatic approval will occur where the Office fails to notify the applicant/operator that the application has been denied. This decision must be made thirty (30) calendar days from the date the application was determined to have been filed. However, the performance and financial warranties must be submitted and approved by the Office before the permit will be issued even if you receive an automatic approval. NO MINING OPERATIONS SHALL BEGIN UNTIL A PERMIT IS ISSUED (Section 34-32.5-109(1), C.R.S.).

### **COMPLIANCE WITH OTHER LAWS:**

Compliance with the Act and Rules and Regulations of the Mined Land Reclamation Board DOES NOT relieve you of your responsibility to comply with all other applicable state and federal laws. We recommend that you contact the following agencies to determine whether you need to comply with their legal requirements:

- The Colorado State Historical Preservation Office regarding properties of historical significance including the need for an archeological survey, procedures for requesting a file search, and inventory forms to identify structures.
- Colorado Division of Water Resources with regard to water rights;
- Colorado Department of Health, Water Quality Control Division, with regard to the discharge of pollutants into the State waters;
- Colorado Department of Health, Air Pollution Control Division, with regard to the need for a fugitive dust permit;
- U.S. Bureau of Land Management or the U.S. Forest Service if the proposed operation will occur on federal lands;
- U. S. Army Corps of Engineers regarding a dredge and fill (404) permit; and
- The County Planning Department for the county or counties in which your proposed operation is located.



### **FILING REQUIREMENTS:**

In order to apply for a Reclamation Permit for a Limited Impact Operation, please provide:

- \_\_\_\_\_ ° One (1) signed and notarized completed **ORIGINAL** and one (1) copy of the completed original Limited Impact Operation (110) Application Form. **ORIGINAL SIGNATURES MUST BE IN BLUE INK.**
- \_\_\_\_\_ ° Two (2) copies of Exhibits A-J and Exhibit L (required sections described in Rule 6).
- \_\_\_\_\_ ° Two (2) copies of Addendum 1 - Notice requirements (described in Rule 1.6.2(1)(b)). A sample of this notice is attached for your use.
- \_\_\_\_\_ ° The Geotechnical Stability Exhibit when required by the Division.
- \_\_\_\_\_ ° The application fee.

The thirty (30) day period for review of the application and exhibits will **NOT** begin until all required information and fee are submitted. The Office will then review the submitted information for adequacy.

### **NOTICE REQUIREMENTS:**

- \_\_\_\_\_ 1. You **MUST** send a notice, on a form approved by the Board, to the local board of county commissioners. A copy of this "Notice of Filing Application" form is attached for your use.
- \_\_\_\_\_ 2. If the mining operation is within the boundaries of a conservation district, send a notice to the board of supervisors of the conservation district, **PRIOR** to filing the application. A copy of this "Notice of Filing Application" form is attached for your use.
- \_\_\_\_\_ 3. You **MUST** include proof of notice #1 and #2 above with the application at the time the application is submitted to the Office for filing (Rule 1.6.2(1)(g)).
- \_\_\_\_\_ 4. **PRIOR** to filing the application, place for public review a copy of the application, less confidential items, with the clerk or recorder of the county or counties in which the affected land is located.
- \_\_\_\_\_ 5. You **MUST** include an affidavit or receipt demonstrating that the application was filed with the county clerk or recorder at the time the application is submitted to the Office for filing.
- \_\_\_\_\_ 6. Any changes or additions made to an application submittal **MUST** be filed with the county clerk or recorder. You **MUST** also provide the Office with an affidavit or receipt demonstrating that the change was filed with the county clerk or recorder no later than the close of business on the day the change was filed with the Office (Rule 1.8.1(2)).
- \_\_\_\_\_ 7. Within ten (10) days after your application is considered filed, you must publish once in a newspaper of general circulation, in the locality of the proposed mining operation, the notice described in Rule 1.6.2(1)(d). A copy of a form which includes all required information for the notice has been attached for your use.
- \_\_\_\_\_ 8. In addition, after the publication you must mail or personally serve a copy of the notice described in Rule 1.6.2(1)(d) to all owners of record of surface rights to the affected land and all owners of lands that are within 200 feet of the boundary of the affected land (Rule 1.6.2(1)(e)).
- \_\_\_\_\_ 9. **Prior** to the Office making a decision (consideration of the application), you **MUST** submit a copy of the proof of publication from the newspaper and proof of all required notices. Proof of the notices may be by submitting copies of return receipts of a certified mailing or by proof of personal service (Rules 1.4.1(4), 1.4.2(4)(c), 1.6.2(1)(a)(ii), and 1.6.2(1)(g)).

The copy of the application and any changes or additions placed at the office of the county clerk or recorder shall **NOT** be recorded, but shall be retained there for at least sixty (60) days after a decision on the application by the Office and be available for inspection during this period. At the end of this period, the application may be reclaimed by the applicant or destroyed (Rule 1.6.2(2)).



## Pawnee Buttes Seed Inc.

P.O. Box 100, 605 25th Street  
Greeley, CO 80632  
970-356-7002, 1-800-782-5947, 970-356-7263 fax  
Email: [info@PawneeButtesSeed.com](mailto:info@PawneeButtesSeed.com)  
[www.PawneeButtesSeed.com](http://www.PawneeButtesSeed.com)

### \*\*\* SEED QUOTE \*\*\*

Customer: Yuma Co Road & Bridge  
Contact: Don Marr  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_

Date: April 18, 2019  
Phone: 970-630-7.33  
Fax: \_\_\_\_\_

Acres: 47 Job Name: Yuma Co Rd & Bridge

Seeding Rate/Acre:

Common Name	PLS Lbs							
Big Bluestem	2.2							
Green Needlegrass	1							
Little Bluestem	0.7							
Sideoats Grama	0.9							
Yellow Indian	1							
Western Wheatgrass	3.2							
Blue Grama	0.3							
Purple Prairie Clover	0.15							
Blanketflower	0.22							
Western Yarrow	0.02							
Prairie Coneflower	0.03							
Blue Flax	0.09							
Blk Eyed Susan	0.03							
Ann Sunflower	0.44							
Max Sunflower	0.15							

Totals 0.00

10.43

PLS Lbs = 490.21  
Bid Price is = \$11.00  
Total Mix Price= \$5,392.31

/PLS Lb

Sales Staff: Dave Rady



# NOTICE

This site is the location of a proposed mining operation. Yuma County Road and Bridge whose address and phone number is 1310 Blake Street, Wray, CO 80758, (970)332-5718 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 Yuma County Clerk and Recorder's Office, 310 Ash Street, Wray, CO 80758, and should send

comments prior to the end of the public comment period to the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, Colorado 80203.



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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.

Stages of reclamation.

The stages of opening of the Newton pit is as numbered above.

After stages 1-2 are opened reclamation will start

Top soil piles will be seeded with approved seed mixture to ensure top soil will stay viable

Pit road and cattleguard are to be left after reclamation for landowners use.





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 Greeley, CO 80632  
 970-356-7002, 1-800-782-5947, 970-356-7263 fax  
 Email: info@PawneeButtesSeed.com  
 www.PawneeButtesSeed.com

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 Contact: Don Marr  
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Totals 0.00 10.43

PLS Lbs = 490.21  
 Bid Price is = \$11.00 /PLS Lb  
 Total Mix Price= \$5,392.31

Sales Staff: Dave Rady

# **EXHIBIT E**

## **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 re-seed.

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.