

# STATE OF COLORADO

## DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

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



### CONSTRUCTION MATERIALS REGULAR (112) OPERATION RECLAMATION PERMIT APPLICATION FORM

**CHECK ONE:** \_\_\_\_\_ **There is a File Number Already Assigned to this Operation**

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

\_\_\_\_\_ **New Application** (Rule 1.4.5)

\_\_\_\_\_ **Amendment Application** (Rule 1.10)

\_\_\_\_\_ **Conversion Application** (Rule 1.11)

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

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

#### GENERAL OPERATION INFORMATION

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

1. **Applicant/operator or company name (name to be used on permit):** \_\_\_\_\_

1.1 Type of organization (corporation, partnership, etc.): \_\_\_\_\_

2. **Operation name (pit, mine or site name):** \_\_\_\_\_

3. **Permitted acreage (new or existing site):** \_\_\_\_\_ permitted acres

3.1 Change in acreage (+) \_\_\_\_\_ acres

3.2 Total acreage in Permit area \_\_\_\_\_ acres

4. **Fees:**

4.1 New Application \$2,696.00 application fee

4.2 New Quarry Application \$3,342.00 quarry application

4.4 Amendment Fee \$2,229.00 amendment fee

4.5 Conversion to 112 operation (set by statute) \$2,696.00 conversion fee

5. **Primary commoditie(s) to be mined:** \_\_\_\_\_

5.1 Incidental commoditie(s) to be mined: 1. \_\_\_\_\_ 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 commoditie(s) to be mined: \_\_\_\_\_

5.3 Anticipated end use of incidental commoditie(s) to be mined: \_\_\_\_\_

6. **Name of owner of subsurface rights of affected land:** \_\_\_\_\_

If 2 or more owners, "refer to Exhibit O".

7. **Name of owner of surface of affected land:** \_\_\_\_\_

8. **Type of mining operation:** \_\_\_\_\_ Surface \_\_\_\_\_ Underground

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

COUNTY: \_\_\_\_\_

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

SECTION (write number): \_\_\_\_\_ S \_\_\_\_\_

TOWNSHIP (write number and check direction): T \_\_\_\_\_ North \_\_\_\_\_ South

RANGE (write number and check direction): R \_\_\_\_\_ East \_\_\_\_\_ West

QUARTER SECTION (check one): \_\_\_\_\_ NE \_\_\_\_\_ NW \_\_\_\_\_ SE \_\_\_\_\_ SW

QUARTER/QUARTER SECTION (check one): \_\_\_\_\_ NE \_\_\_\_\_ NW \_\_\_\_\_ SE \_\_\_\_\_ SW

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

\_\_\_\_\_

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

Latitude/Longitude:

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

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

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

OR

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

Latitude (N) \_\_\_\_\_.\_\_\_\_\_ (5 decimal places)

Longitude(W) \_\_\_\_\_.\_\_\_\_\_ (5 decimal places)

OR

Universal Tranverse Mercator (UTM)

Example: 201336.3 E NAD27 Zone 13  
4398351.2 N

UTM Datum (specify NAD27, NAD83 or WGS 84) \_\_\_\_\_ Zone \_\_\_\_\_

Easting \_\_\_\_\_

Northing \_\_\_\_\_

11. **Correspondence Information:**

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

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

14. **Method of Mining:** Briefly explain mining method (e.g. truck/shovel): \_\_\_\_\_

\_\_\_\_\_

15. **On Site Processing:** ☐ Crushing/Screening

13.1 Briefly explain mining method (e.g. truck/shovel): \_\_\_\_\_

\_\_\_\_\_

List any designated chemicals or acid-producing materials to be used or stored within permit area: \_\_\_\_\_

\_\_\_\_\_

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

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**Maps and Exhibits:**

Two (2) complete, unbound application packages must be submitted. One complete application package consists of a signed application form and the set of maps and exhibits referenced below as Exhibits A-S, Addendum 1, and the Geotechnical Stability Exhibit. Each exhibit within the application must be presented as a separate section. Begin each exhibit on a new page. Pages should be numbered consecutively for ease of reference. If separate documents are used as appendices, please reference these by name in the exhibit.

With each of the two (2) signed application forms, you must submit a corresponding set of the maps and exhibits as described in the following references to Rule 6.4, 6.5, and 1.6.2(1)(b):

EXHIBIT A	Legal Description
EXHIBIT B	Index Map
EXHIBIT C	Pre-Mining and Mining Plan Map(s) of Affected Lands
EXHIBIT D	Mining Plan
EXHIBIT E	Reclamation Plan
EXHIBIT F	Reclamation Plan Map
EXHIBIT G	Water Information
EXHIBIT H	Wildlife Information
EXHIBIT I	Soils Information
EXHIBIT J	Vegetation Information
EXHIBIT K	Climate Information
EXHIBIT L	Reclamation Costs
EXHIBIT M	Other Permits and Licenses
EXHIBIT N	Source of Legal Right-To-Enter
EXHIBIT O	Owners of Record of Affected Land (Surface Area) and Owners of Substance to be Mined
EXHIBIT P	Municipalities Within Two Miles
EXHIBIT Q	Proof of Mailing of Notices to County Commissioners and Conservation District
EXHIBIT R	Proof of Filing with County Clerk or Recorder
EXHIBIT S	Permanent Man-Made Structures
Rule 1.6.2(1)(b)	ADDENDUM 1 - Notice Requirements (sample enclosed)
Rule 6.5	Geotechnical Stability Exhibit (any required sections)

The instructions for preparing Exhibits A-S, Addendum 1, and Geotechnical Stability Exhibit are specified under Rule 6.4 and 6.5 and Rule 1.6.2(1)(b) of the Rules and Regulations. If you have any questions on preparing the Exhibits or content of the information required, or would like to schedule a pre-application meeting you may contact the Office at 303-866-3567.

**Responsibilities as a Permittee:**

Upon application approval and permit issuance, this application becomes a legally binding document. Therefore, there are a number of important requirements which you, as a permittee, should fully understand. These requirements are listed below. Please read and initial each requirement, in the space provided, to acknowledge that you understand your obligations. If you do not understand these obligations then please contact this Office for a full explanation.



1. Your obligation to reclaim the site is not limited to the amount of the financial warranty. You assume legal liability for all reasonable expenses which the Board or the Office may incur to reclaim the affected lands associated with your mining operation in the event your permit is revoked and financial warranty is forfeited;

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

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

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

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

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

a. the name of the operator;

b. a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and,

c. the permit number.

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

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

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

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

**NOTE TO COMMENTORS/OBJECTORS:**

It is likely there will be additions, changes, and deletions to this document prior to final decision by the Office. Therefore, if you have any comments or concerns you must contact the applicant or the Office prior to the decision date so that you will know what changes may have been made to the application document.

The Office is not allowed to consider comments, unless they are written, and received prior to the end of the public comment period. You should contact the applicant for the final date of the public comment period.

If you have questions about the Mined Land Reclamation Board and Office's review and decision or appeals process, you may contact the Office at (303) 866-3567.

**Certification:**

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

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

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

Signed and dated this 8<sup>th</sup> day of July, 2025.

Las Animas County  
Applicant/Operator or Company Name

If Corporation Attest (Seal)

Signed: Phil Dorenkamp

Signed: \_\_\_\_\_

Corporate Secretary or Equivalent

Title: Administrator

Town/City/County Clerk

State of Colorado )

) ss.

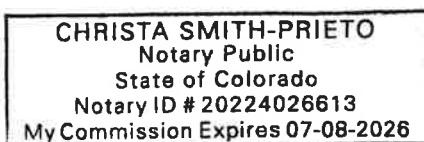
County of Las Animas )

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of July, 2025, by Phil Dorenkamp as Administrator of Las Animas County

Christa Smith-Prieto  
Notary Public

Notary Public

My Commission expires: 07/08/2026



**SIGNATURES MUST BE IN BLUE INK**

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

proposed mining operation. The following is a sample of the Notice required for Rule 1.6.2(1)(b) that you may wish to use.

### **NOTICE**

This site is the location of a proposed construction materials operation. (Name of the Applicant/Operator) Las Animas County, whose address and phone number is (Address and Phone Number of the Applicant/Operator) 200 East 1st Street Trinidad, CO. 81082 719 845 2562, 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) Las Animas County Clerk and Recorder's Office, (Clerk and Recorder's Office Address) 200 East 1st Street Trinidad, CO 81080, 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, Phil Dorenkamp, hereby certify that I posted a sign containing the above notice for the proposed permit area known as the (Name of Operation) Jolly Pit, on (Date Posted) July 8, 2025.

  
SIGNATURE

  
DATE

**6.4.1 EXHIBIT A – Legal Description and Location Map (2025 amendment, adjustments noted)**

1.
  - a. a tract of land located in part of the SE ¼ of Sec 3, T30S, R64W and the NE ¼ of Sec 10, T30S, R64W of the 6<sup>th</sup> P.M., County of Las Animas, State of Colorado
  - b. main entrance location UTM NAD 1983 Zone 13N ~~539953e, 4145542n~~ **539945e, 4145552n**
  - c. UTM NAD 1983 Zone 13N boundary location as follows  
From the point of beginning located at ~~539953e, 4145542n~~ **539945e, 4145552n**  
To a point located at ~~539985e 4145541n~~ **539999e 4145560n**  
To a point located at ~~540024e 4145533n~~ **540036e 4145552n**  
To a point located at ~~540069e 4145533n~~ **540071e 4145537n**  
To a point located at 540133e 4145534n  
To a point located at 540163e 4145526n  
To a point located at 540203e 4145526n  
To a point located at 540250e 4145560n  
To a point located at 540263e 4145555n  
To a point located at 540228e 4145493n  
To a point located at 540230e 4145462n  
To a point located at 540217e 4145393n  
To a point located at 540162e 4145405n  
To a point located at 540119e 4145414n  
To a point located at 540080e 4145404n  
To a point located at 540023e 4145386n  
To a point located at 540004e 4145356n  
To a point located at 539994e 4145297n  
To a point located at 539982e 4145294n  
To a point located at 539974e 4145373n  
To a point located at 539929e 4145382n  
To a point located at 539858e 4145354n  
To a point located at 539819e 4145334n  
To a point located at 539811e 4145344n  
To a point located at 539865e 4145380n  
To a point located at 539910e 4145415n  
~~To a point located at 539930e 4145521n~~  
To a point located at 539914e 4145470n  
To a point located at 539930e 4145521n **(realigned sequence)**  
  
To the point of beginning  
Containing 12 acres more or less
2. main entrance to mine site is UTM NAD 1983 Zone 13N ~~539953e, 4145542n~~ **539945e, 4145552n**; main entrance and nearest County Road intersection is **535727e, 4144085n**

**6.4.2 EXHIBIT B – Index Map (same as original submission)**

See Display B – Index Map

**6.4.3 EXHIBIT C – Pre-mining and Mining Plan Map(s) of Affected Lands (same as original submission with the exception of map ‘Display C-d’ affected land)**

There will be periods that this pit will be idle since Las Animas County’s processing equipment is used/moved throughout the County to various pits dependent upon the County road segments that need base material, but the pit will remain active during these idle periods

- a. all adjoining surface owners of record; see included map Display C-a
- b. name location of all creeks, roads etc; there are none of the listed features on the area of affected land and within two hundred (200) feet of all boundaries
- c. the existing topography etc.; see included map Display C-c
- d. total affected area; the entire area inside the pit boundary is potentially affected land, see included map Display C-d affected land (**included map shows amended and original boundary**) and Display C-e mining plan map
- e. type of vegetation; see existing information regarding vegetation Exhibit E information from the Division of Wildlife
- f. water information; this operation is not expected to directly affect surface or groundwater systems
- g. owner of structures and types; there are no structures within the area of affected land and within 200 feet
- h. soils information; see Exhibit F information regarding soils from the Natural Resource Conservation Service
- i. aerial photos; see included aerial photo Display C-i

**6.4.4 EXHIBIT D – Mining Plan (same as original submission)**

- a. method of mining – A dozer, loader and/or trucks will be used to push, load and haul topsoil to the topsoil stockpile. Depth of the topsoil ranges from 1-12 inches. 1-12 inches of topsoil will be removed and segregated. This stockpile will be kept safe from damage and contamination from mining activities by isolating it away from these activities. After the topsoil is relocated, the dozer and loader will commence to excavate material (pit run). The loader will dump the pit run into the hopper that feeds the crusher or screen, dumping onto the flat belt(s) that dump(s) into trucks or onto a stacking conveyor that dumps the processed material on to the processed material stockpile.
- b. Earthmoving – earth moving will commence at the northwest portion of this pit moving south and east.
- c. Water diversions & impoundments – water diversions and impoundments will be constructed only to prevent storm water runoff. The size of the diversion/berm will be approximately 1- 1 ½ feet in height, a typical motor grader moldboard’s height. The location of the diversion/berm will be approximately 10 feet inside the permit boundary where existing slopes allow, further inside if necessary. No large impoundments will be utilized. Captured water will be allowed to evaporate naturally.
- d. Size of area to be worked at any one time – app. 10 acres
- e. App. time table describing the mining operation – if everything goes as planned, we’ll commence earthmoving if the summer of 2012 followed shortly thereafter



with material processing. We'll reclaim excavated sites when practical as excavation to adjoining areas occurs using these materials to reclaim previously excavated areas.

- i. Estimated time for each stage – the entire excavation of the site should take app. 10 years. There will be periods when this pit is idle but still active. Reclamation should be completed within 1 ½ years once mining activities cease.
  - ii. Description of size and location – we're anticipating the size to be app. 10 acres being worked at any one time. The location will vary as deposits are exhausted.
  - iii. Sequence of each stage – we're anticipating starting at the northwest portion of the site, mining toward the south and east.
- f.
- i. Nature, depth and thickness of product to be mined and overburden – nature of the product is rock to be processed into road base, depth varies from app. 6" to app. 5', thickness varies from app. 5 to app. 25 feet. The type of overburden to be removed is a rock and dirt mix since the rock deposits are just below the surface.
  - ii. Nature of the stratum immediately beneath – nature of stratum immediately beneath the material to be mined appears to be sandstone
- g. Name and describe all incidental products – no incidental products are expected
- h. Explosive will not be used in conjunction with this mining

#### **6.4.5 EXHIBIT E – Reclamation Plan (same as original submission)**

- 1. see below
- 2.
  - a. type of reclamation – the reclamation will be to reapply stockpiled topsoil once excavation has ceased in a given area and disturbed/affected slopes are constructed to no steeper than 3:1, it was chosen since the pit will generate this soil, the amount of acreage is the entire pit, reclamation of excavation sites may take place as adjacent or near adjacent earth excavation occurs, using these newly excavated materials to reclaim the previously mined areas
  - b. the pit will be reclaimed to a rangeland use, the same as the other land uses in the vicinity
  - c. the reclamation plan will be implemented
    - i. 3.1.1 post mining use – rangeland
    - ii. 3.1.2 not applicable
    - iii. 3.1.3 see section 6.4.4
    - iv. 3.1.4 no public use
    - v. 3.1.5
      - 1. as the perimeter of the pit is excavated, a slope no steeper than 3:1 will be maintained. If not, waste material will be placed at a 3:1 slope as part of the reclamation process.
      - 2. where backfilling is used, compaction will be accomplished by the equipment placing the backfilling



3. grading will be done such that no slope will be steeper than a 3:1 throughout the pit
  4. see section 6.4.4
  5. no refuse and acid forming or toxic should be mined
  6. no drill or auger holes should be used
  7. finished slopes will be no steeper than 3:1 except in areas where no mining activities will take place (existing natural slopes)
  8. final reclamation is rangeland
  9. no structural materials are anticipated to be used for backfill
  10. all disposal material will be handled with equipment that will ensure no pollution releases into the drainage system
  11. no release of pollutants is anticipated from materials
- vi. 3.1.6
1. see section 6.4.4
  2. see section 6.4.4
  3. affected areas, spoil piles etc shall be stabilized by best management practices that include but may not be limited to compacting and reseeding the piles and affected areas, sloping excavation areas toward the center of such areas to mitigate storm water runoff, seeding will be done as per Exhibit G, NRCS's recommendation except that hand broadcasting of seed will be utilized on the stockpiles since these piles' slopes may be too dangerous to safely and effectively use mechanical means.
- vii. 3.1.7
1. this operation is not expected to directly affect groundwater quality
- viii. 3.1.8
1. Las Animas County will adhere to the suggestions written in Exhibit E a letter from the Colorado Division of Wildlife
  2. habitat management and creation is not part of the reclamation plan
- ix. 3.1.9
1. This item will be complied with and when necessary, topsoil stockpiles will be seeded in accordance with Exhibit G NRCS seeding plan
  2. 2,3,4,5,6,7,8 will be followed as needed
- x. 3.1.10
1. 1,2,3,4,5,6,7,8,9 will be followed as needed with revegetation done in accordance with Exhibit G NRCS seeding plan. The preferred species and rates of seeding and planting will be those listed in Exhibit G. Method will be by tractor and drill where safely possible and by hand otherwise. Site preparation will include placing of topsoil from the stockpile evenly over the affected area. Reseeding will be done in the fall following the placement of the topsoil

- xi. 3.1.11
  - 1. There are no buildings or structures at this site
- xii. 3.1.12 signs and markers will be posted as required
- d. see Exhibit G NRCS seeding plan and section 6.4.4
- e. see section 6.4.4
- f.
  - i. final grading – finished slopes will be no steeper than 3:1
  - ii. seeding – see Exhibit G NRCS information
  - iii. fertilization – no fertilization will be used
  - iv. revegetation – none will be done except seeding as described in Exhibit G information from the NRCS
  - v. topsoiling – depth range should be between 1” to 12”

**6.4.6 EXHIBIT F – Reclamation Plan Map (same as original submission)**

- a. see maps Display C-c (topo map). To establish contours prior to excavation isn't feasible at this site since the deepest the excavation will extend to is app 5'-25'. All finished slopes will be no steeper than 3:1
- b. final land use is rangeland

**6.4.7 EXHIBIT G – Water Information (same as original submission)**

- 1. this operation is not expected to directly affect surface or groundwater systems

**6.4.8 EXHIBIT H – Wildlife information (same as original submission)**

- 1. for a., b., c., and d see Exhibit E information from the CDOW

**6.4.9 EXHIBIT I – Soils Information (same as original submission)**

- 1. see Exhibit F information from the NRCS

**6.4.10 EXHIBIT J – Vegetation Information (same as original submission)**

- 1. see Exhibit E CDOW information
- 2. see Exhibit E CDOW information

**6.4.11 EXHIBIT K – Climate (same as original submission)**

- 1. see Exhibit H climate information for Las Animas County

**6.4.12 EXHIBIT L – Reclamation Costs (same as original submission)**

- 1. 1 & 2 unit of county government;

**6.4.13 EXHIBIT M – Other permits and Licenses (same as original submission)**

- 1. Stormwater Permit from the Colorado Dept of Health for Sand & Gravel Mining operations
- 2. Las Animas County special use permit

**6.4.14 EXHIBIT N – Source of Legal Right to Enter (same as original submission)**

- 1. See CONTRACT FOR REMOVAL OF GRAVEL

**6.4.15 EXHIBIT O – Owner(s) of Record of Affected Land (Surface Area) and Owners of Substance to be Mined (same as original submission)**

1. See map Display C-a owners of record

**6.4.16 EXHIBIT P – Municipalities Within Two Miles (same as original submission)**

1. there are no municipalities within two miles of the proposed pit

**6.4.17 EXHIBIT Q – Proof of Mailing of Notices to Board of County Commissioners and Soil Conservation District**

1. see Exhibits I & J copies of signed delivery notices

**6.4.18 EXHIBIT R – Proof of Filing with County Clerk and Recorder**

1. see Exhibit K copy of signed delivery notice

**6.4.19 EXHIBIT S – Permanent Man-Made Structures (same as original submission)**

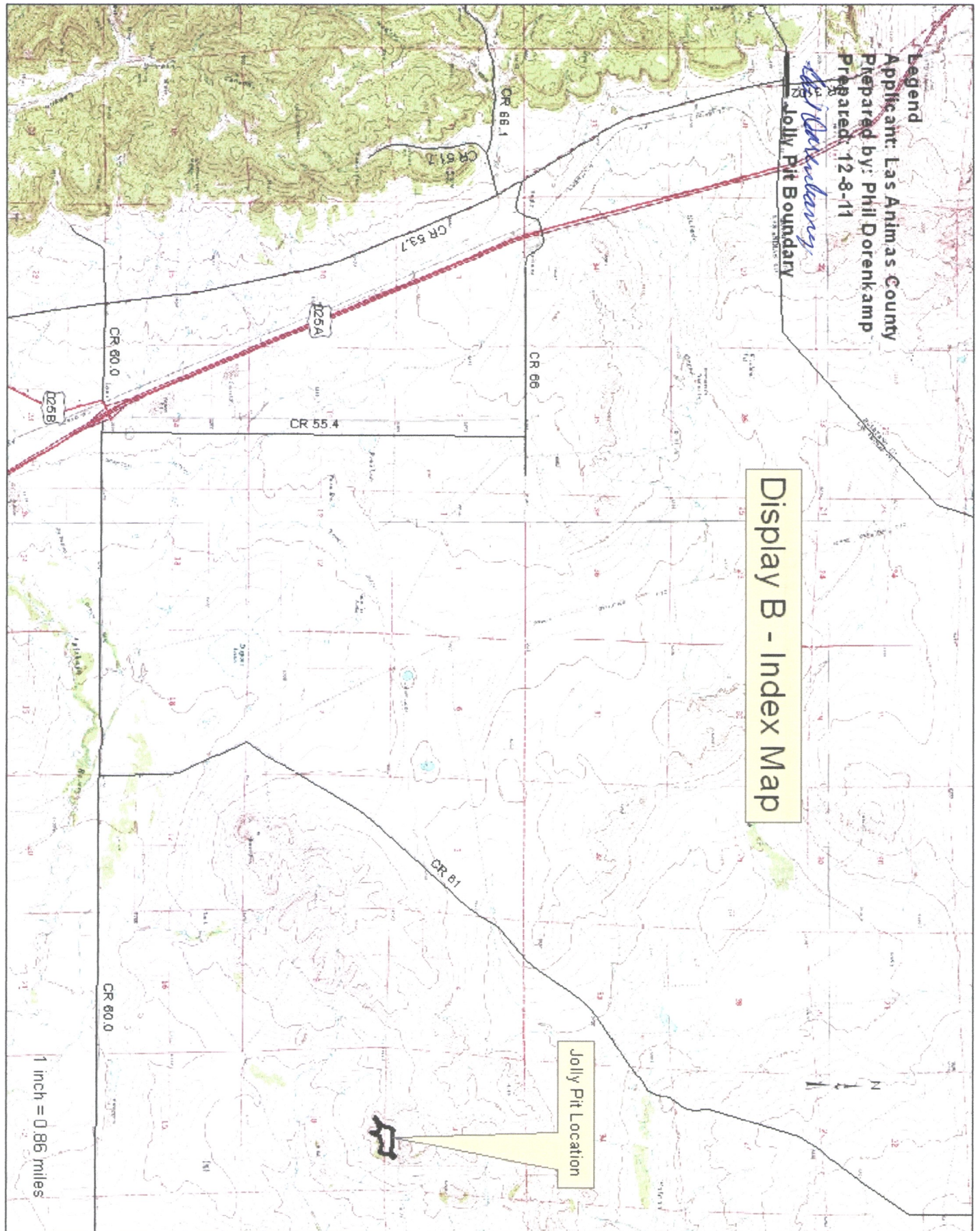
- a. there are no manmade structures within 200’ of the affected land

**Rule 1.6.2(1)(b) ADDENDUM 1 – Notice Requirements**

1. See NOTICE : a picture of the notice at the location

**Rule 6.5 Geotechnical Stability Exhibit (same as original submission)**

1. One will be provided if required





**Legend**

Applicant: Las Animas County

Prepared by: Phil Dorenkamp

Prepared: 12-8-11

*Phil Dorenkamp*

— Jolly Pit Boundary

□ Sec Lines

## Display C-a owners of record

N  
1  
2  
3  
4

T305 R64W  
Sec 3

Owner: Jolly Family Trust

SESW: Owner  
Smith, Joan Marie &  
Celesta Hodges  
9824 S Merimbula St.  
Highlands Ranch  
CO 80130-0000

Owner: Jolly Family Trust

Owner: Jolly Family Trust

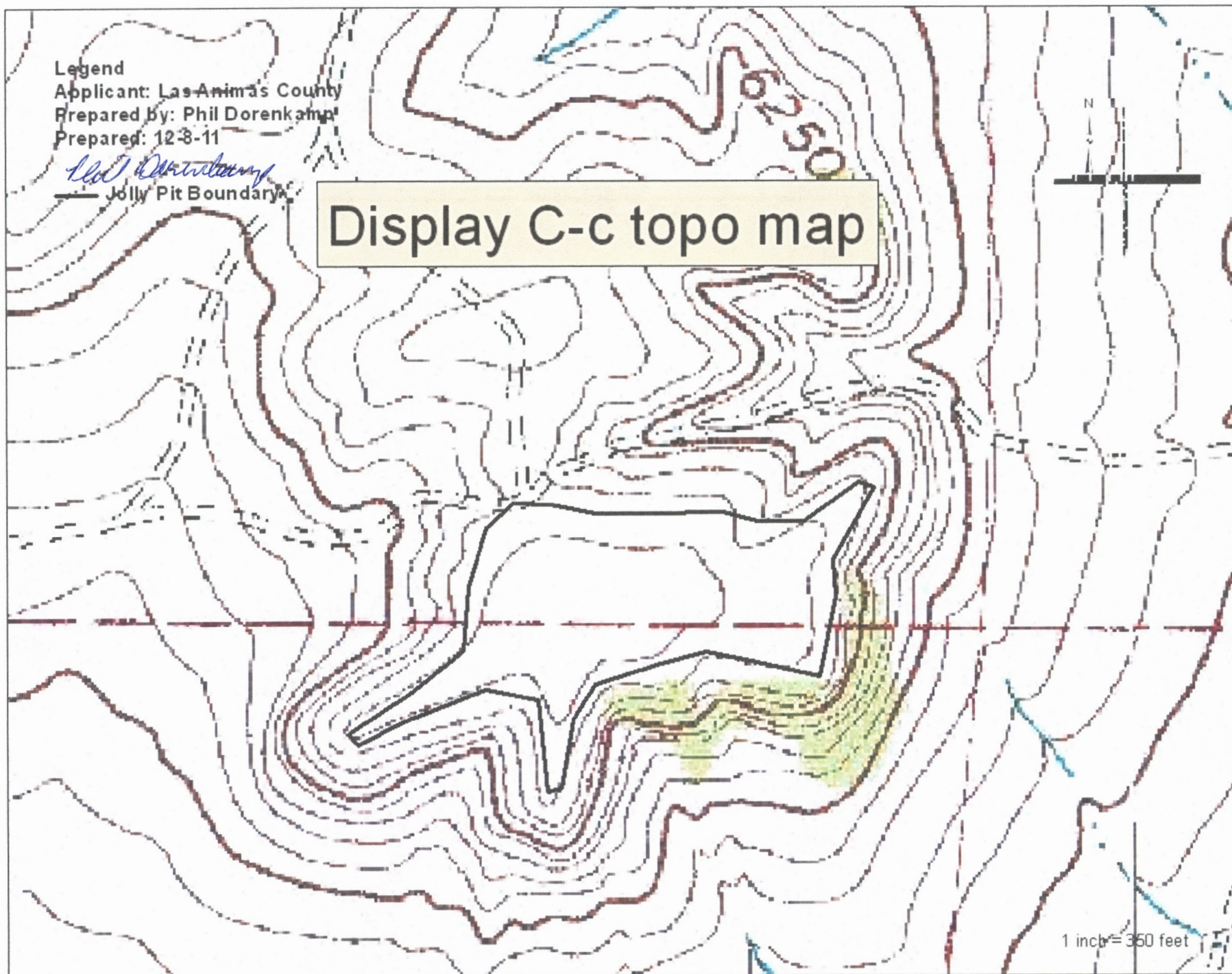
P O Box 561  
Aguilar, CO  
81020-0000

T305 R64W  
Sec 10

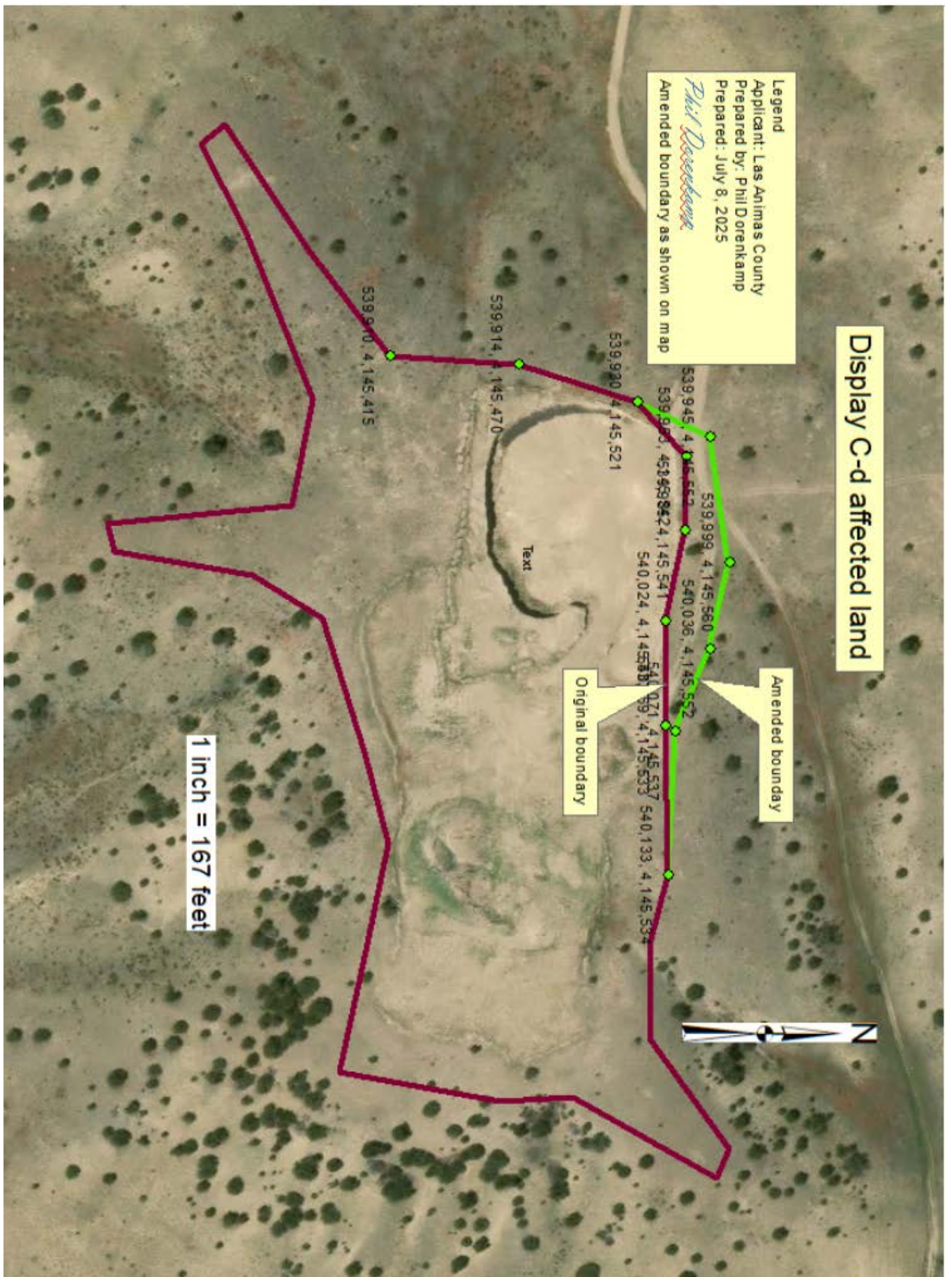
Owner: Jolly Family Trust



1 inch = 350 feet







**Legend**

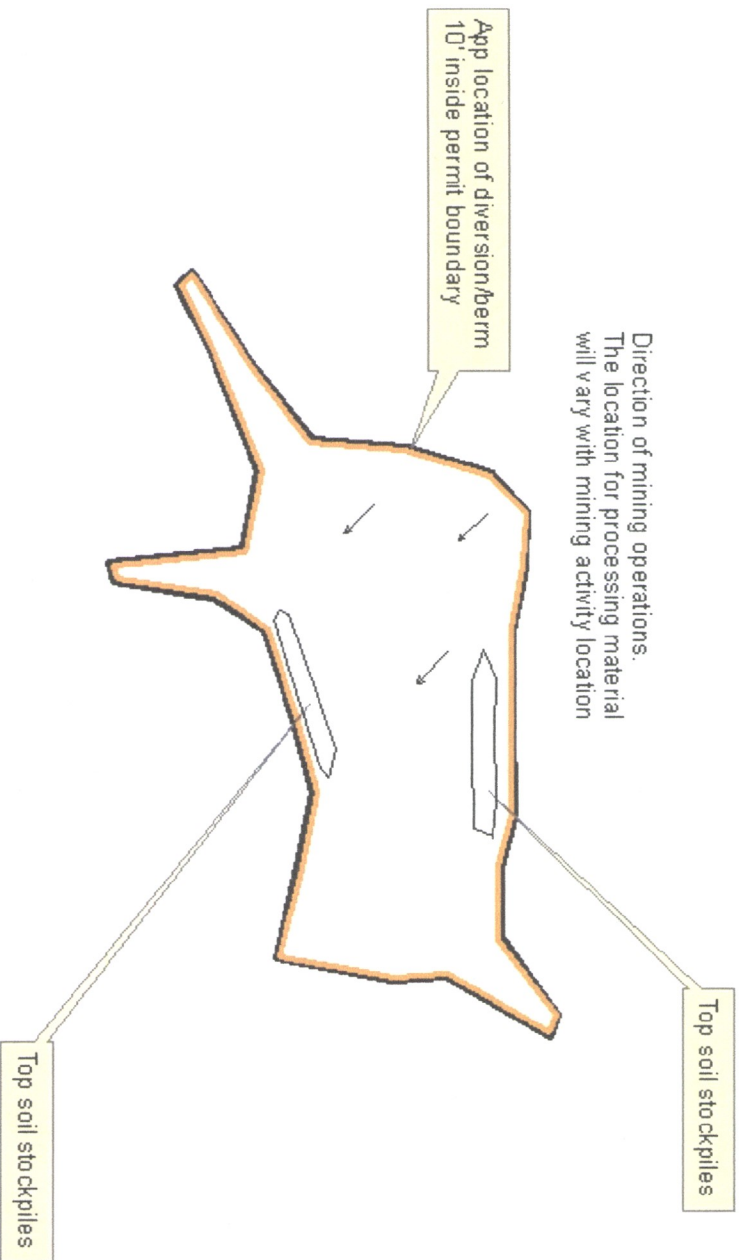
Applicant: Las Animas County

Prepared by: Phil Dorenkamp

Prepared: 12-8-11

*Phil Dorenkamp*  
Jolly Pit Boundary

**Display C-e mining plan map**



1 inch = 350 feet



Legend

Applicant: Las Animas County

Prepared by: Phil Dorenkamp

Prepared: 12-8-11

*Phil Dorenkamp*  
Jolly Pit Boundary

Display C-i aerial photo

N

1 inch = 350 feet



# Exhibit E pg 1

STATE OF COLORADO

John W. Hickenlooper, Governor  
DEPARTMENT OF NATURAL RESOURCES  
**DIVISION OF WILDLIFE**

AN EQUAL OPPORTUNITY EMPLOYER

Thomas E. Remington, Director  
6060 Broadway  
Denver, Colorado 80216  
Telephone (303) 297-1192  
[wildlife.state.co.us](http://wildlife.state.co.us)



*For Wildlife-  
For People*

*May 17, 2011*

Colorado Division of Wildlife  
Pueblo Service Center  
600 Reservoir Road  
Pueblo, CO 81005

Mr. Phil Dorenkamp  
Las Animas County  
2000 North Linden  
Trinidad, CO 81082

**RE: Unnamed Gravel Pit on Tom Jolly Property**

Dear Mr. Hays:

Recently the Colorado Division of Wildlife received a request for written comments concerning a proposed gravel pit in Las Animas County on property owned by Tom Jolly. The area to be disturbed encompasses 12 acres and is located in Township 30S Range 64W Sections 3 and 10. This request was forwarded to District Wildlife Manager Jeremy Gallegos for wildlife assessment.

Wildlife species that may be commonly found on the site and surrounding areas are mule deer, pronghorn, scaled quail, western rattle snake, bull snake, as well various bird and raptor species. Although black tail prairie dogs have been found in the area, there are no known active towns on the site. There are no known threatened or endangered species on the site. The affected area can best be categorized as shallow soiled short grass prairie with several hills.

Disturbance to the shortgrass prairie habitat is likely to occur due to the proposed action; however this disturbance can be minimized if some recommendations are followed.

- Care should be taken in the design and construction of access roads to the site to minimize erosion, taking into account proper drainage and sloping of road cuts. Slopes should be seeded with a native seed mix and monitored for successful vegetation establishment. The utilization of current roads should be a priority over constructing new roads
- A stockpile of topsoil should be set aside for reclamation purposes. This stockpile should also be temporarily seeded to minimize erosion losses, and then spread over the affected area prior to seeding with native grasses, forbs, and shrubs.
- Vegetation establishment should be a key component of reclamation, not merely reseeding.

DEPARTMENT OF NATURAL RESOURCES, Mike King, Executive Director  
WILDLIFE COMMISSION Tim Glenn Chair • Robert Streeter, Vice Chair • Mark Smith, Secretary  
Members: David R. Brougham • Dorothea Farris • Allan Jones • Gaspar Pemcone • John Singletary • Dean Wingfield  
Ex Officio Members, Mike King and John Salazar

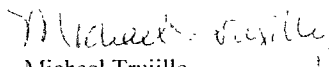
## Exhibit E pg 2

- It is recommended that livestock be excluded from the site until such time as the site is released and the bond returned.
- A noxious weed plan should also be developed and implemented to prevent the establishment of invasive noxious weeds throughout the mining period.

Although disturbance to the shortgrass prairie habitat is likely, the overall impact to wildlife species should be concentrated to a limited area, and can be further reduced if the previous recommendations are followed.

The Colorado Division of Wildlife would like to thank you for the opportunity to comment on this issue. If you have any questions, do not hesitate to contact me or DWM Jeremy Gallegos at 719-680-1412.

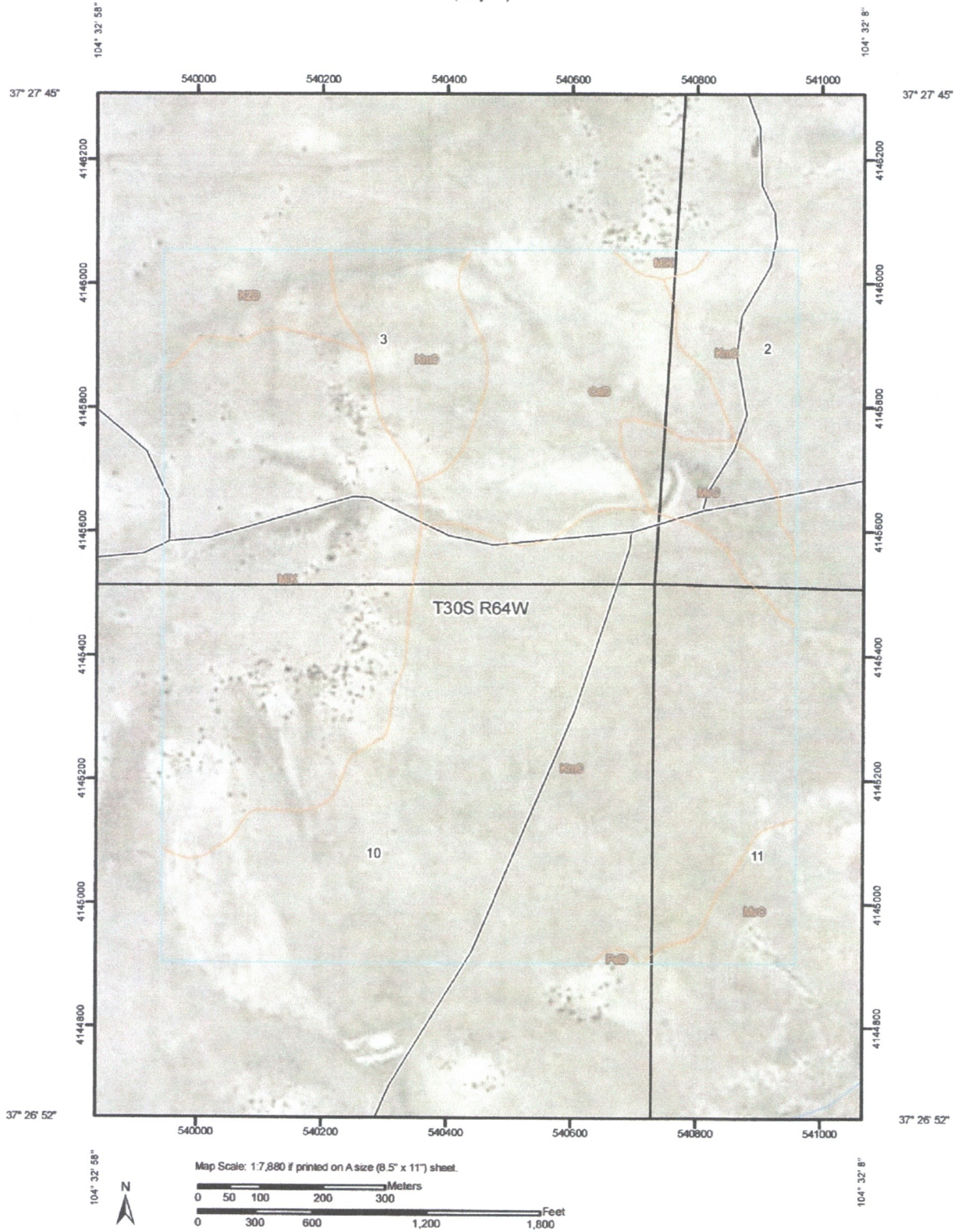
Sincerely,



Michael Trujillo  
Area Wildlife Manager  
Colorado Division of Wildlife  
719-561-5300

# Exhibit F NRCS soil info pg 1

Soil Map—Las Animas County Area, Colorado, Parts of Huerfano and Las Animas Counties  
(Jolly Pit)








































USDA  
Natural Resources  
Conservation Service

Web Soil Survey  
National Cooperative Soil Survey

5/25/2011  
Page 1 of 3

Soil Map—Las Animas County Area, Colorado, Parts of Huerfano and Las Animas Counties  
(Jolly Pit)

### MAP LEGEND

<b>Area of Interest (AOI)</b>		Very Stony Spot	
Area of Interest (AOI)		Wet Spot	
<b>Soils</b>		Other	
Soil Map Units			
<b>Special Point Features</b>		<b>Special Line Features</b>	
	Blowout		Gully
	Borrow Pit		Short Steep Slope
	Clay Spot		Other
	Closed Depression	<b>Political Features</b>	
	Gravel Pit		Cities
	Gravelly Spot		PLSS Township and Range
	Landfill		PLSS Section
	Lava Flow	<b>Water Features</b>	
	Marsh or swamp		Oceans
	Mine or Quarry		Streams and Canals
	Miscellaneous Water	<b>Transportation</b>	
	Perennial Water		Rails
	Rock Outcrop		Interstate Highways
	Saline Spot		US Routes
	Sandy Spot		Major Roads
	Severely Eroded Spot		Local Roads
	Sinkhole		
	Slide or Slip		
	Sodic Spot		
	Spoil Area		
	Stony Spot		

### MAP INFORMATION

Map Scale: 1:7,880 if printed on A size (8.5" × 11") sheet.

The soil surveys that comprise your AOI were mapped at 1:24,000.

Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>  
Coordinate System: UTM Zone 13N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Las Animas County Area, Colorado, Parts of Huerfano and Las Animas Counties  
Survey Area Data: Version 14, Apr 6, 2011

Date(s) aerial images were photographed: 7/29/2005; 7/2/2005

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Exhibit F NRCS soil info pg 2

## Exhibit F NRCS soil info pg 3

Soil Map—Las Animas County Area, Colorado, Parts of Huerfano and Las Animas Counties

Jolly Pit

### Map Unit Legend

Las Animas County Area, Colorado, Parts of Huerfano and Las Animas Counties (CO628)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
CaD	Razor silty clay, 4 to 12 percent slopes	36.3	12.6%
K2D	Kimera-Chicosa complex, 4 to 12 percent slopes	10.1	3.5%
KmC	Wild-Kimera complex, 2 to 9 percent slopes	152.5	52.9%
MIK	Midway-Chicosa complex, 5 to 35 percent slopes	71.6	24.8%
MvC	Manvel silt loam, 1 to 5 percent slopes	17.7	6.1%
PeD	Penrose loam, 1 to 9 percent slopes	0.3	0.1%
Totals for Area of Interest		288.5	100.0%



Natural Resources  
Conservation Service

Web Soil Survey  
National Cooperative Soil Survey

5/25/2011  
Page 3 of 3

# Exhibit G pg 1

## Grass Seeding: Part I - Planned

Planner:	Art Ariaz	Date:	25-May-11
Producer:	Jolly Pit Reclamation Plan		
MLRA:	69	Contract/Agreement #:	N/A
		Item Num:	N/A
Seeding Operation:	Acres to be seeded:	12	
	Seedbed Prep:		Cropland:
	Planting Dates:	Nov 1 to Apr 30	
	Planting Depth (in.):	1/4 to 1/2 inch	
	Drill Type:	N/A	
	Drill Spacing (in.):	N/A	
Fertilizer:	Pounds per acre recommended	(planned and applied requires practice standard 590)	
	Nitrogen (N)	Phosphorus (P)	Potassium (K)
	based on fertilizer test		
Weed Control:	Dates:	as needed	(planned and applied requires practice standard 595)
	Description:	biological	
Cover:	Amount:	N/A	
	Description:	N/A	
	Application Method:	N/A	

Seed Recommendations:		Double Seeding	Broadcast				
Species	Variety (table 6: PMTN 59)	PLS Rates Irr/Non-Irr	PLS/Ac to use (100%)	% in mix	Rate (PLS lb/ac)	Acres to be seeded	Total PLS
Western wheatgrass	Arriba, Barton, Rosana	16 0 / 8 0	16 0	40	6 4		76 8
Indian ricegrass	Paloma	8 0-12 0 / 4 0-6 0	10 0	15	1 5		18 0
Sideoats grama	El Reno, Niner, Vaughn	9 0 / 4 5	9 0	30	2 7		32 4
Green needlegrass	LoDorm	10 0 / 5 0	10 0	15	1 5		18 0
Purple prairieclover		6 0 / 3 0	5 0		0 0		0 0
Totals			50 0	100 0	12 1	12 0	145 2

Notes: Use adapted improved varieties and cultivars in the following order of preference, when available

1. certified name varieties, 2. named varieties, 3. common seed

PLS = Pure Live Seed

Double drilled seeding rate to obtain broadcast seeding rate

For critical area seedings use the irrigated rate

\*Pesticides will irradiate the legume purple prairieclover.

\*Harow or rake area after broadcasting seed to cover as much seed as possible to depth of 0.25 inches

\*If seeding takes place in the fall, it is recommended to plant oat cover crop to protect area from wind erosion

Certified Planner: Levi Montoya

Date: \_\_\_\_\_



## Exhibit G pg 2

CO-ECS-5  
180-12-11  
July 2004

### Grass Seeding: PART II - Applied

Checked by:	Date:
Producer: Jolly Pit Reclamation Plan	
Seeding Operation:	Acres Planted
	Seedbed Prep
	Cropland
	Drill Make / Type:
	Drill Spacing:
	Weed Control
	Additional Information

Species planted	Variety	Pounds Bulk	Germ %	Purity %	PLS %	PLS Lbs
-----------------	---------	-------------	--------	----------	-------	---------

Totals

00

00

00

Cost Information						
Species	PLS Lbs/Ac	PLS/Ac(100%)	PLS % of mix	Total Bulk Seed Cost	Cost/PLS Lb.	PLS Cost/Ac
						\$
						\$
						\$
						\$
						\$
						\$
						\$
						\$
						\$
						\$
						\$
Totals	00		00			\$ -

Total Cost of Bulk Seed: \$ -

Seed Cost per Acre: #DIV/0!

Max Cost/Ac for CRP: \$ -

Max Cost/Ac for NRCS Programs: \$ -

Certified By

Date



## Exhibit H climate pg 1

### Climate Narrative for Las Animas County, Colorado

Prepared by the Natural Resources Conservation Service National Water and Climate Center, Portland, Oregon.

Climate Tables are created from climate station TRINIDAD FAA ARPT Colorado

Thunderstorm days, relative humidity, percent sunshine, and wind information are estimated from First Order station Pueblo, Colorado.

Table 1 gives data on temperature and precipitation for the survey area as recorded at TRINIDAD FAA ARPT in the period 1971 to 2000. Table 2 shows probable dates of the first freeze in fall and the last freeze in spring. Table 3 provides data on the length of the growing season.

In winter, the average temperature is 33.4 degrees F and the average daily minimum temperature is 18.4 degrees. Figure 1 shows the average January minimum temperature across the county. The lowest temperature on record, which occurred at TRINIDAD FAA ARPT on January 11, 1963, is -32 degrees. In summer, the average temperature is 71.3 degrees and the average daily maximum temperature is 86.6 degrees. Figure 2 shows the average July maximum temperature across the county. The highest temperature, which occurred at TRINIDAD FAA ARPT on August 16, 2000, is 104 degrees.

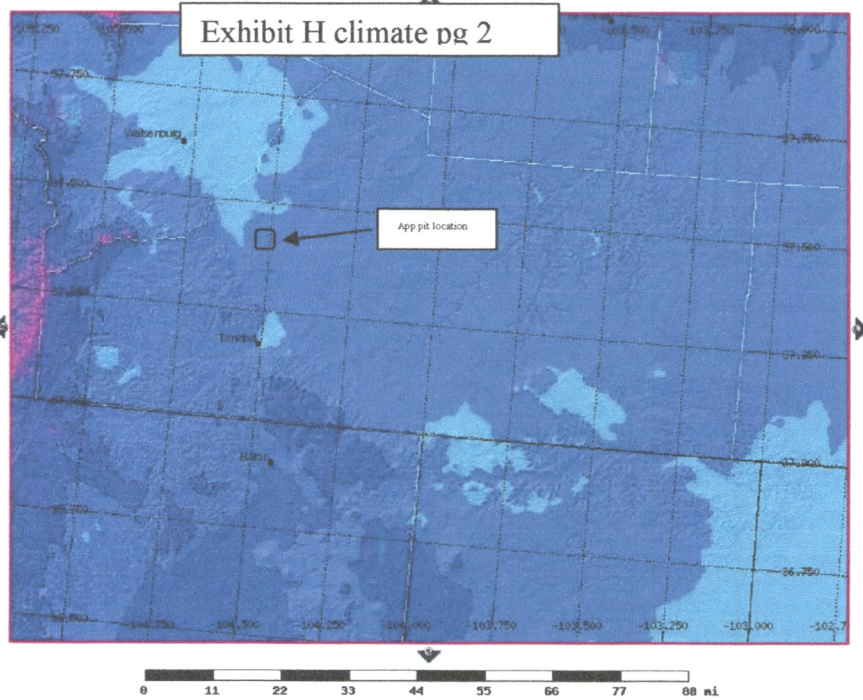
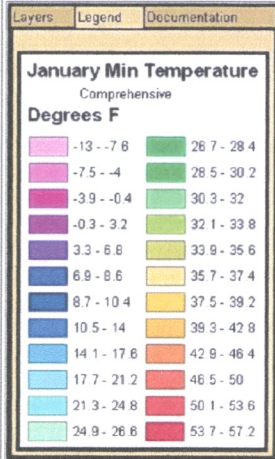
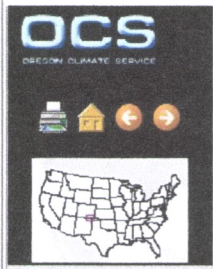
Growing degree days are shown in Table 1. They are equivalent to "heat units". During the month, growing degree days accumulate by the amount that the average temperature each day exceeds a base temperature (40 degrees F). The normal monthly accumulation is used to schedule single or successive plantings of a crop between the last freeze in spring and the first freeze in fall.

The average annual total precipitation is about 14.05 inches. Figure 3 shows the average annual precipitation across the county. Of this, about 8.92 inches, or 63 percent, usually falls in May through September. The growing season for most crops falls within this period. The heaviest 1-day rainfall during the period of record was 4.52 inches at TRINIDAD FAA ARPT on July 3, 1981. Thunderstorms occur on about 47 days each year, and most occur in July.

The average seasonal snowfall is 42.5 inches. The greatest snow depth at any one time during the period of record was 16 inches recorded on November 1, 1972. On an average, 36 days per year have at least 1 inch of snow on the ground. The heaviest 1-day snowfall on record was 18.1 inches recorded on October 31, 1972.

The average relative humidity in mid-afternoon is about 38 percent. Humidity is higher at night, and the average at dawn is about 74 percent. The sun shines 79 percent of the time in summer and 73 percent in winter. The prevailing wind is from the west. Average wind speed is highest, 10.3 miles per hour, in April.

Las Animas, CO  
1971-2000  
Minimum January Temperatures

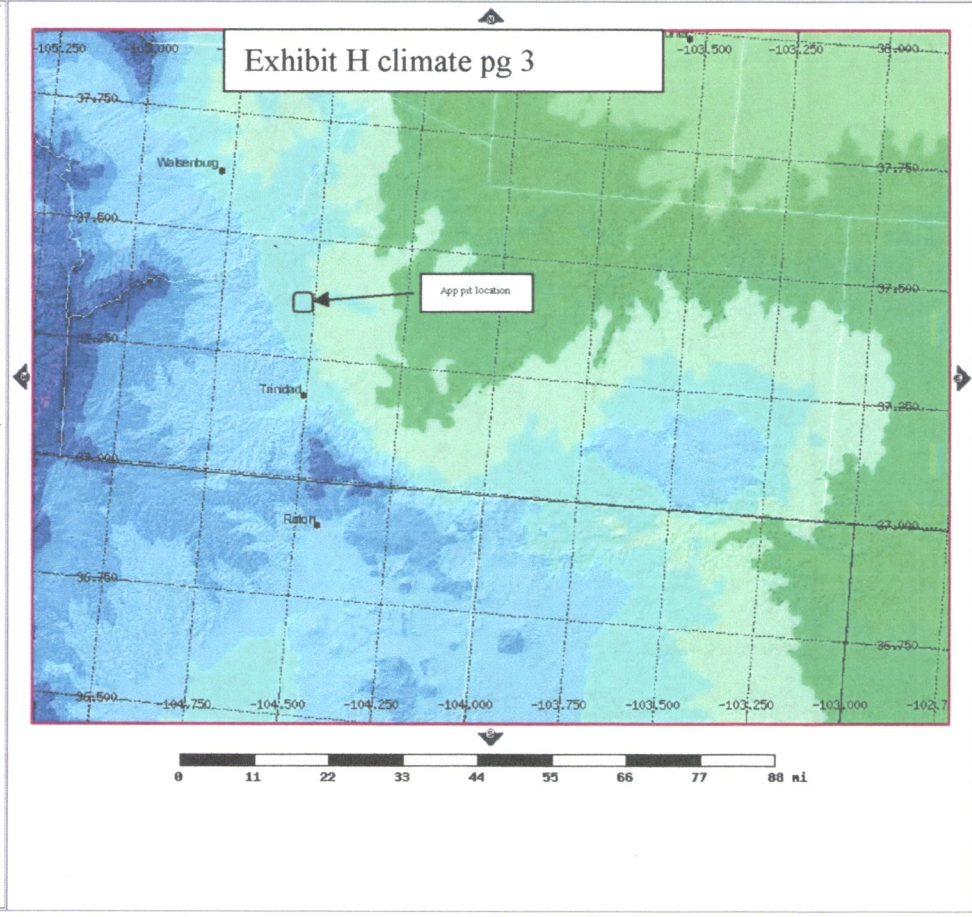
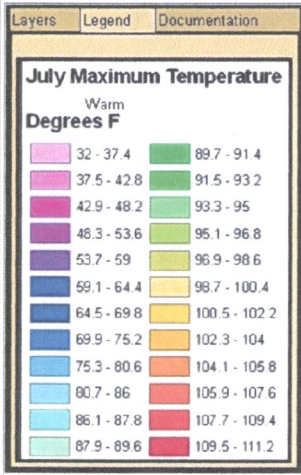
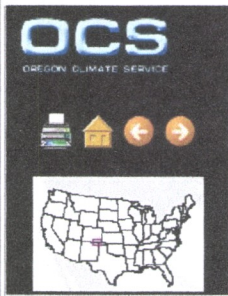


Scale:768304.548743

Copyright ©2006. PRISM Group, Oregon State University

Fig. 1 Average minimum January temperatures across Las Animas County, CO based on 1971-2000 PRISM climatology.

Las Animas, CO  
1971-2000  
July Max Temperatures



Scale: 768304 548743

Copyright ©2006. PRISM Group, Oregon State University.

Fig. 2 Average maximum July temperatures across Las Animas County, CO based on 1971-2000 PRISM climatology.



Exhibit H climate pg 5  
TABLE 1.--TEMPERATURE AND PRECIPITATION

(Recorded in the period 1971-2000 at TRINIDAD FAA ARPT, CO8434)

Month	Temperature (Degrees F.)						Precipitation (Inches)					
	2 yrs in 10						2 yrs in 10					
	will have						will have					
	# of						# of					
	avg	avg	avg	max	min	grow	avg	less	more	w/.1	days	total
	daily	daily		temp.	temp.	deg		than	than	or	fall	
	max	min		>than	<than	days*				more		
January	46.8	17.1	31.9	72	-10	34	0.41	0.17	0.63	1	4.8	
February	51.5	20.5	36.0	75	-9	66	0.45	0.13	0.71	1	4.8	
March	58.0	26.7	42.4	80	4	159	0.94	0.41	1.44	3	8.0	
April	65.3	34.1	49.7	85	13	319	1.05	0.38	1.49	3	4.7	
May	74.2	43.6	58.9	91	27	586	1.80	0.78	2.68	4	1.9	
June	84.6	52.9	68.8	100	38	863	1.38	0.56	2.09	3	0.0	
July	88.8	58.3	73.5	100	48	1040	2.23	0.95	3.24	4	0.0	
August	86.4	57.0	71.7	98	47	982	2.24	0.96	3.45	5	0.0	
September	79.4	49.0	64.2	94	29	727	1.27	0.58	1.93	3	0.7	
October	69.1	37.2	53.2	87	15	423	0.90	0.28	1.43	2	4.0	
November	55.4	25.2	40.3	79	-1	134	0.84	0.32	1.33	2	7.6	
December	47.0	17.6	32.3	73	-10	43	0.54	0.27	0.75	2	5.9	
Yearly :												
Average	67.2	36.6	51.9	---	---	---	---	---	---	---	---	---
Extreme	104	-24	---	101	-17	---	---	---	---	---	---	---
Total	---	---	---	---	---	5377	14.05	11.42	16.67	33	42.5	---

Average # of days per year with at least 1 inch of snow on the ground: 36

\*A growing degree day is a unit of heat available for plant growth. It can be calculated by adding the maximum and minimum daily temperatures, dividing the sum by 2, and subtracting the temperature below which growth is minimal for the principal crops in the area (Threshold: 40.0 deg. F)



Exhibit H climate pg 6  
TABLE 2.--FREEZE DATES IN SPRING AND FALL

(Recorded in the period 1971-2000 at: TRINIDAD FAA ARPT, CO8434)

Probability	Temperature		
	24F or lower	28F or lower	32F or lower
Last freezing temperature in spring:			
1 year in 10 later than--	April 29	May 4	May 17
2 year in 10 later than--	April 24	April 30	May 13
5 year in 10 later than--	April 14	April 22	May 5
First freezing temperature in fall:			
1 yr in 10 earlier than--	October 10	September 29	September 19
2 yr in 10 earlier than--	October 15	October 5	September 24
5 yr in 10 earlier than--	October 25	October 16	October 3

Exhibit H climate pg 7

TABLE 3.--GROWING SEASON

(Recorded for the period 1971-2000 at: TRINIDAD FAA ARPT, CO8434)

Probability	Daily Minimum Temperature		
	# days > 24F	# days > 28F	# days > 32F
9 years in 10	172	155	130
8 years in 10	179	162	136
5 years in 10	193	176	149
2 years in 10	207	191	162
1 year in 10	214	198	169

## CONTRACT FOR REMOVAL OF GRAVEL

This **Agreement** is entered into between **Thomas W. and Jeffrey M. Jolly** **Representing Jolly Family Trust** (hereafter “Jolly”) whose address is P.O. Box 561, Aguilar, Colorado 81020, and **Las Animas County** located in the State of Colorado (hereafter “County”) whose address for the purpose of this contract is Las Animas County c/o Board of County Commisioners, Las Animas County Courthouse 200 E. First Street, Trinidad, Colorado 81082.

1. **Purpose.** Jolly and County agree that County shall have the right to enter the property described below (hereafter referred to as the “Property”) from adjoining County Road 61 and shall have the right to ingress, egress, and regress to and from the Property, and these rights shall extend to its agents, contractors, and employees, for the purpose of excavating, crushing, screening, removing, and storing all unprocessed and processed gravel produced on the Property for the term of this agreement. The legal description of the Property is as follows:

A tract of land located in sections 3 and 10 of Township 30South Range 64West of the 6<sup>th</sup> P.M., County of Las Animas, State of Colorado.

Boundary location as follows using UTM WGS 84 13S:

From the point of beginning located at 539953e, 4145542n

To a point located at 539985e 4145541n

To a point located at 540024e 4145533n

To a point located at 540069e 4145533n

To a point located at 540133e 4145534n

To a point located at 540163e 4145526n

To a point located at 540203e 4145526n

To a point located at 540250e 4145560n

To a point located at 540263e 4145555n

To a point located at 540228e 4145493n

To a point located at 540230e 4145462n

To a point located at 540217e 4145393n

To a point located at 540162e 4145405n

To a point located at 540119e 4145414n

To a point located at 540080e 4145404n

To a point located at 540023e 4145386n

To a point located at 540004e 4145356n

To a point located at 539994e 4145297n

To a point located at 539982e 4145294n

To a point located at 539974e 4145373n

To a point located at 539929e 4145382n

To a point located at 539858e 4145354n

To a point located at 539819e 4145334n

To a point located at 539811e 4145344n

To a point located at 539865e 4145380n



To a point located at 539910e 4145415n  
To a point located at 539930e 4145521n  
To a point located at 539914e 4145470n  
To the point of beginning, containing 12 acres more or less.

- 1.a. County shall have the exclusive right to excavate, crush, screen, remove, and store all materials, unprocessed and processed, and this right shall extend to its agents, contractors, and employees.
- 1.b. For reasonable time after the conclusion of this agreement, County shall have an easement to enter the Property and remove all unprocessed and processed materials that is due to County that has been stockpiled until such stockpiles have been depleted.
- 1.c. Nothing contained herein is intended to grant, nor does grant, any right in any person or entity other than the County. Only County personnel and contractors who are carrying out and performing the rights and duties of the County pursuant to this Agreement are allowed the access provided for in this Agreement.

2. **Compensation.** In return for allowing County to come onto the Property for the purpose of crushing, screening and removing all materials unprocessed and processed, County shall pay to Jolly \$0.50 (fifty cents) per ton for the material.

3. **Property.** The Property known as "Jolly Pit" where County shall crush, screen and remove material is described above.

4. **Time For Performance.** It is contemplated by the parties to this agreement that County will crush, screen and remove material from the Property for a period of 10 (ten) years or until the Property is exhausted of all material, whichever is longer.

5. **Termination of Agreement.** County, in its sole discretion, may terminate this agreement at anytime upon 30 days written notice to Jolly.

6. **Notices.** All notices to be given to the parties hereto shall be deemed fully given, if given by written notice personally delivered to the party or sent by postpaid registered or certified mail, addressed to such party at the address for such party set forth in this agreement or to such other address such as either party may have furnished in writing to such other party.

Jolly Family Trust  
c/o Thomas W. and Jeffrey M. Jolly  
P.O. Box 561  
Aguilar, Colorado 81020

Las Animas County  
c/o Board of County Commissioners  
Las Animas County Courthouse  
200 East First Street  
Trinidad, Colorado 81082

7. **Reclamation.** Reclamation process shall be completed within one and a half (1.5) years of the conclusion of mining activities by County and shall include the areas affected by County's mining activities. The process shall be done to the specifications as stated in "Exhibit E" titled "Reclamation Plan" in the Permit Application, which is attached hereto. County shall have the right to full use of any existing access roads for the Reclamation Process.

8. The agreement contains the full and completed agreement between Jolly and County and may only be modified in writing signed by the parties hereto. No agreements representations, promises or inducements have been made by either Jolly or County to the other, other than as appears in this agreement. Each party hereto represent to the other party that the individuals executing this document on behalf of each party have full power and authority to enter into this agreement on behalf of each party.

9. Should litigation be required to resolve any dispute under this agreement, the prevailing party shall be entitled to recover reasonable attorney's fees and costs.

**JOLLY FAMILY TRUST**

Dated: 12/11/011

Thomas W. Jolly  
Thomas W. Jolly

Subscribed and sworn to before me this 11<sup>th</sup> day of December, 2011 in Sanidad, County of Las Animas, State of Colorado by Thomas W. Jolly.

JANE L. QUARTIERO  
Notary Public (Print Name)

Jane L. Quatiero  
Signature

My Commission Expires: Feb 20, 2012

Dated: 12-11-11

Jeffrey M. Jolly  
Jeffrey M. Jolly

Subscribed and sworn to before me this 11<sup>th</sup> day of December, 2011 in Sanidad, County of Las Animas, State of Colorado by Jeffrey M. Jolly.

JANE L. QUARTIERO  
Notary Public (Print Name)

Jane L. Quatiero  
Signature

My Commission Expires: Feb 20, 2011

**JOLLY FAMILY TRUST**

I have read the Contract for Removal of Gravel between Las Animas County and the Jolly Family Trust dated December 11, 2011, concerning a tract of land Located in Sections 3 and 10 of Township 30 South, Range 64 West of the 6<sup>th</sup> P.M., Las Animas County. On behalf of the Jolly Family Trust, I agree to the terms set forth in the Contract for Removal of Gravel.

Dated: 1-6-12.

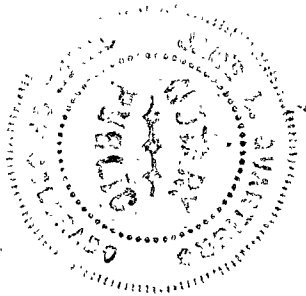
Edna F. Jolly  
Edna F. Jolly

Subscribed and sworn to before me this 6<sup>th</sup> day of January, 2012 in Trinidad, County of Las Animas, State of Colorado by Edna F. Jolly.

JANE L. QUARTIERO  
Notary Public (Print Name)

Jane L. Quartiero  
Signature

My Commission Expires: Feb 20, 2012



**LAS ANIMAS COUNTY**

Dated:

1/21/12

  
Gary D. Hill  
Las Animas County Commissioner

Dated:

1/17/12

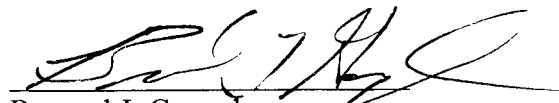
  
James Vigil  
Las Animas County Commissioner

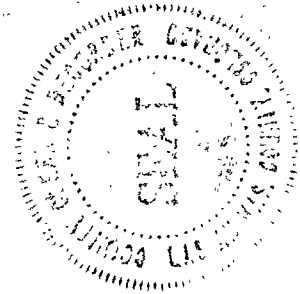
Dated:

1/17/12

  
Mack Loudon  
Las Animas County Commissioner

Attest:

  
Bernard J. Gonzales  
Las Animas County Clerk and Recorder



**Exhibit I**

Las Animas County Road and Bridge  
2000 N. Linden Ave.  
Trinidad, CO, 81082 (719) 846-2931 fax (719) 846-0434

July 7, 2025

Division of Minerals and Geology  
1313 Sherman Street, Room 215  
Denver, CO. 80203

RE: Jolly Pit Proof of Filing 2025 Amendment with the Board of County Commissioners

I hereby certify that on July 7, 2025, I personally hand delivered a copy of the Jolly Pit Amendment Application Form to the Las Animas County Board of County Commissioner's office at 201 East 1<sup>st</sup> Street for review.

Sincerely,



Phil Dorenkamp  
LAC Admin.

Received a copy of the Jolly Pit Amendment Application Form for the Las Animas County Board of County Commissioner's office.

By: CJPrieto Title: Admin Assistant

Date: 7/7/25



**Exhibit J**

Las Animas County Road and Bridge  
2000 N. Linden Ave.  
Trinidad, CO. 81082 (719) 846-2931 fax (719) 846-0434

July 7, 2025

Division of Minerals and Geology  
1313 Sherman Street, Room 215  
Denver, CO. 80203

RE: Jolly Pit Proof of Filing 2025 Amendment with the Board of Supervisors of the  
Local Soil Conservation District

I hereby certify that on July 7, 2025, I personally hand delivered a copy of the Jolly Pit  
Amendment Application Form to the Natural Resources Conservation Service, Attn:  
President of the Spanish Peaks/Purgatoire Soil Conservation District, 3590 East Main  
Street, Trinidad, CO. 81082 for review.

Sincerely,



Phil Dorenkamp  
LAC Admin.

Received a copy of the Jolly Pit Amendment Application Form in the Natural Resources  
Conservation Service office.

By: Lori Chatterley Title: District Manager

Date: 7/7/25

**Exhibit K**

Las Animas County Road and Bridge  
2000 N. Linden Ave.  
Trinidad, CO. 81082 (719) 846-2931 fax (719) 846-0434

July 7, 2025

Division of Minerals and Geology  
1313 Sherman Street, Room 215  
Denver, CO. 80203

RE: Jolly Pit Proof of Filing 2025 Amendment with the Las Animas County Clerk and Recorder

I hereby certify that on July 7, 2025, I personally hand delivered a copy of the Jolly Pit Amendment Application Form to the Las Animas County Clerk and Recorder's Office 201 East 1<sup>st</sup> Street, Trinidad, CO. 81082 for review.

Sincerely,



Phil Dorenkamp  
LAC Admin.

Received a copy of the Jolly Pit Amendment Application Form in the Las Animas County Clerk and Recorder's Office.

By: Jammi R Olguin

Title: Elections Clerk

Date: 7-7-2025

Notice pg 1







Notice pg 2