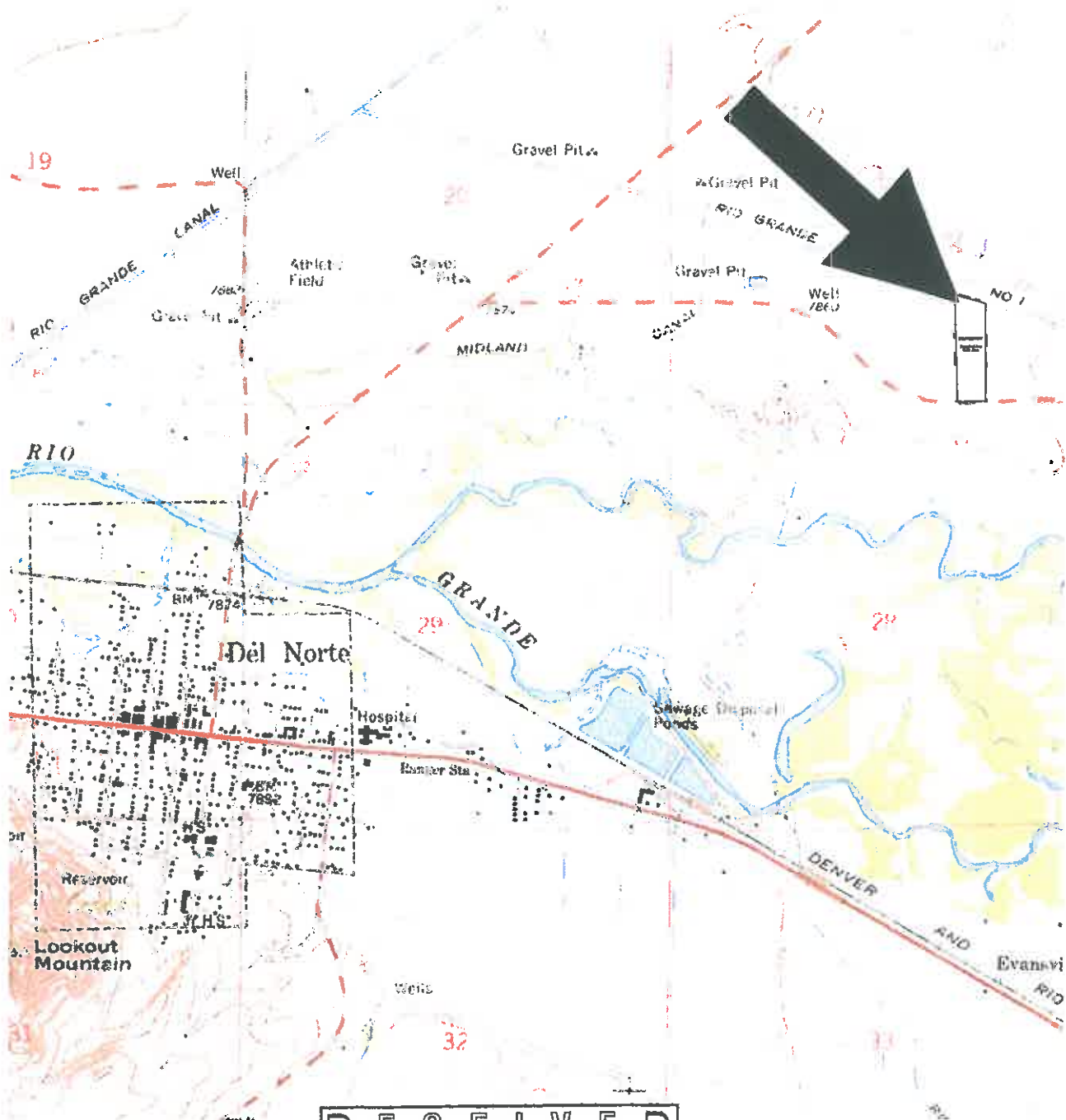


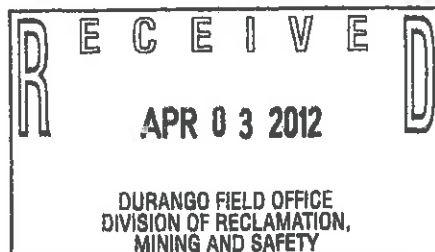
EXHIBIT A-1 LOCATION MAP THE O'ROURKE PIT

LOCATED IN THE SW $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 21, T. 40 N., R. 6
E., N.M.P.M., RIO GRANDE COUNTY, COLORADO

Revised 4-1-2012



Wm. J. L. L. L.
4-1-12



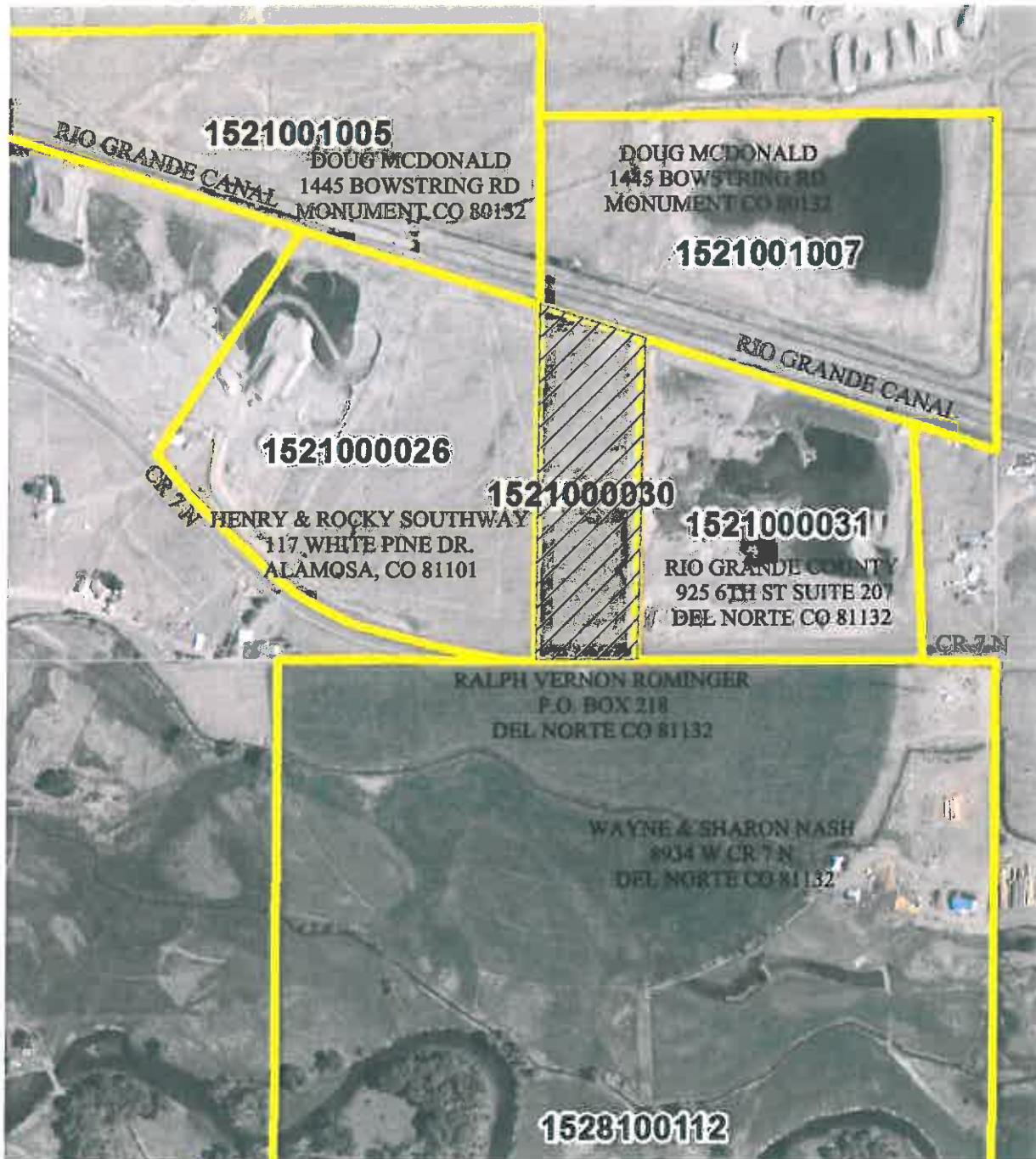
APPLICANT
O'ROURKE EXCAVATING, INC.
2489 County Road 15
South Fork, CO 81154
719-580-9602

m-2012-007

EXHIBIT A-2 OWNERSHIP THE O'ROURKE PIT

LOCATED IN THE SW $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 21, T. 40 N., R.
6 E., N.M.P.M., RIO GRANDE COUNTY, COLORADO

Revised 4-1-2012



Donna M. Finner
4-1-12

GRAPHIC SCALE



(In Feet)
1 inch = 600 ft.

APPLICANT
O'ROURKE EXCAVATING, INC.
2489 County Road 15
South Fork, CO 81154
719-580-9602

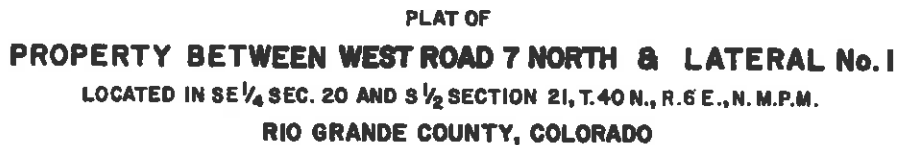
m-2012-007

LOCATED IN THE SW¼SE¼ OF SECTION
21, T. 40 N., R. 6 E., N.M.P.M., RIO
GRANDE COUNTY, COLORADO

COUNTY CERTIFICATE

Deposited this 24 day of Dec, 1993
at San Francisco in California of the
county and survey plats/right-of-way surveys
of Map 134 Section Number 0130

Signed Lola Lynn Bennett
County Clerk & Recorder



SCALE: 1" = 300'

SURVEYED SUMMER, 1982

By

DAVIS ENGINEERING SERVICE, INC.

576 Spruce Street

Del Norte, Colorado 81132

NOTE: Other than those shown easements and/or rights of way were not researched and shown upon the plat.

NOTICE: According to Colorado law you **MUST** commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.

REVISED 8/30/83 J.A.M.
REVISED 4/8/83 J.A.S.

APPLICANT
O'ROURKE EXCAVATING, INC.
2489 County Road 15
South Fork, CO 81154
719-580-9602

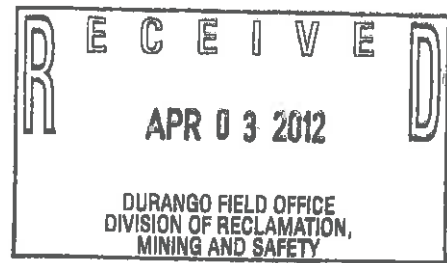
David M. Russell
4-1-12

m-2012-007

m-2012-007

EXHIBIT C
Revised 4-1-2012

MINING PLAN



Mining will begin upon the issuance of the proper permit from the Division of Minerals and Geology, estimated to be during March of 2012. The mine life is expected to be 30 years with a projected completion date of December 15, 2042. A buffer zone of 10 feet has been allowed on the west, north and east side of the 10.45 acres parcel that is owned by Mr. Rominger. This area is not to be disturbed and is outside the limits of the pit boundaries. An existing irrigation head ditch lateral is located along the northern boundary. Adequate space will be provided to avoid disturbing this ditch and with two adjacent pits that have excavated near the ditch, it will be easy to determine what that distance might be. It is estimated that a minimum buffer will be 25 feet. An overhead electric line crosses the north part of the site with one utility pole being located on the site. Excavating in the vicinity of the utility pole will be coordinated with the San Luis Valley Rural Electric Cooperative. It is anticipated that excavation will maintain a 10 foot undisturbed radius around said pole. The domestic well near the south edge of the property will remain undisturbed and is owned entirely by the land owner.

The topsoil will be stripped to a depth of approximately 12 inches and stockpiled. The topsoil will initially be stockpiled in the northwest corner of the site as shown on the attached Map E, or possibly on one of the other corners of the site. There is not expected to be any overburden or waste rock requiring removal. Until mining begins, it cannot be determined how much area will need to be stripped at any given time but is assumed not to exceed 5 acres. The stockpiled topsoil will be sloped to 2:1 or flatter for the temporary slopes on the edge of the pile and the entire topsoil stockpile seeded with the same seed mixture and at the same rate as proposed by the NRCS for the final reclamation plan once it has been determined that the stockpile will not be added to for a period of 1 year. Any infestation of noxious weeds will be controlled by the pit operator, using approved chemical methods of control and standard acceptable methods of application of such chemicals or tillage, if appropriate.

The site will be mined to an estimated depth of 15 feet, with the bottom of the pit staying a minimum of 2 feet above the elevation of the ground water on the site so that there will not be any ground water exposed and also so that the recommended reseeding plant types will thrive. The site will be rectangular shaped as shown on the Exhibit A-3 Survey, a historic survey of the property filed in the Rio Grande County Surveyors Records as Map No. 130. Mining will begin in the northern portion of the site and proceed in a southerly direction.

The mining operation will use conventional construction/mining equipment such as front-end loaders, dozers, trucks and track hoes. It is anticipated that a vertical or near vertical face will be created and worked. At an offset distance from the boundary sufficient to match the depth of the pit, the sides will then be mined on the 3:1 grade (or flatter) to create the final exterior slopes as part of the mining process. For example, if the pit is 10

feet deep when working near an exterior boundary, at a distance of 30 feet from said boundary the process of mining a complete vertical face will be discontinued and the 3:1 slope will be created by mining the material at that slope.

It is understood by the operator that any onsite processing will need to meet the requirements of the State of Colorado for clean air and water and that any required permits will need to be obtained. It is intended that this application cover onsite processing to include crushing, batching and/or hot plants.

Access to this site is by the existing access road located about 10 feet east of the southwest corner of the site, providing access to the old Colorado State Hwy. 374 now known as West Road 7 North, a County Maintained public road. As part of the Conditional Use Permit (CUP) already granted by Rio Grande County for this pit, access has been allowed and will not required CDOT approval.

There will be no generation of, nor consumption of, onsite water. The site will not discharge any water nor will it impact any water rights as per applicable Colorado water law.

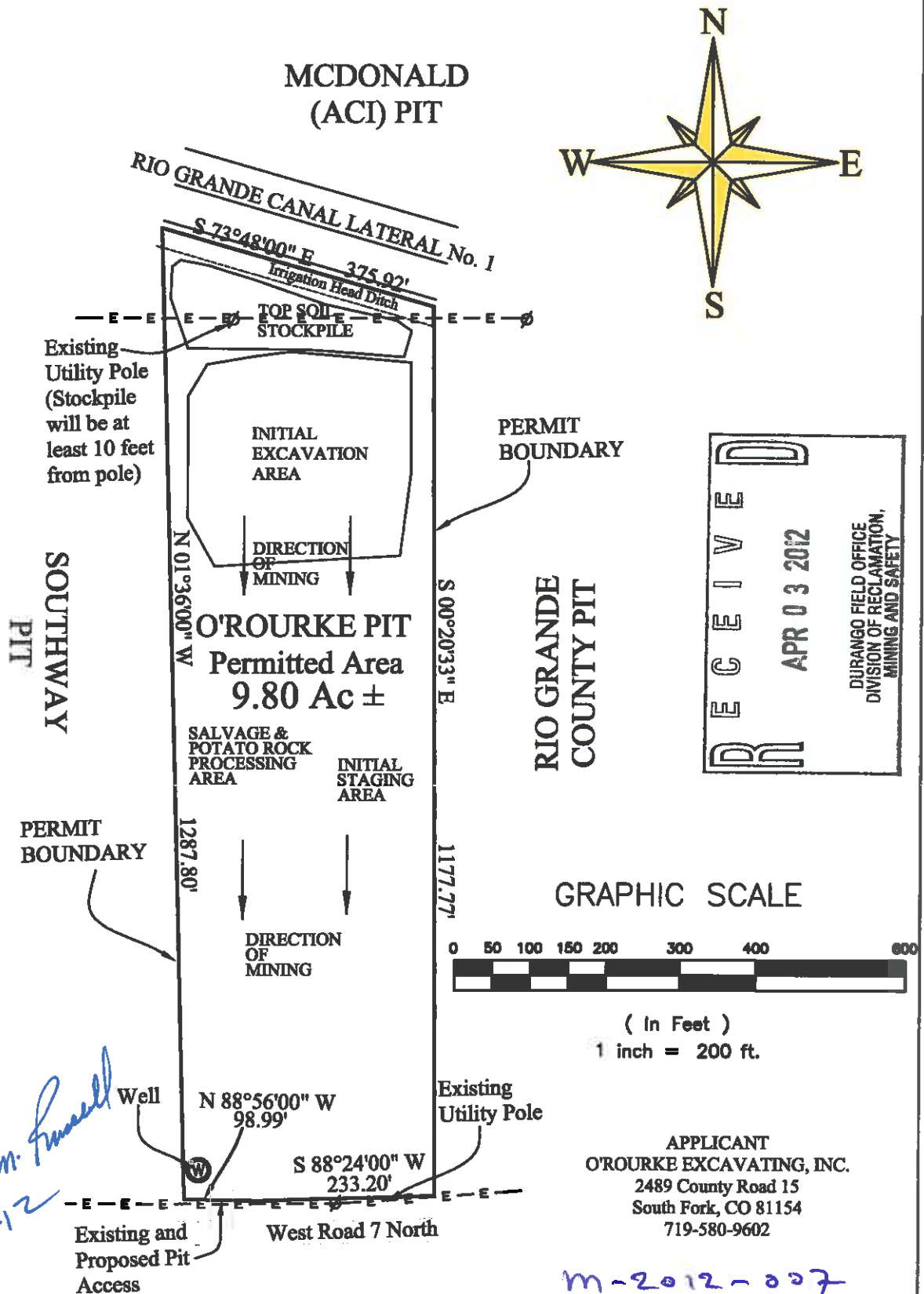
The material removed from this site (sand and gravel) will be used for fill, road base, gravel and as a source for asphalt aggregate. It is not anticipated that any other incidental products will be generated.

It is anticipated that salvaged concrete, asphalt and potato rock will be imported to this site for crushing and processing. Inert material not recycled may be buried on site (above the water table, as required).

EXHIBIT E MINING PLAN THE O'ROURKE PIT

LOCATED IN THE SW $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 21, T. 40 N., R. 6 E.,
N.M.P.M., RIO GRANDE COUNTY, COLORADO

Revised 4-1-2012



m-2012-007

4-1-12

m-2012-007

EXHIBIT J - 2

Thomas O'Rourke
O'Rourke Excavating, Inc.
2489 County Road 15
South Fork, CO 81154
719-580-9602

February 27, 2012
Mr. Jason Benton, President
Rio Grande Conservation District
0881 N Highway 285
Monte Vista, CO 81144

RE: O'ROURKE PIT

Dear Mr. Benton:

The enclosed application for a 110 Limited Impact Operation Reclamation Permit is being provided to the Conservation District as per the requirements of the Colorado Division of Reclamation, Mining and Safety. Please review the information provided and address any concerns you may have by forwarding a letter stating your concerns to both myself and to the Division of Minerals and Geology at the address shown on the first page of the application. Thank you for your time.

Sincerely,

Thomas O'Rourke
O'Rourke Excavating, Inc..

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MR Jason Bentz Pres
Bo Grand Conservation District
0881 N Hwy 285
Moorhead ND 58105
81144

2. Article Number

(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]* ☐ Agent ☐ Addressee

B. Received by (Printed Name)

Suzanne R. [Signature] 3-14-12

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Certified Mail ☐ Express Mail
- ☐ Registered ☐ Return Receipt for Merchandise
- ☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

m-2012-007

EXHIBIT L

Revised 4-1-2012

Permanent Man Made Structures

There are several man made structures on the site identified as:

1. An existing irrigation lateral head ditch along the northern 25 feet of the property.
2. An overhead electric distribution line located angularly across the north 100 feet of the site.
3. An existing domestic well located along the southern boundary at a location approximately 30 feet east of the west line and 39 feet north of the south line of the property.
4. An overhead electric distribution line is located in the highway right of way near the south boundary.

**Letter to San Luis Valley Rural Electric Cooperative
Proposed O'Rourke Gravel Pit**

San Luis Valley Rural Electric Cooperative
P.O. Box 3625
Monte Vista, CO 81144
Main: (719) 852-3538

April 1, 2012

Dear SLVREC;

Thomas O'Rourke has applied for a 110 Reclamation Permit with the Colorado Division of Reclamation, Mining and Safety for a gravel pit on County Road 7 North just east of the Southway pit northeast of Del Norte, located in the Southeast Quarter (SE¼) of Section 21, Township 40 North, Range 6 East, New Mexico Principal Meridian, Rio Grande County, Colorado.

The Rural Electric has an overhead electric line crossing the property and another near the property on the south. We would like to know any parameters you have for excavating near the line that crosses the property so that we can stay in compliance with your needs.

This letter is to notify you of our intentions and to request a response along with your suggestions. Your acknowledgement below is for the purpose of verifying that you have been notified of our intent. A full copy of the application is available at the County Clerk and Records Office. The maps showing the location along with our mining plan is attached.

We are willing to sign a Structural Damage Agreement in regards to the power line crossing the proposed pit should the REC so desire.

ACKNOWLEDGEMENT OF RECEIPT OF THIS LETTER AND NOTIFICATION:

SIGNED: _____ TITLE: _____ DATE: _____

April 1, 2012

Henry & Rocky Southway
117 White Pine Drive
Alamosa, CO 81101

Dear Southways;

Thomas O'Rourke has applied for a 110 Reclamation Permit with the Colorado Division of Reclamation, Mining and Safety for a gravel pit on County Road 7 North just east of the Southway pit northeast of Del Norte, located in the Southeast Quarter (SE¼) of Section 21, Township 40 North, Range 6 East, New Mexico Principal Meridian, Rio Grande County, Colorado.

Please see the attached notice indicating that the application is available for review at both the office of O'Rourke Excavating Inc. and the Rio Grande County Clerk and Recorder.

Should you have any questions or desire to review the full application, please feel free to contact me or review the application on file with the Clerk and Recorder.

Sincerely,

Thomas O'Rourke
President

April 1, 2012

Doug McDonald
1445 Bowstring Rd
Monument, CO 80132

Dear McDonald;

Thomas O'Rourke has applied for a 110 Reclamation Permit with the Colorado Division of Reclamation, Mining and Safety for a gravel pit on County Road 7 North just east of the Southway pit northeast of Del Norte, located in the Southeast Quarter (SE¼) of Section 21, Township 40 North, Range 6 East, New Mexico Principal Meridian, Rio Grande County, Colorado.

Please see the attached notice indicating that the application is available for review at both the office of O'Rourke Excavating Inc. and the Rio Grande County Clerk and Recorder.

Should you have any questions or desire to review the full application, please feel free to contact me or review the application on file with the Clerk and Recorder.

Sincerely,

Thomas O'Rourke
President

April 1, 2012

Vern Rominger
P.O. Box 218
Del Norte, CO 81132

Dear Rominger;

Thomas O'Rourke has applied for a 110 Reclamation Permit with the Colorado Division of Reclamation, Mining and Safety for a gravel pit on County Road 7 North just east of the Southway pit northeast of Del Norte, located in the Southeast Quarter (SE¼) of Section 21, Township 40 North, Range 6 East, New Mexico Principal Meridian, Rio Grande County, Colorado.

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Should you have any questions or desire to review the full application, please feel free to contact me or review the application on file with the Clerk and Recorder.

Sincerely,

Thomas O'Rourke
President

April 1, 2012

Wayne and Sharon Nash
8934 W. CR 7 N
Del Norte, CO 81132

Dear Mr. and Mrs. Nash;

Thomas O'Rourke has applied for a 110 Reclamation Permit with the Colorado Division of Reclamation, Mining and Safety for a gravel pit on County Road 7 North just east of the Southway pit northeast of Del Norte, located in the Southeast Quarter (SE¼) of Section 21, Township 40 North, Range 6 East, New Mexico Principal Meridian, Rio Grande County, Colorado.

Please see the attached notice indicating that the application is available for review at both the office of O'Rourke Excavating Inc. and the Rio Grande County Clerk and Recorder.

Should you have any questions or desire to review the full application, please feel free to contact me or review the application on file with the Clerk and Recorder.

Sincerely,

Thomas O'Rourke
President

April 1, 2012

Rio Grande County
925 6th Street Suite 207
Del Norte, CO 81132

Dear Rio Grande County;

Thomas O'Rourke has applied for a 110 Reclamation Permit with the Colorado Division of Reclamation, Mining and Safety for a gravel pit on County Road 7 North just west of the your pit northeast of Del Norte, located in the Southeast Quarter (SE¼) of Section 21, Township 40 North, Range 6 East, New Mexico Principal Meridian, Rio Grande County, Colorado.

Please see the attached notice indicating that the application is available for review at both the office of O'Rourke Excavating Inc. and the Rio Grande County Clerk and Recorder.

Should you have any questions or desire to review the full application, please feel free to contact me or review the application on file with the Clerk and Recorder.

Sincerely,

Thomas O'Rourke
President

M-2012-007

EXHIBIT L

Revised 4-1-2012

Permanent Man Made Structures

There are several man made structures on the site identified as:

1. An existing irrigation lateral head ditch along the northern 25 feet of the property.
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3. An existing domestic well located along the southern boundary at a location approximately 30 feet east of the west line and 39 feet north of the south line of the property.
4. An overhead electric distribution line is located in the highway right of way near the south boundary.