

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 - 1978 - 078 - sg (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 - 1978 - 078 - SG (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): Lincoln County
 - 1.1 Type of organization (corporation, partnership, etc.): Local Government
2. Operation name (pit, mine or site name): George Ansley Pit
3. Permitted acreage (new or existing site):

	<u>9.39</u> permitted acres
3.1 Change in acreage (+)	<u>7.71</u> acres
3.2 Total acreage in Permit area	<u>17.1</u> acres
4. Fees:

4.1 New Application	<u>\$2,344.00</u> application fee
4.2 New Quarry Application	<u>\$2,906.00</u> quarry application
4.4 Amendment Fee	<u>\$1,938.00</u> amendment fee
4.5 Conversion to 112 operation (set by statute)	<u>\$2,344.00</u> conversion fee
5. Primary commodity(ies) to be mined: Sand Gravel
 - 5.1 Incidental commodity(ies) to be mined:

1. <u>NONE</u> lbs/Tons/yr	2. <u>/</u> lbs/Tons/yr
3. <u>/</u> lbs/Tons/yr	4. <u>/</u> lbs/Tons/yr
5. <u>/</u> lbs/Tons/yr	
 - 5.2 Anticipated end use of primary commodity(ies) to be mined: County Road Maintenance
 - 5.3 Anticipated end use of incidental commodity(ies) to be mined: Not Applicable

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RECEIVED

SEP 05 2012

Division of Reclamation,
Mining & Safety



CONSTRUCTION MATERIALS

REGULAR (112) OPERATION

RECLAMATION PERMIT APPLICATION FORM

CHECK ONE: ☒ There is a File Number Already Assigned to this Operation

Permit # M - 1,978 - 078 - SG (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 - 1978 - 078 - SG (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):** Lincoln County
 - 1.1 Type of organization (corporation, partnership, etc.): Local Government
2. **Operation name (pit, mine or site name):** George Ansley Pit
3. **Permitted acreage (new or existing site):**

	<u>9.39</u>	permitted acres
3.1 Change in acreage (+)	<u>10.38</u>	acres
3.2 Total acreage in Permit area	<u>19.77</u>	acres
4. **Fees:**

4.1 New Application	<u>\$2,344.00</u>	application fee
4.2 New Quarry Application	<u>\$2,906.00</u>	quarry application
4.4 Amendment Fee	<u>\$1,938.00</u>	amendment fee
4.5 Conversion to 112 operation (set by statute)	<u>\$2,344.00</u>	conversion fee
5. **Primary commodity(ies) to be mined:** Sand Gravel
 - 5.1 Incidental commodity(ies) to be mined:
 1. NONE 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: County Road Maintenance
 - 5.3 Anticipated end use of incidental commodity(ies) to be mined: Not Applicable

6. **Name of owner of subsurface rights of affected land:** George A. Ansley
If 2 or more owners, "refer to Exhibit O".

7. **Name of owner of surface of affected land:** George A. Ansley

8. **Type of mining operation:** ☒ Surface ☐ Underground

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

COUNTY: Lincoln

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

SECTION (write number): S 22

TOWNSHIP (write number and check direction): T 16 ☐ North ☒ South

RANGE (write number and check direction): R 52 ☐ 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): _____

The pit is 16 miles from Haswell and the approximate elevation is 4,735 feet above mean sea level.

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 38 min 38 sec 54.01 (2 decimal places)

Longitude (W): deg 103 min 13 sec 40.07 (2 decimal places)

OR

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

Latitude (N) _____ (5 decimal places)

Longitude(W) _____ (5 decimal places)

OR

Universal Transverse Mercator (UTM)

Example: 201336.3 E NAD27 Zone 13
4398351.2 N

UTM Datum (specify NAD27, NAD83 or WGS 84) Nad 83 Zone 13

Easting _____

Northing _____

11. **Correspondence Information:**

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

Contact's Name: Kenneth Morrison Title: Land Use Administrator
Company Name: Lincoln County
Street/P.O. Box: 103 3rd Avenue P.O. Box: 39
City: Hugo
State: Colorado Zip Code: 80821
Telephone Number: (719) - 743-2337
Fax Number: (719) - 743-2815

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: Kenneth Morrison Title: Land Use Administrator
Company Name: Lincoln County
Street/P.O. Box: 103 3rd Avenue P.O. Box: 39
City: Hugo
State: Colorado Zip Code: _____
Telephone Number: (719) - 743-2337
Fax Number: (719) - 743-2337

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 checked="" 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 checked="" 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): _____
Dozer/Loader/Truck

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).

Lincoln County is converting a current 110c Permit to a Regular 112 permit by adding 10.38
acres to the pit.

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	Complete KM 8-31-12
EXHIBIT B	Index Map	Complete KM 8-31-12
EXHIBIT C	Pre-Mining and Mining Plan Map(s) of Affected Lands	Complete KM 8-31-12
EXHIBIT D	Mining Plan	Complete KM 8-31-12
EXHIBIT E	Reclamation Plan	Complete 8-31-12 KM
EXHIBIT F	Reclamation Plan Map	Complete KM 8-31-12
EXHIBIT G	Water Information	Complete KM 8-31-12
EXHIBIT H	Wildlife Information	Complete KM 8-31-12
EXHIBIT I	Soils Information	Complete KM 8-31-12
EXHIBIT J	Vegetation Information	Complete KM 8-31-12
EXHIBIT K	Climate Information	Complete KM 8-31-12
EXHIBIT L	Reclamation Costs	Complete KM 8-31-12
EXHIBIT M	Other Permits and Licenses	Complete KM 8-31-12
EXHIBIT N	Source of Legal Right-To-Enter	Complete 8-31-12
EXHIBIT O	Owners of Record of Affected Land (Surface Area) and Owners of Substance to be Mined	Complete 8-31-12
EXHIBIT P	Municipalities Within Two Miles	Complete 8-31-12 KM
EXHIBIT Q	Proof of Mailing of Notices to County Commissioners and Conservation District	Complete 8-31-12 KM
EXHIBIT R	Proof of Filing with County Clerk or Recorder	Complete 8-31-12 KM
EXHIBIT S	Permanent Man-Made Structures	Complete 8-31-12 KM
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.

- KM 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;

- KM 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;
- KM 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;
- KM 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;
- KM 5. It is your responsibility to notify the Office of any changes in your address or phone number;
- KM 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.
- KM 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.
- KM 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.
- KM 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.
- N/A 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 31st day of August, 2012.

Lincoln County
Applicant/Operator or Company Name

If Corporation Attest (Seal)

Signed: Kenneth Morrison

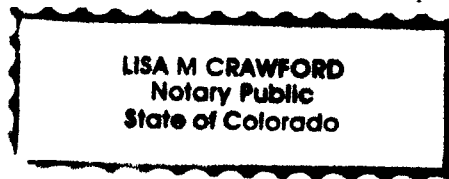
Signed: Carrie M. Taylor

Corporate Secretary or Equivalent

Title: Land Use Administrator

Town/City/County Clerk

State of Colorado)
) ss.
County of Lincoln)



The foregoing instrument was acknowledged before me this 31st day of August, 2012, by Kenneth Morrison as Land Use Administrator of Lincoln County

Lisa M. Crawford
Notary Public

My Commission expires: May 7 2016

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

2018 01 01 10:00
BY: J. A. S. P. 110
FROM: J. A. S. P. 050

Division of Reclamation, Mining, and Safety

Fee Receipt for M1978078SG

Lincoln County

000000000

Receipt #: 13648

Date: 09/06/2012

Permit: M1978078SG

Payment Method	Revenue Code	Fee Description/Notes	Amount
10295 jwd	4300-04	Minerals Conversions M-1978-078-SG	\$2,344.00
Receipt Total:			\$2,344.00

PUBLIC NOTICE

Lincoln County; 103 3rd Avenue, Hugo, Colorado 80821, (719) 743-2337, has filed an application for a Construction Materials Limited Impact (110) Reclamation Permit with the Colorado Mined Land Reclamation Board under the Provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials. The proposed mine is known as the **George Ansley Pit**, and is located at or near Section 22, Township 16 South, Range 52 West of the 6th Prime Meridian.

The Proposed date of commencement is November 1, 2012 and the proposed date of completion is November 1, 2032. The proposed future use of the land is cropland.

Additional information and tentative decision date may be obtained from the Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567 or at the Lincoln County Clerk and Recorder's Office; 103 3rd Avenue, Hugo, Colorado 80821. A complete copy of the application is available at the above named Clerk and Recorder's office and at the Division's office.

Comments concerning the application and exhibits must be in writing and must be received by the Division of Reclamation, Mining and Safety by 4:00 p.m. on November 1, 2012.

K\ 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)).

APPLICATION REVIEW PROCEDURES:

The Office shall approve or deny the application within ninety (90) 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 ninety (90) 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 ninety (90) 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. 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.

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

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Phone: (303) 866-3567

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CONSTRUCTION MATERIAL

REGULAR (112) OPERATION

RECLAMATION PERMIT APPLICATION PACKAGE

APPLICABILITY:

This application package is for a construction materials operation which affects 10 acres or more.

If you plan to conduct a construction materials 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 1.4.1 Application Review and Consideration Process;
- Rule 1.4.5 Specific Requirements for Regular 112 Operations;
- 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 6.4 Specific Permit Application Exhibit Requirements; and
- Rule 6.5 Geotechnical Stability Exhibit.

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 .

FILING REQUIREMENTS:

In order to apply for a Reclamation Permit for a Regular 112 Operation, please provide:

- KM ° One (1) signed and notarized completed **ORIGINAL** and one (1) copy of the completed original Regular 112 Operation Application Form. **ORIGINAL SIGNATURES MUST BE DONE IN BLUE INK.**
- KM ° Two (2) copies of Exhibits A-S (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.
- N/A ° The Geotechnical Stability Exhibit when required by the Division.
- KM ° The application fee.

The ninety (90) 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.

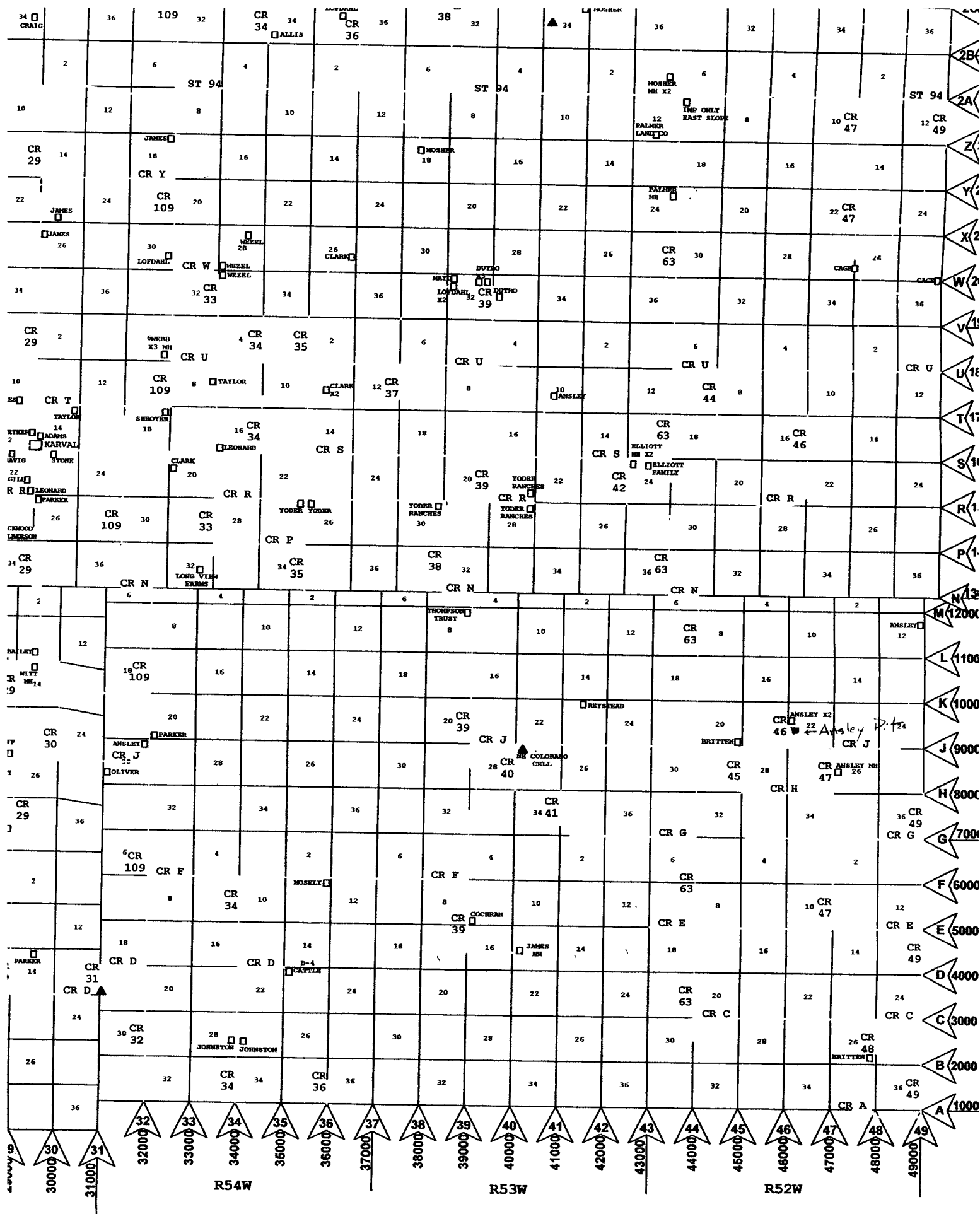
NOTICE REQUIREMENTS:

- KM 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.
- KM 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.
- KM 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)).
- KM 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.
- KM 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.
- KM 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)).
- KM 7. Within ten (10) days after your application is considered filed, you must publish four times in a newspaper of general circulation, in the locality of the proposed mining operation, the notice described in Rule 1.6.2(1)(d).
- KM 8. In addition, after the first 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 record of lands that are within 200 feet of the boundary of the affected land (Rule 1.6.2(1)(e)). A copy of a form which includes all required information for the notice is attached for your use.

EXHIBIT A
GEORGE ANSLEY PIT
M-1978-078-SG
LEGAL DESCRIPTION AND LOCATION MAP

**NORTHWEST 1/4 OF THE SOUTHWEST 1/4; SECTION 22, TOWNSHIP 16 SOUTH,
RANGE 52 WEST OF THE 6TH PRINCIPAL MERIDIAN**

See attached maps for location.



MAP 64

R52W

JOINS MAP 56

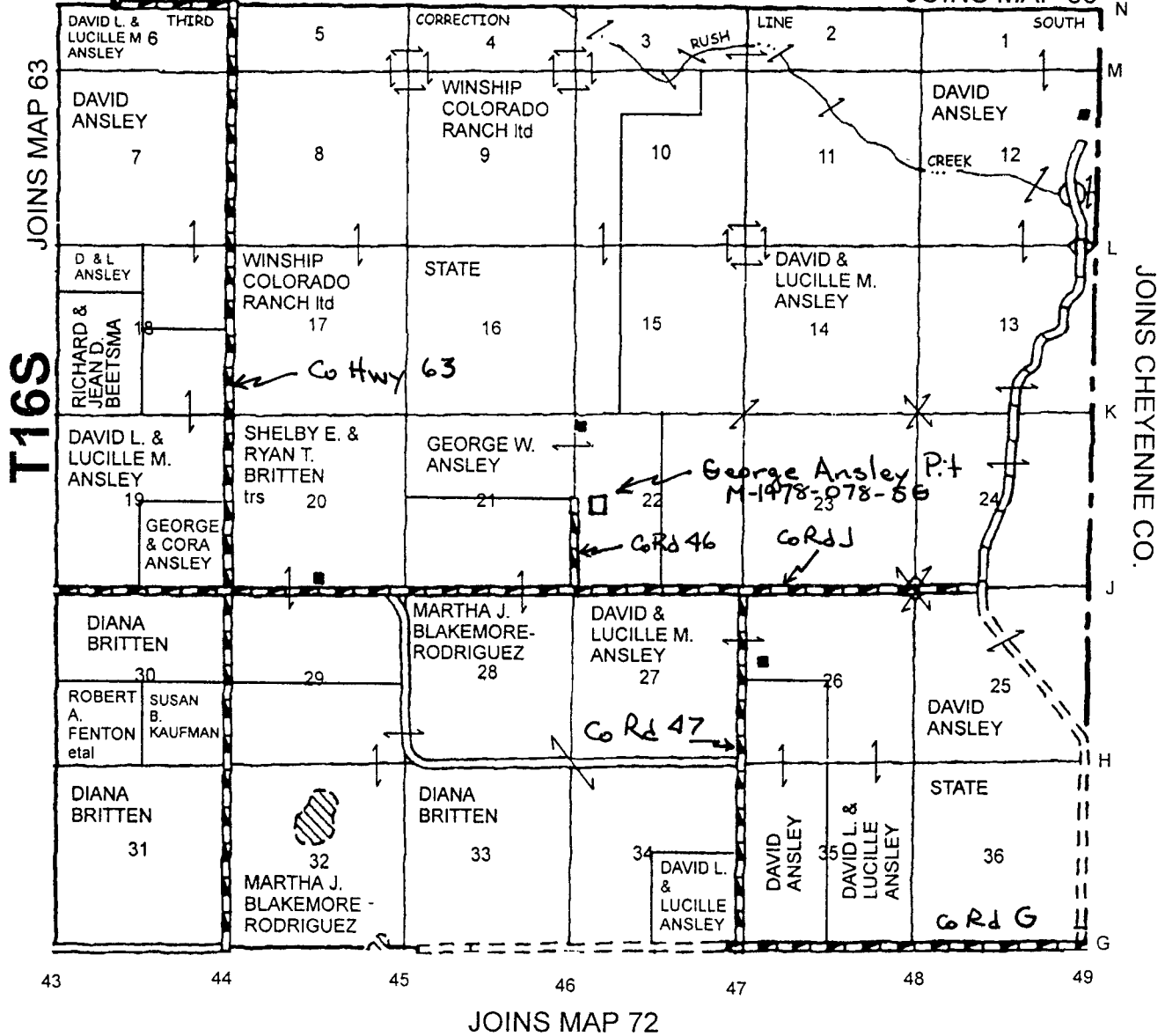
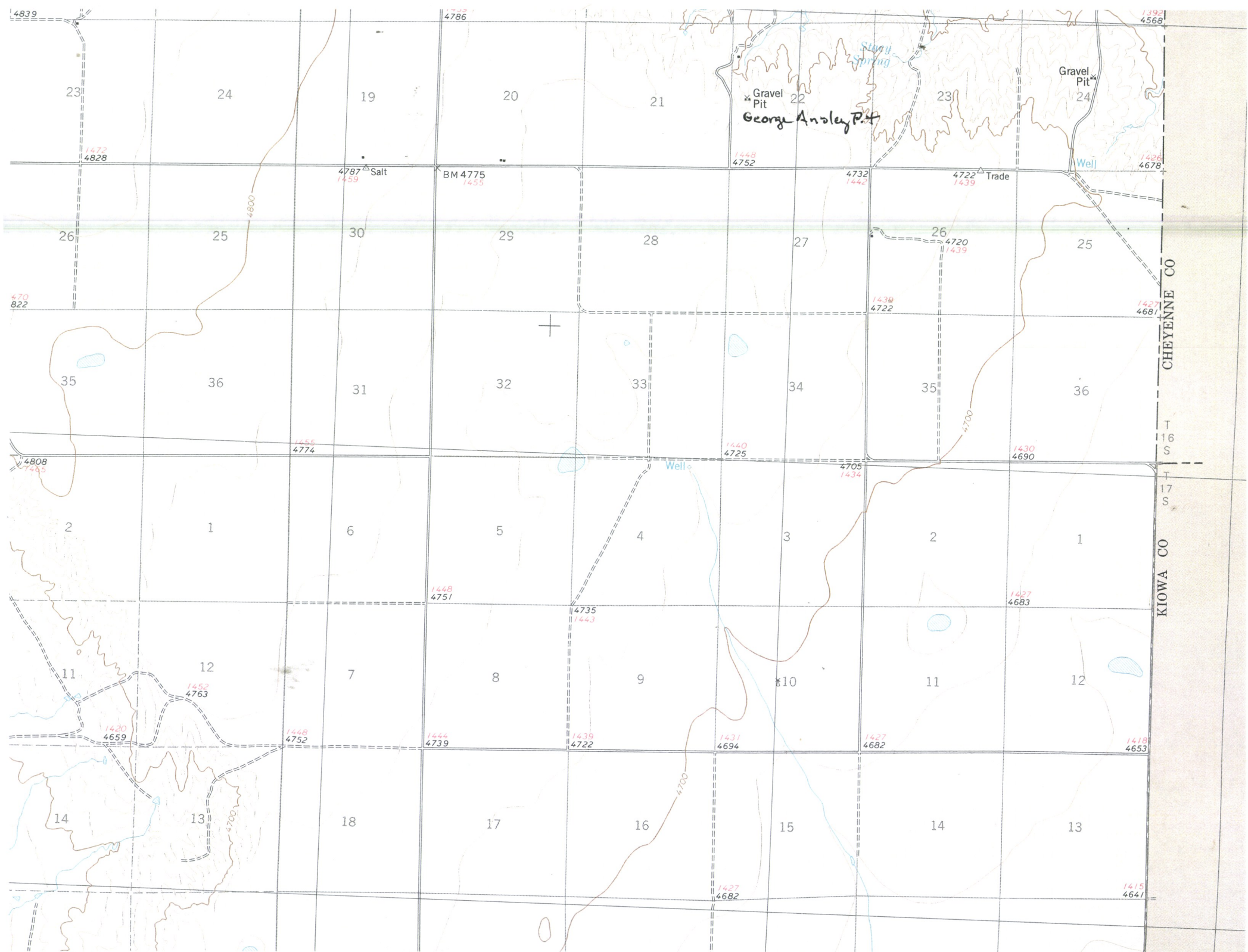
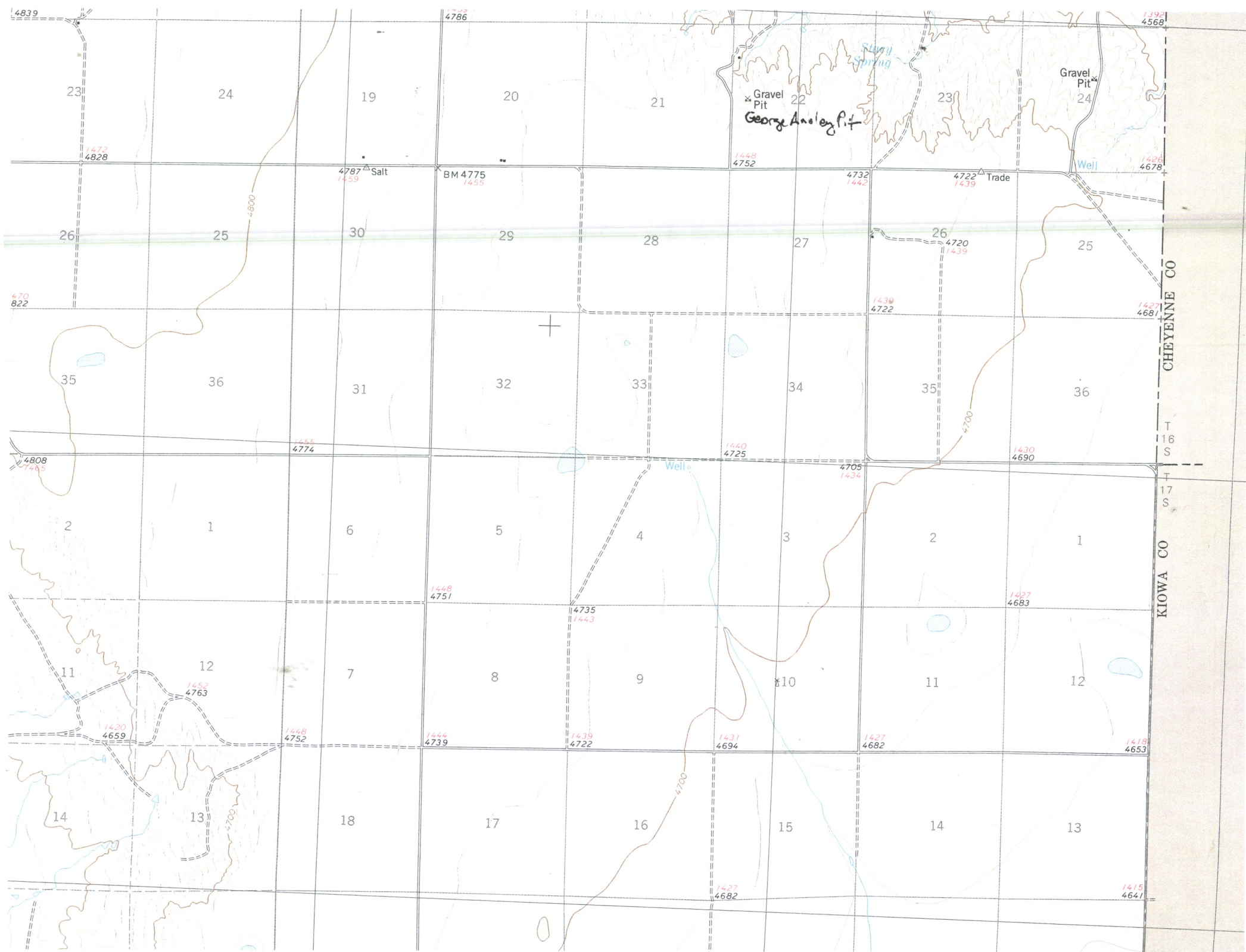


EXHIBIT B
GEORGE ANSLEY PIT
M-1978-078-SG
INDEX MAP

See attached maps for this current pit.







© 2008 Tele Atlas
Image © 2008 DigitalGlobe

Google

38°38'53.30" N 103°13'36.49" W

elev 4731 ft

Eye alt 18036 ft



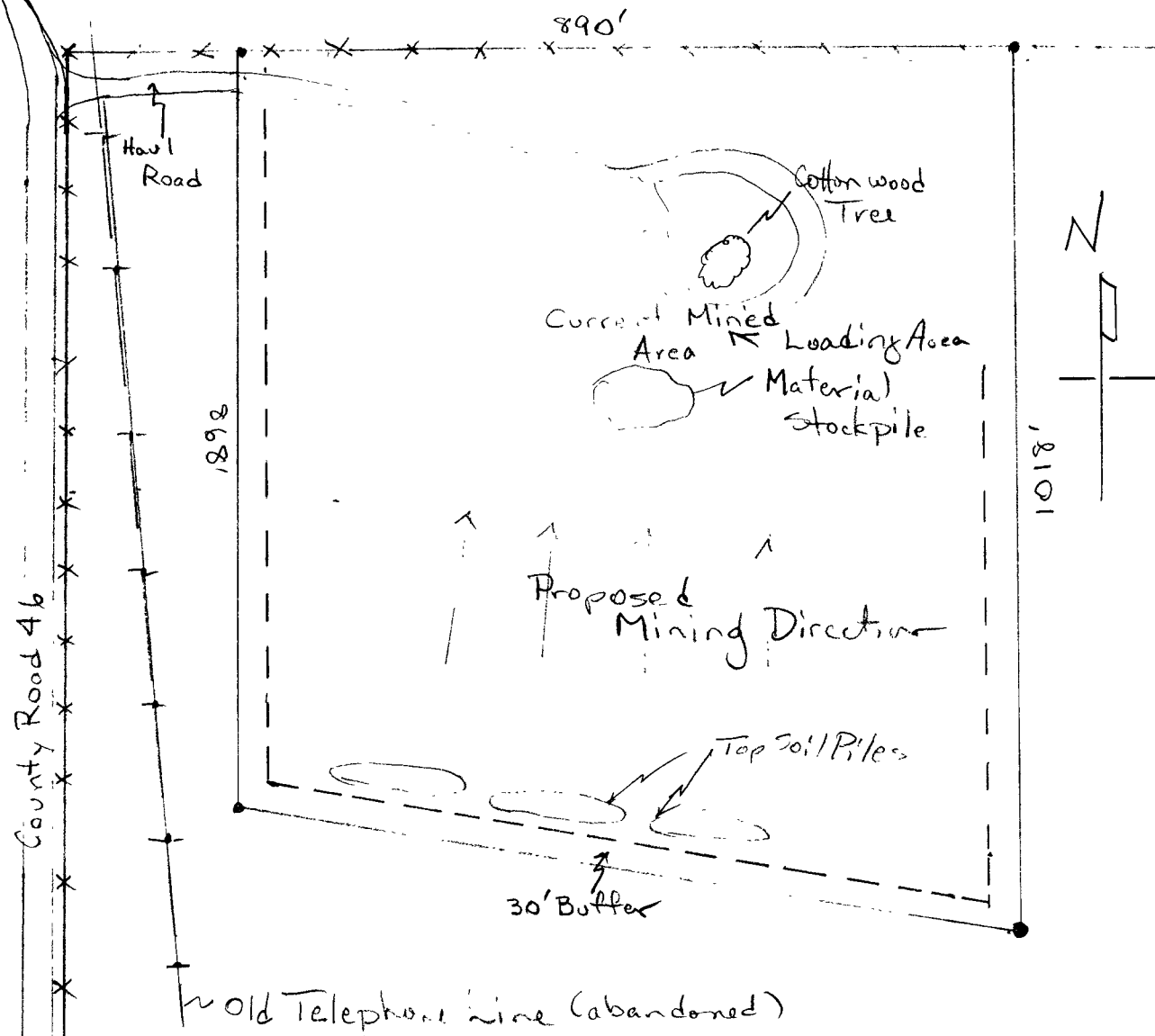
Image © 2006 DigitalGlobe
© 2006 Terra Allas

Google
© 2006

EXHIBIT C
GEORGE ANSLEY PIT
M-1978-078-SG
PRE-MINING AND MINING PLAN MAPS OF AFFECTED LANDS

- (a) No buildings, oil or gas wells and lines communication lines are located on the area of the affected land but a communication line owned by George Ansley is within 200 feet of the pit boundary.
- (b) For the topography of the affected lands see the map with Exhibit B from the Geological Survey.
- (c) The total area of the affected land is 19.77 acres (see the Pre-mining Map,) the area previously mined is approximately 7.68 acres (total affected area is 9.39 acres): the mined area of the conversion will be approximately 14.38 acres.
- (e) The present vegetation in the affected lands consists mainly of native grasses and miscellaneous forbs; see the attached letter from the Natural Resources Conservation Services in Exhibit J.
- (g) The only man made structures within 200 feet of the affected area will be the barbed wire fence on the west, north and east side of the affected area and the privately owned telephone line to the west of the area. George Ansley owns all these man made structures.

M-1973-078-SG
 George Ansley P. +
 NW 1/4 SW 1/4 S22, T16S, R52W



NW 1/4 SW 1/4 Section 22, Township 16 South,
 Range 52 West

- Boundary Markers
- Old Phone Line
- Barbed Wire Fence

Scale: 1" = 200'

MAP By:
 Kenneth Morrison
 8-29-2012

MINING PLAN MAP

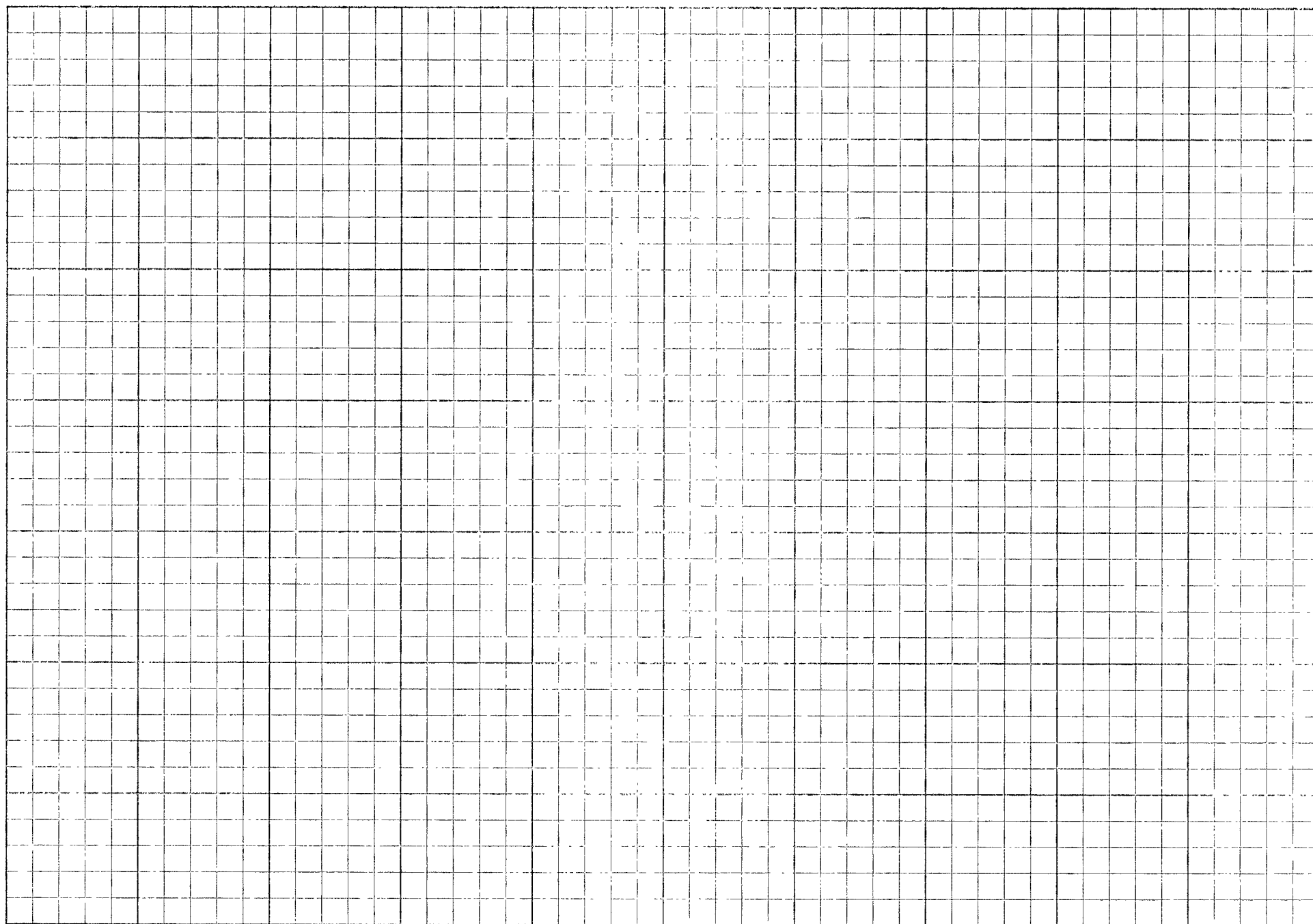


EXHIBIT D
GEORGE ANSLEY PIT
M-1978-078-SG
MINING PLAN

A tracked dozer or front-end loader working from west to east or south to north will push the sand and gravel being mined in this operation into a stockpile. A front-end loader will then load the material from the stockpile into haul trucks. Some of the sand and gravel could remain in the stockpile for several weeks. The sand and gravel will be utilized in the maintenance and construction of county roads in District 3 of Lincoln County.

Prior to removal of the sand and gravel 5 to 11 inches of topsoil will be stockpiled for later use in the reclamation of the affected lands. These topsoil stockpiles will be hand seeded to stabilize the piles and prevent erosion (see attached memo from Brian Johnson N.R.C.S. for seed to be used, amounts and seeding seasons.) Any overburden that underlies the topsoil will either be used as binder or stockpiled for later use in the reclamation. These stockpiles will also be hand seeded for stabilization and to prevent erosion. The maximum size area that will be mined at one time would be from 7 to 9 acres.

This operation will be active but will be used less than 180 days per year.

The over burden to be removed is a mix of soil and sand and gravel that gets sandier with increasing depth. The sand and gravel to be mined varies in thickness from 7 to 15 feet. The material that under lays the sand and gravel is a mix of clay and sand that turns to clay a great depth.

The primary commodity being extracted is sand and gravel. No incidental products will be mined. No processing of the material will occur in the pit area. The only water used in the pit area would be for dust abatement.

No explosives are used in either the mining or reclamation.

LINCOLN COUNTY GRAVEL PITS

TEMPORARY SEED MIXTURE

TECHNICAL REVISION

Lincoln County requests that the attached "temporary seed mixture" be allowed when seeding the overburden and topsoil stockpiles at the following listed Lincoln County san/gravel pits. This mixture was furnished by Brian Johnson, District Conservationist, of the N.R.C.S. Once final reclamation has started the native seed mixture recommended by the N.R.C.S. will be used.

<u>PIT NAME</u>	<u>PIT I. D. NUMBER</u>
Gaede Pit	M-1978-051
Brent Pit	M-1978-072
Pickenpaugh Pit	M-1978-078
George Ansley Pit	M-1978-078-SG
Daugherty Pit	M-1978-079
Elmer Stone Gravel Pit	M-1978-080
Ellis Allen Pit	M-1984-185
Harold Eichman Gravel Pit	M-1985-105
County Line Pit	M-1987-016
Ravenkamp Pit No. 1 ✓	M-1991-060
C & D Farms No. 2 -	M-1999-043
Raymond Enderson Pit	M-2000-066
Eikermann Pit ✓	M-2002-108
Lofdahl Pit ✓	M-2004-001
Hoffman Pit	M-2005-04
Andersen Farms Pit	M-2006-050

The pits not listed from Lincoln County are in the process of final reclamation; no stockpiles exist in these pits.

Included with this request is the Technical Revision Fee of \$216.00

Main Identity

From: "Johnson, Brian - Hugo, CO" <brian.johnson@co.usda.gov>
To: <lcanduse@esrta.com>
Sent: Tuesday, October 28, 2008 6:47 AM
Subject: Temporary cover

Hi Ken,

Here are some annual crops and perennial crop that would be possibilities for temporary cover on spoil piles or stock piles as per your request:

Annual

Millet (foxtail variety or feed variety) seeding rate 4 lbs./acre, planting date 5/15-6/30

Wheat seeding rate 10 lbs./acre, planting date 8/20-9/30

Oats seeding rate 15 lbs./acre, planting date 3/1-4/30

Perennial

Smooth brome seeding rate 13 lbs./acre PLS, planting date 11/1-5/1

These seeding rates are based on that a drill will be used to plant the seed. I would probably recommend the millet as the first choice of annual cover then wheat or oats. Areas to be seeded should be as weed free as possible reducing competition for establishment of temporary cover.

If you have any questions regarding this information give me a call.

Brian Johnson
District Conservationist

12/10/2008

EXHIBIT E
GEORGE ANSLEY PIT
M-1978-078-SG
RECLAMATION PLAN

The current use of the affected lands is rangeland and the reclamation plan will return them to this use over time. A reclamation plan was obtained from the Natural Resources Conservation Service (see attachments) and will be followed.

Reclamation will begin in the required seeding season (November 1 to May 15 as per N.R.C.S.) the year the county decides that the pit is depleted. As always reclamation will only start if the weather conditions permit (adequate moisture to insure growth.)

The final reclamation timetable is as follows:

1. Final grading (all slopes 4:1 or flatter) 4 to 5 days
2. Placement of remaining overburden (1 to 2 feet) 6 to 7 days
3. Replacement of topsoil (3 to 5 inches) 1 to 3 days
4. Discing and fertilizing if required 1 day
5. Seeding 1 to 2 days
6. Mulching and crimping 1 to 2 days.

The area to be reclaimed will be worked by dozers, front-end loaders or motor graders to achieve the required final slopes. Rippers will be used to break up any compaction caused by the equipment and seat the topsoil. The topsoil will be placed using the same equipment. Any fertilizer required would be applied prior to discing. The topsoil will be disced to a depth of approximately four inches prior to drilling the seed. Weed free mulch will be applied at a rate of two (2) tons per acre and crimped into the topsoil. Seeding will only be done during the season recommended by the N.C.R.S. reclamation will begin the year the gravel mining operation ceases. The reclamation will be completed within one year (weather permitting) and any follow up reclamation to achieve required ground cover will be completed within 3 years.

The County Weed Control manager makes periodic inspections of operating and reclaimed county gravel pits in order to control those weeds listed on the Colorado noxious weed list. Hand spraying only is utilized in the areas that have been previously reclaimed also the herbicide selected for use is custom tailored by type and dosage.

The seed mix provided by the N.C.R.S. is attached. This list provides the pounds of pure live seed to be applied, fertilizer amounts if required, quantity of weed free mulch to be applied and the depth of its crimping and the desired seeding season.

The haul road will be reclaimed with the final reclamation.

United States Department of Agriculture



Natural Resources Conservation Service
318 5th Street
PO Box 127
Hugo, CO 80821

719-743-2408-OFFICE
719-743-2501-FAX
www.co.nrcs.usda.gov

Subject: Lincoln County Pit (George Ansley Pit)

Date: December 12, 2008

To: Ken Morrison
Land Use Administer

The general vegetative survey in the area of the barrow pit enlargement consists mainly of a mixture of native grasses and miscellaneous forbs on the upland site. The predominant grasses consist of blue grama, buffalo with some miscellaneous forbs. For soils description see attachment.

Enclosed is a reclamation plan for the barrow area pit located in the NW, SW quarter of section 22-16-52.

Planning considerations for reclamation of the site consists of:

1. Topsoil should be stockpiled before mining begins and spread evenly over the surface after reclaimed. Soils must have sufficient depth to support the grass mixture to be seeded. The area should be shaped to the undisturbed area. Slopes should not exceed 3:1 and should be flatter where feasible.
2. The seedbed should be well settled and firm but not compacted. If heavy equipment traffic has compacted the area it should be ripped and smoothed. The seedbed should be free of weeds.
3. A soil test should be performed to determine the proper fertilizer requirement in both types and amounts. In lieu of a soil test the planting area should be fertilized at a rate at least 40 lbs. of nitrogen and 40 lbs. of phosphate. Animal manure may be used to supply all or part of the nutrients. Fertilization should occur around seeding time of the grass.
4. The seed mixture should consist of blue grama, sideoats grama, little bluestem and western wheat (see attached grass seed job sheet). Grass drilling should occur between November 1 through May 20th. Weeds should be controlled mechanically or chemically until grass is established. Grazing should be excluded for two growing seasons from the time of planting from the seeded areas. Fencing maybe needed to achieve this.
5. A minimum of 4000 lbs. of grass (native) mulch per acre should be applied to the surface after the grass has been seeded to hold the ground until the grass has established. The mulch should be crimped into the surface with a mulch crimper at a 4 inch depth. The mulch should be weed free and not moldy.

If you need any further assistance please contact us.

Respectfully,

A handwritten signature in cursive script that reads "Brian C. Johnson".

Brian C. Johnson
District Conservationist
Hugo NRCS Office

En:

Helping People Help the Land

An Equal Opportunity Employer and Provider



Map Unit Description (Brief, Generated)

Lincoln County, Colorado

[Minor map unit components are excluded from this report]

Map unit: 129 - Fort loam, 1 to 3 percent slopes

Component: Fort (85%)

The Fort component makes up 85 percent of the map unit. Slopes are 1 to 3 percent. The parent material consists of alluvium and/or eolian deposits. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is high. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 2 percent. This component is in the R069XY006CO Loamy (formerly Loamy Plains) ecological site. Nonirrigated land capability classification is 4c. This soil does not meet hydric criteria. The calcium carbonate equivalent within 40 inches, typically, does not exceed 10 percent. The soil has a slightly sodic horizon within 30 inches of the soil surface.

Map unit: 171 - Oterodry fine sandy loam, 5 to 9 percent slopes

Component: Oterodry (85%)

The Oterodry component makes up 85 percent of the map unit. Slopes are 5 to 9 percent. The parent material consists of eolian deposits. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is somewhat excessively drained. Water movement in the most restrictive layer is high. Available water to a depth of 60 inches is moderate. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 1 percent. This component is in the R069XY026CO Sandy ecological site. Nonirrigated land capability classification is 6e. This soil does not meet hydric criteria. The calcium carbonate equivalent within 40 inches, typically, does not exceed 6 percent.

Map unit: 219 - Gravel pits

Component: Gravel pits (100%)

Generated brief soil descriptions are created for major soil components. The Gravel pits is a miscellaneous area.

Grass Seeding: Part I - Planned

Planner:	Brian Johnson			Date:	12-Dec-08
Producer:	Lincoln County (George Ansley Gravel Pit)				
MLRA:	69	Contract/Agreement #:	Item Num:		
Seeding Operation:	Acres to be seeded:	20			
	Seedbed Prep:			Cropland:	
	Planting Dates:	Nov. 1 to May 20			
	Planting Depth (in.):	1/2 inch			
	Drill Type:	grass			
	Drill Spacing (in.):	10			
Fertilizer:	Pounds per acre recommended			(planned and applied requires practice standard 590)	
	Nitrogen (N)	Phosphorus (P)	Potassium (K)		
	40	40	0		
Weed Control:	Dates:	July to Septmeber		(planned and applied requires practice standard 595)	
	Description:	mechanical			
Cover:	Amount:	4000 lbs.			
	Description:	weed free native hay/clean straw			
	Application Method:	broadcast and crimp			

Seed Recommendations:							
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
Sideoats grama	0 0	9.0 / 4.5	9 0	40	3.6	20 0	72.0
Blue grama	0.0	3.0 / 1.5	3.0	25	0.8	20.0	15.0
Little bluestem	0.0	7.0 / 3.5	7.0	15	1.1	20 0	21.0
Western wheatgrass	0 0	16.0 / 8.0	16.0	20	3 2	20.0	64.0
Totals			35.0	100.0	8.6	20.0	172 0

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.

Certified Planner:

Brian Johnson

Date:

12/12/08

STORM WATER MANAGEMENT PLAN

Lincoln County GEORGE ANSLEY PIT

As required by the State of Colorado Department of Health to reduce the chance of any possible pollutants reaching any waters of the State of Colorado, let this serve as a Storm Water Management Plan (SWMP) that can be modified as needed should any of the Lincoln County mining practices or operations change with regards to operating next to a creek-bed or stream-bed or an in stream bed operation. Or should any open pit within Lincoln County be located, have the sloping changed to allow storm water to come in contact with any waterway that would drain into a state waterway.

Lincoln County does not or should not need to store any materials on site other than stockpiles of material within the boundary of the permit area. All equipment used in the removal or transportation of material from the site is trucked in, i.e. bull-dozers or end-loaders fully fueled and removed once the work is complete, no hauling trucks are left at the site. All fueling or repairs shall take place on the haul road or loading area well away from any bank, stream bed or creek bed. All and or any overburden or topsoil that needs to be retained on site for reclamation is seeded, if they do not revegetate within a reasonable time, usually one year they are reseeded. Stockpiles of sand/gravel are minimal and rarely will be left for any length of time on site.

Sand and gravel pits within Lincoln County are worked such, and in most cases are located well away from any drainage areas that would allow water to enter Colorado Waters as defined, and any storm water run off remains in the pit and perks through the soil. Any operations in Lincoln County that take place within a creek-bed or stream bed have material stockpiled well away from the banks and rarely remain. The District Road Foreman for District 2 shall be responsible to assure this plan is followed, and all Best Management Practices (BMP) are implemented and up-dated as needed to insure any storm water that may enter the drainage features has not been polluted by poor management practices. During the first year there will be two inspections performed, semi-annual, and if no problems have been found or noted then inspections will be performed once annually.

BEST MANAGEMENT PRACTICES

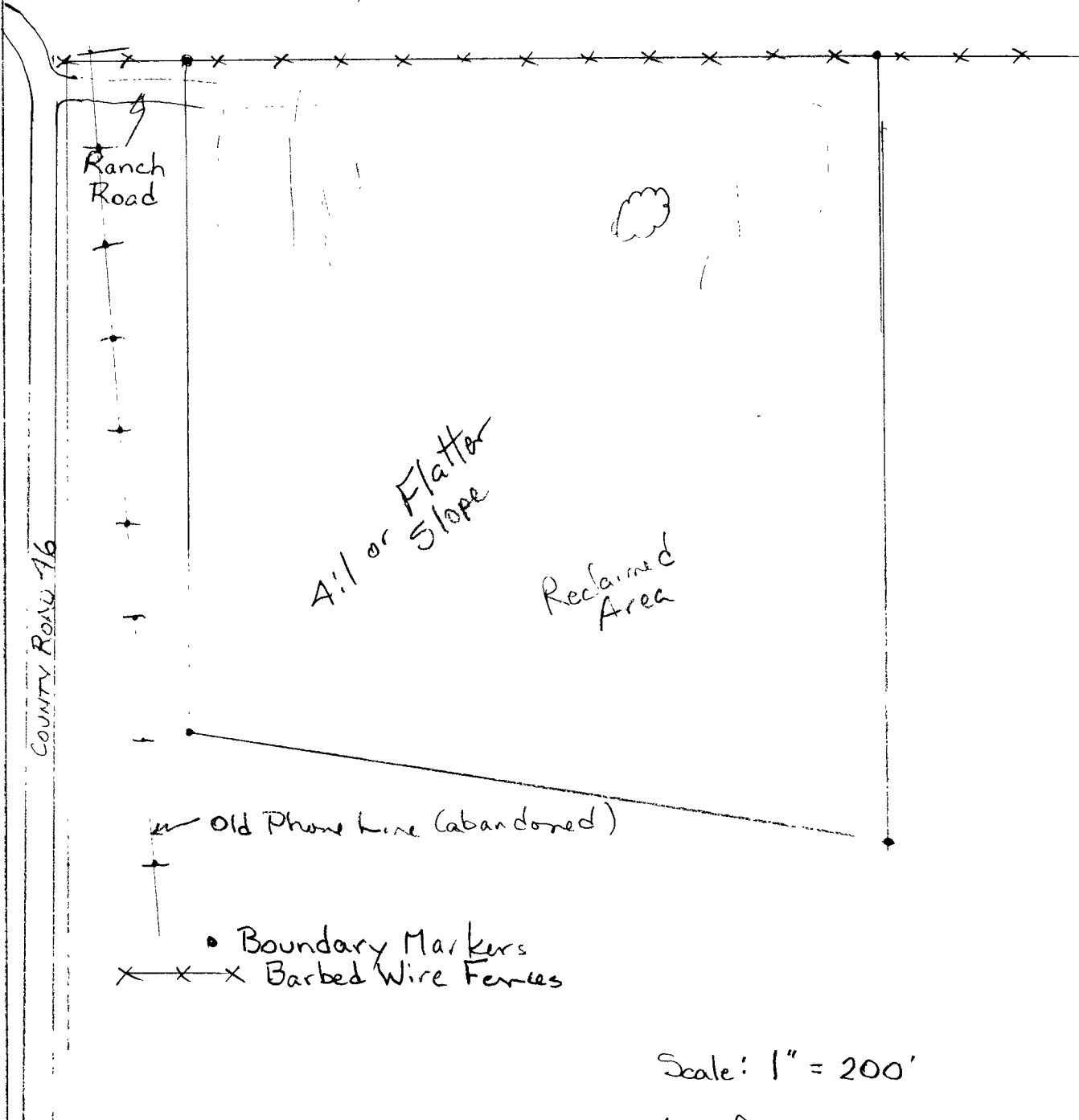
At no time will any mining activity take place when there is water in the pit area. Once the usable material has been removed and stockpiled in the pit area will be sloped to retain water in the pit area until it has percolated into the soil to make sure no run off reaches any drainage area in the area of the pit. The nearest drainage feature is a small draw that is north of the pit.

All stockpiles of overburden and or topsoil will be seeded to prevent run off, as much as possible, and erosion to occur. All stockpiles will be located on the south side of the pit.

Any needed refueling shall take place away from the mining area, on the haul road or parking/loading area with extra care given to avoid spills. Should a spill happen, the area would be cleaned by removing any soil/material to a depth of one foot or one foot more than the spill has perked into the soil, and twice the size of the spill area, and removed from the site and disposed according to EPA Regulations. Any spills that fall within the requirement to report to Hazardous-Materials shall be reported in a timely manner, and at all times any spill reporting required by any permit authority shall be followed. At no time shall fuel, or any fluids required be stored on site, but may be brought in as needed.

EXHIBIT F
GEORGE ANSLEY PIT
M-1978-078-SG
RECLAMATION PLAN MAP

M-1978-078-5G
George Ansley Pit
NW 1/4 SW 1/4 S22, T16S, R52W



Scale: 1" = 200'

Map By:
Kenneth Morrison
8-29-2012

RECLAMATION PLAN MAP

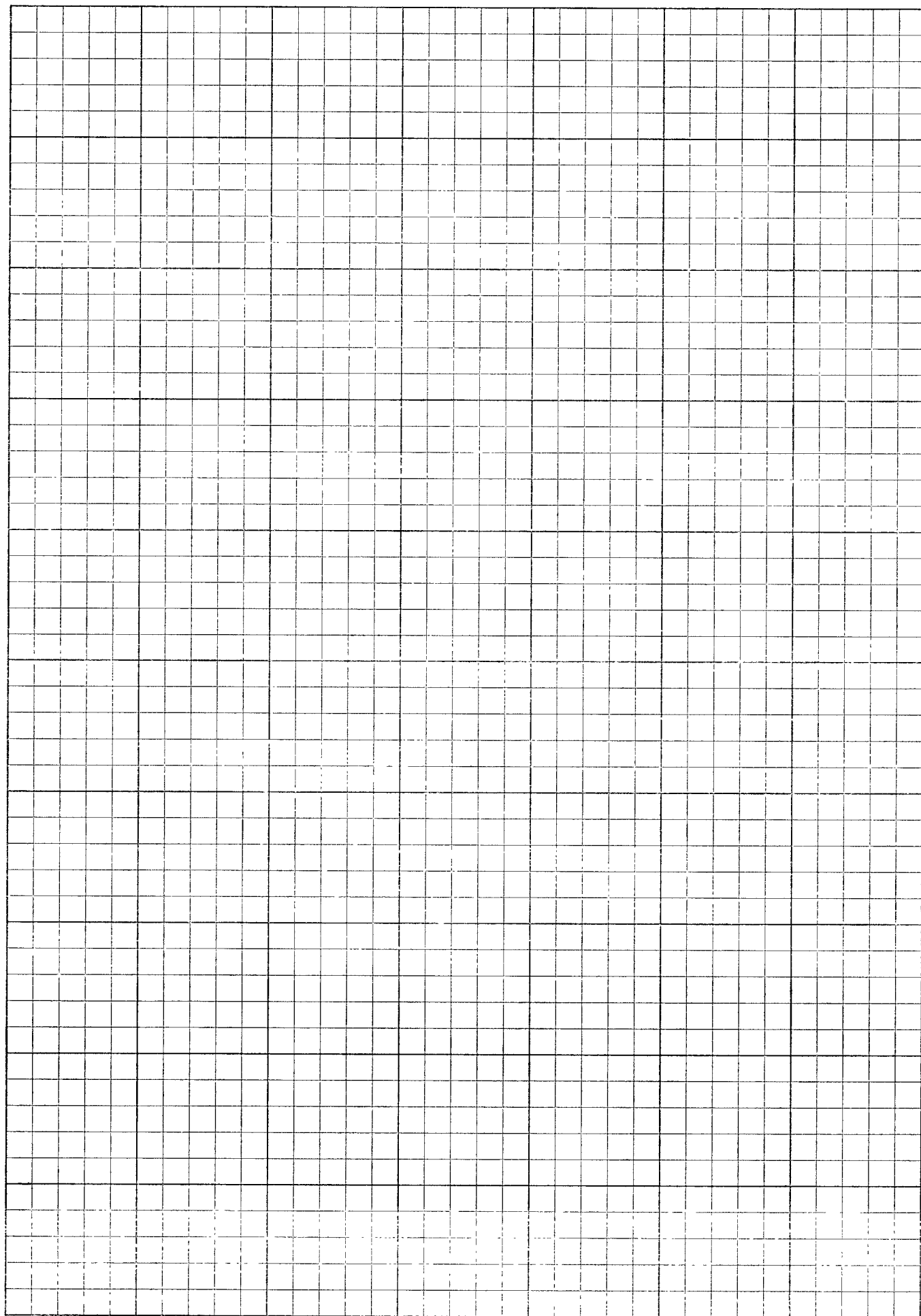


EXHIBIT G
GEORGE ANSLEY PIT
M-1978-078-SG
WATER INFORMATION

- (1) The operation at this location is not expected to affect surface or ground water systems. No water will be used to process the sand and gravel mined at this site. Nor will any water be used during the reclamation process. Storm water will be contained within the pit area and will be allowed to percolate into the ground. No mining activity will take place when water is standing in the pit area.
- (2) The Water Quality Control Division at the Colorado Department of Public Health and Environment was contacted about the need to obtain a "National Pollutant Discharge Elimination System" (NPDES) Permit and stated that as long as no water was discharged no permit was required.

EXHIBIT H
GEORGE ANSLEY PIT
M-1978-078-SG
WILDLIFE

The Mined Land Reclamation Board in their consideration of a permit is provided the following information for use for the George Ansley Pit in Lincoln County.

Wildlife Species List:

Pronghorn antelope, coyote, badger, jack rabbit, small rodents

Raptors: Swainson and Red-tailed Hawks and Marsh Harrier

Birds: Mourning dove, Meadowlark, Horned lark and various songbirds

Critical Habitats/Vegetative Communities Impacted:

Short grass Prairie

Threatened or Endangered Species:

None

EXHIBIT I
GEORGE ANSLEY PIT
M-1978-078-SG
SOILS INFORMATION

See the following information from the USDA Natural Resources Conservation Service. Also a very thorough Soils Report is included with EXHIBIT E: GEORGE ANSLEY PIT: RECLAMATION PLAN. This information is from The Department of Agriculture: Natural Resources Conservation Service.

Otero and similar soils*Extent:* About 2 percent of the unit*Slope:* 1 to 5 percent*Drainage class:* Somewhat excessively drained*Ecological site:* Sandy Plains**Rock outcrop***Extent:* About 1 percent of the unit*Slope:* 5 to 40 percent**129—Fort loam, 1 to 3 percent slopes****Map Unit Composition**

Fort and similar soils: 85 percent

Minor components: 15 percent

Component Descriptions**Fort***MLRA:* 69—Upper Arkansas Valley Rolling Plains*Landform:* Plains*Parent material:* Alluvium and/or eolian deposits*Slope:* 1 to 3 percent*Drainage class:* Well drained*Slowest permeability class:* Moderately slow*Available water capacity:* High (about 10.4 inches)*Shrink-swell potential:* Moderate (about 4.5 LEP)*Flooding hazard:* None*Depth to seasonal zone of saturation:* Greater than 6 feet*Runoff class:* Low*Ecological site:* Loamy Plains*Land capability (nonirrigated):* 4c**Typical profile:**

A—0 to 2 inches; loam

AB—2 to 5 inches; sandy loam

Btk—5 to 34 inches; clay loam

Bk—34 to 60 inches; silty clay loam

Minor components**Apishapa and similar soils***Extent:* About 3 percent of the unit*Slope:* 0 to 3 percent*Drainage class:* Somewhat poorly drained*Ecological site:* Plains Swale**Arvada and similar soils***Extent:* About 3 percent of the unit*Slope:* 0 to 5 percent*Drainage class:* Well drained*Ecological site:* Salt Flat**Karval and similar soils***Extent:* About 3 percent of the unit*Slope:* 1 to 7 percent*Drainage class:* Excessively drained*Ecological site:* Gravel Breaks**Oterodry and similar soils***Extent:* About 3 percent of the unit*Slope:* 5 to 9 percent*Drainage class:* Somewhat excessively drained*Ecological site:* Sandy Plains**Willid and similar soils***Extent:* About 3 percent of the unit*Slope:* 0 to 3 percent*Drainage class:* Well drained*Ecological site:* Loamy Plains**Additional feature**

- Some areas adjacent to streams have short steep slopes.

130—Fort loam, 3 to 5 percent slopes**Map Unit Composition**

Fort and similar soils: 85 percent

Minor components: 15 percent

Component Descriptions**Fort***MLRA:* 69—Upper Arkansas Valley Rolling Plains*Landform:* Hills*Parent material:* Alluvium and/or eolian deposits*Slope:* 3 to 5 percent*Drainage class:* Well drained*Slowest permeability class:* Moderately slow*Available water capacity:* High (about 10.4 inches)*Shrink-swell potential:* Moderate (about 4.5 LEP)*Flooding hazard:* None*Depth to seasonal zone of saturation:* Greater than 6 feet*Runoff class:* Low*Ecological site:* Loamy Plains*Land capability (nonirrigated):* 4e**Typical profile:**

A—0 to 2 inches; loam

AB—2 to 5 inches; sandy loam

Btk—5 to 34 inches; clay loam

Bk—34 to 60 inches; silty clay loam

Minor components**Apishapa and similar soils***Extent:* About 3 percent of the unit*Slope:* 0 to 3 percent

Flooding hazard: None

Depth to seasonal zone of saturation: Greater than 6 feet

Runoff class: Low

Ecological site: Sandy Plains

Land capability (nonirrigated): 4e

Typical profile:

Ap—0 to 13 inches; sandy loam

Bk—13 to 60 inches; sandy loam

Minor components

Apishapa and similar soils

Extent: About 5 percent of the unit

Slope: 0 to 3 percent

Drainage class: Somewhat poorly drained

Ecological site: Plains Swale

Fort Collins and similar soils

Extent: About 5 percent of the unit

Slope: 3 to 5 percent

Drainage class: Well drained

Ecological site: Loamy Plains

Vona and similar soils

Extent: About 5 percent of the unit

Slope: 1 to 5 percent

Drainage class: Somewhat excessively drained

Ecological site: Sandy Plains

Additional feature

- Blowouts occur in areas of this map unit.

170—Oterodry fine sandy loam, 1 to 5 percent slopes

Map Unit Composition

Oterodry and similar soils: 85 percent

Minor components: 15 percent

Component Descriptions

Oterodry

MLRA: 69—Upper Arkansas Valley Rolling Plains

Landform: Hills

Parent material: Eolian deposits

Slope: 1 to 5 percent

Drainage class: Somewhat excessively drained

Slowest permeability class: Moderately rapid

Available water capacity: Moderate (about 7.8 inches)

Shrink-swell potential: Low (about 1.5 LEP)

Flooding hazard: None

Depth to seasonal zone of saturation: Greater than 6 feet

Runoff class: Low

Ecological site: Sandy Plains

Land capability (nonirrigated): 4e

Typical profile:

A—0 to 11 inches; fine sandy loam

Bk—11 to 60 inches; fine sandy loam

Minor components

Apishapa and similar soils

Extent: About 5 percent of the unit

Slope: 0 to 3 percent

Drainage class: Somewhat poorly drained

Ecological site: Plains Swale

Fort and similar soils

Extent: About 5 percent of the unit

Slope: 3 to 5 percent

Drainage class: Well drained

Ecological site: Loamy Plains

Vonid and similar soils

Extent: About 5 percent of the unit

Slope: 1 to 5 percent

Drainage class: Somewhat excessively drained

Ecological site: Sandy Plains

171—Oterodry fine sandy loam, 5 to 9 percent slopes

Map Unit Composition

Oterodry and similar soils: 85 percent

Minor components: 15 percent

Component Descriptions

Oterodry

MLRA: 69—Upper Arkansas Valley Rolling Plains

Landform: Hills

Parent material: Eolian deposits

Slope: 5 to 9 percent

Drainage class: Somewhat excessively drained

Slowest permeability class: Moderately rapid

Available water capacity: Moderate (about 7.8 inches)

Shrink-swell potential: Low (about 1.5 LEP)

Flooding hazard: None

Depth to seasonal zone of saturation: Greater than 6 feet

Runoff class: Low

Ecological site: Sandy Plains

Land capability (nonirrigated): 6e

Typical profile:

A—0 to 11 inches; fine sandy loam

Bk—11 to 60 inches; fine sandy loam

Minor components

Ascalon and similar soils

Extent: About 5 percent of the unit*Slope:* 5 to 9 percent*Drainage class:* Well drained*Ecological site:* Sandy Plains

Olney and similar soils

Extent: About 5 percent of the unit*Slope:* 3 to 5 percent*Drainage class:* Well drained*Ecological site:* Sandy Plains

Valent and similar soils

Extent: About 2 percent of the unit*Slope:* 3 to 20 percent*Drainage class:* Excessively drained*Ecological site:* Deep Sands

Vonid and similar soils

Extent: About 2 percent of the unit*Slope:* 5 to 12 percent*Drainage class:* Somewhat excessively drained*Ecological site:* Sandy Plains

Rock outcrop

Extent: About 1 percent of the unit*Slope:* 5 to 40 percent**Additional feature**

- Blowouts occur in areas of this map unit.

172—Platner loam, 0 to 3 percent slopes***Map Unit Composition***

Platner and similar soils: 85 percent

Minor components: 15 percent

Component Descriptions**Platner***MLRA:* 67—Central High Plains*Landform:* Plains*Parent material:* Alluvium and/or eolian deposits*Slope:* 0 to 3 percent*Drainage class:* Well drained*Slowest permeability class:* Moderately slow*Available water capacity:* High (about 10.0 inches)*Shrink-swell potential:* Moderate (about 4.5 LEP)*Flooding hazard:* None*Depth to seasonal zone of saturation:* Greater than 6 feet*Runoff class:* Medium*Ecological site:* Loamy Plains*Land capability (nonirrigated):* 3c*Typical profile:*

A—0 to 7 inches; loam

Bt—7 to 15 inches; clay loam

Bk1—15 to 40 inches; silty clay loam

Bk2—40 to 60 inches; clay loam

Minor components

Ascalon and similar soils

Extent: About 3 percent of the unit*Slope:* 1 to 3 percent*Drainage class:* Well drained*Ecological site:* Sandy Plains

Fort Collins and similar soils

Extent: About 3 percent of the unit*Slope:* 1 to 3 percent*Drainage class:* Well drained*Ecological site:* Loamy Plains

Karval and similar soils

Extent: About 3 percent of the unit*Slope:* 1 to 7 percent*Drainage class:* Excessively drained*Ecological site:* Gravel Breaks

Otero and similar soils

Extent: About 3 percent of the unit*Slope:* 1 to 5 percent*Drainage class:* Somewhat excessively drained*Ecological site:* Sandy Plains

Pleasant and similar soils

Extent: About 3 percent of the unit*Slope:* 0 to 1 percent*Drainage class:* Moderately well drained*Ecological site:* Plains Swale**173—Platner-Ascalon complex, 0 to 3 percent slopes*****Map Unit Composition***

Platner and similar soils: 50 percent

Ascalon and similar soils: 35 percent

Minor components: 15 percent

Component Descriptions**Platner***MLRA:* 67—Central High Plains*Landform:* Plains*Parent material:* Alluvium and/or eolian deposits*Slope:* 0 to 3 percent*Drainage class:* Well drained*Slowest permeability class:* Moderately slow*Available water capacity:* High (about 10.0 inches)*Shrink-swell potential:* High (about 7.5 LEP)

EXHIBIT J
VEGETATION INFORMATION
GEORGE ANSLEY PIT
M-1978-078-SG

See Reclamation Report from N. R. C. S. included with EXHIBIT E.

EXHIBIT K
GEORGE ANSLEY PIT
M-1978-078-SG
CLIMATE

KARVAL, COLORADO (054444)

Period of Record Monthly Climate Summary

Period of Record : 8/ 1/1941 to 12/31/2007

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Average Max. Temperature (F)	44.5	47.2	55.2	63.5	72.6	82.3	88.8	86.0	78.4	67.2	52.4	44.0	65.2
Average Min. Temperature (F)	15.8	18.8	25.7	33.0	43.2	52.6	58.0	57.1	47.6	35.6	24.1	16.4	35.7
Average Total Precipitation (in.)	0.29	0.24	0.67	1.18	2.24	1.77	2.57	2.19	1.03	0.83	0.54	0.29	13.84
Average Total SnowFall (in.)	3.6	2.1	3.8	2.2	0.4	0.0	0.0	0.0	0.2	0.8	3.6	3.0	19.8
Average Snow Depth (in.)	1	0	0	0	0	0	0	0	0	0	1	1	0

Percent of possible observations for period of record.

Max. Temp.: 37% Min. Temp.: 36.5% Precipitation: 98.3% Snowfall: 95.1% Snow Depth: 83.8%

Check [Station Metadata](#) or [Metadata graphics](#) for more detail about data completeness.

Western Regional Climate Center, [wrcc@dri.edu](http://wrcc.dri.edu)

KARVAL, COLORADO

NCDC 1971-2000 Monthly Normals

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual Monthly
Mean Max. Temperature (F)	42.1	47.5	54.9	63.2	71.1	82.0	87.9	85.6	78.2	67.1	51.8	44.0	64.6
Highest Mean Max. Temperature (F)	54.4	57.4	63.2	71.0	77.4	87.8	93.7	91.4	83.9	71.8	64.5	52.4	93.7
Year Highest Occurred	1986	1991	1986	1981	1998	1994	1980	1983	1998	1975	1999	1980	1980
Lowest Mean Max. Temperature (F)	28.8	33.2	47.2	54.3	62.7	73.7	84.3	81.3	71.7	59.3	42.1	28.9	28.8
Year Lowest Occurred	1979	1978	1983	1984	1995	1982	1992	1992	1973	1984	1972	1983	1979
Mean Temperature (F)	28.1	32.9	40.1	48.3	57.1	67.3	72.9	71.1	62.9	51.2	37.8	30.1	50.0
Highest Mean Temperature (F)	38.7	40.0	46.6	55.3	61.3	72.2	77.0	76.1	67.7	54.0	46.5	38.3	77.0
Year Highest Occurred	1986	1991	1986	1981	1996	1994	1980	1983	1998	1979	1999	1980	1980
Lowest Mean Temperature (F)	16.5	22.5	35.9	42.2	51.6	61.8	69.8	67.9	58.2	46.7	30.9	18.3	16.5
Year Lowest Occurred	1979	1978	1980	1997	1995	1982	1992	1992	1993	1976	1985	1983	1979
Mean Min. Temperature (F)	14.1	18.3	25.3	33.4	43.0	52.5	57.9	56.6	47.5	35.3	23.7	16.1	35.3
Highest Mean Min. Temperature (F)	23.0	25.3	30.1	39.5	47.5	56.6	60.5	60.8	52.3	38.6	28.4	24.2	60.8
Year Highest Occurred	1986	1992	1986	1981	1977	1994	1998	1983	1990	1983	1999	1980	1983
Lowest Mean Min. Temperature (F)	4.3	10.6	20.4	27.2	39.3	49.9	55.3	54.2	42.1	30.8	18.7	7.7	4.3
Year Lowest Occurred	1979	1989	1996	1997	1983	1982	1992	1974	1974	1976	2000	1983	1979
Mean Precipitation (in.)	0.36	0.30	0.90	1.31	2.59	1.78	2.78	1.99	0.94	0.77	0.59	0.36	14.67
Highest Precipitation (in.)	1.51	1.58	2.62	5.85	7.78	5.20	8.95	5.05	2.97	2.60	4.65	1.73	8.95
Year Highest Occurred	1972	1987	1983	1980	1987	1992	1998	1991	1972	1993	1972	1973	1998
Lowest Precipitation (in.)	0.00	0.00	0.03	0.00	0.29	0.00	0.51	0.31	0.05	0.00	0.00	0.00	0.00
Year Lowest													

Occurred	1998	1999	1986	1981	2000	1971	1983	1985	1992	1980	1995	1980	1998
Heating Degree Days (F)	1143.	899.	773.	502.	262.	55.	1.	11.	121.	428.	817.	1083.	6095.
Cooling Degree Days (F)	0.	0.	0.	1.	15.	122.	246.	201.	57.	0.	0.	0.	642.

Western Regional Climate Center, [wrcc@dri.edu](http://wrcc.dri.edu)

NOAA's National Weather Service Weather Forecast Office Pueblo, CO

CLIMATE REPORT
NATIONAL WEATHER SERVICE PUEBLO
1142 AM MST WED JAN 2 2008

...THE PUEBLO CLIMATE SUMMARY FOR THE YEAR OF 2007...

CLIMATE NORMAL PERIOD 1971 TO 2000
CLIMATE RECORD PERIOD 1888 TO 2008

WEATHER	OBSERVED VALUE	DATE(S)	NORMAL VALUE	DEPART FROM NORMAL
---------	-------------------	---------	-----------------	--------------------------

TEMPERATURE (F)

RECORD				
HIGH	109	07/13/2003		
LOW	-31	02/01/1951		
HIGHEST	104	07/18		
LOWEST	-14	01/15		
AVG. MAXIMUM	68.6		67.4	1.2
AVG. MINIMUM	35.0		35.9	-0.9
MEAN	51.8		51.7	0.1
DAYS MAX >= 90	66			
DAYS MAX <= 32	27			
DAYS MIN <= 32	166			
DAYS MIN <= 0	7			

PRECIPITATION (INCHES)

RECORD				
MAXIMUM	23.09	1957		
MINIMUM	3.94	2002		
TOTALS	12.93		12.39	0.54
DAILY AVG.	0.03		0.03	0.00
DAYS >= .01	74			
DAYS >= .10	29			
DAYS >= .50	7			
DAYS >= 1.00	3			
GREATEST				
24 HR. TOTAL	1.27	08/11 TO 08/11		

SNOWFALL (INCHES)

RECORDS				
TOTAL	69.6			
24 HR TOTAL	16.8	04/29/1990 TO 04/30/1990 04/01/1957 TO 04/02/1957		
TOTALS	25.1		31.8	-6.7
SINCE 7/1	9.5		14.4	-4.9
SNOWDEPTH AVG.	0			
DAYS >= TRACE	43		23.0	20.0
DAYS >= 1.0	7		9.7	-2.7
GREATEST				

SNOW DEPTH 4 01/14
 24 HR TOTAL 4.2 01/13 TO 01/14

DEGREE DAYS

HEATING TOTAL	5650	5598	52
SINCE 7/1	2239	2316	-77
COOLING TOTAL	965	922	43
SINCE 1/1	965	922	43

.....

WIND (MPH)

AVERAGE WIND SPEED	7.6	
RESULTANT WIND SPEED/DIRECTION	1/039	
HIGHEST WIND SPEED/DIRECTION	53/340	DATE 04/24
HIGHEST GUST SPEED/DIRECTION	67/360	DATE 04/24

SKY COVER

POSSIBLE SUNSHINE (PERCENT)	76
NUMBER OF DAYS FAIR	303
NUMBER OF DAYS PC	40
NUMBER OF DAYS CLOUDY	22

AVERAGE RH (PERCENT) 55

WEATHER CONDITIONS. NUMBER OF DAYS WITH

THUNDERSTORM	52	MIXED PRECIP	1
HEAVY RAIN	16	RAIN	27
LIGHT RAIN	76	FREEZING RAIN	1
LT FREEZING RAIN	3	HAIL	4
HEAVY SNOW	2	SNOW	10
LIGHT SNOW	39	SLEET	0
FOG	78	FOG W/VIS <= 1/4 MILE	18
HAZE	49		

- INDICATES NEGATIVE NUMBERS.

R INDICATES RECORD WAS SET OR TIED.

MM INDICATES DATA IS MISSING.

T INDICATES TRACE AMOUNT.

Graphical Temperature and Precipitation Comparison For 2007

EXHIBIT L
GEORGE ANSLEY PIT
M-1978-078-SG
RECLAMATION COSTS

Not required of governmental agencies.
See attached Performance Warranty.

EXHIBIT M
GEORGE ANSLEY PIT
M-1978-078-SG
OTHER PERMITS AND LICENSES

- (1) No NPDES permit required as per Colorado Department of Public Health and Environment.
- (2) No air pollution emission permit required. However, an Air Pollutant Emission Notice (APEN) is on file, Permit Number 01LI0741F.
- (3) No other permits or licenses required.

EXHIBIT N
GEORGE ANSLEY PIT
M-1978-078-SG
SOURCE OF LEGAL RIGHT TO ENTER

See attached copy of the Mineral Lease & Legal Right to Enter for this pit.

MINERAL LEASE & RIGHT TO ENTER

THIS LEASE AGREEMENT, made this 5th day of December 2008
By and between George A. Ansley /
Hereinafter called the Lessor, and LINCOLN COUNTY, Hereinafter called the Lessee.

The said Lessor is the owner of the following described real property located in the County of Lincoln State of Colorado.

1. In consideration of the mutual covenants herein contained, the said Lessor does, by these presents lease and let for the purpose hereafter mentioned, under all lawful warranties unto said Lessee the mineral interest described in paragraph 2 hereof.
2. The Lessee shall have the right to mine, extract, remove and take from the above described real property all the **SAND AND GRAVEL**, (hereinafter called minerals), in and under said real property, with the right to remove the topsoil or overburden above said minerals and also Lessee shall have the right to use necessary space for the construction and maintenance of anything required for the extraction and/or handling of minerals and space for stockpiling such minerals on the premises all without any payment in addition to the royalties and other payments herein specifically provided for.
3. The Lessee shall have, during the term of this Lease, the unlimited right of ingress and egress for the removal of said minerals mined, extracted, removed and taken from the premises.
4. This lease shall continue in effect from Dec. 1, 2008 to Dec. 1, 2018, and may be extended by the Lessee for an additional period of **five (5) years**, upon written notice of such extension given to the Lessor ten day before the expiration of said lease agreement.
5. The Lessee shall pay the Lessor for all minerals mined and taken from the said premises herein leased, a royalty of **\$1.80** per single axle dump truck load or **\$4.20** per tandem axle dump truck load, or **\$5.40** per semi load.
6. The Lessee shall pay all taxes assessed or that may be assessed against the premises herein leased during the continuances of this Lease.
7. Lessee shall have over the aforesaid property only these rights intimately concerned with the mining and removal of said minerals including, without limitation, the right to stockpile said minerals on the above-described real property or other lands adjacent thereto and owned by the Lessor but within the boundary of the leased area.
8. Lessee will revegetate all damaged to the leased area due to the mining operations and upon completion of the operation all affected areas will be reseeded with a native grass seed mixture recommended by the Natural Resources Conservation Service and will have the right to fence the affected area in after revegetation to allow undisturbed growth if needed.
9. The Lessor agrees, upon termination of the Lease Agreement by the Lessee of the property herein above described, to assume full responsibility for the condition of such property, and further agrees to hold harmless from any and all claims by, or liability to, third parties arising after the termination of the Lease Agreement.
10. The Lessee is to provide compensation to the Lessor for any damages to permanent man-made structures, which where the result of mining the affected land.

LESSOR:

Lessee:

+ Myself

LINCOLN COUNTY

By _____

By Kenneth Morrison

For the Lessor

The foregoing instrument was acknowledged before me this 5th day of December
2008. By Lisa M. Crawford

My Commission expires May 7, 2012.

LISA M CRAWFORD
Notary Public
State of Colorado

For the Lessee

The foregoing instrument was acknowledged before me this _____ day of _____,
_____. By _____

My Commission expires _____

EXHIBIT O
GEORGE ANSLEY PIT
M-1978-078-SG
OWNERS OF RECORD OF SURFACE LAND
OWNERS OF SUBSTANCE TO BE MINED

Surface Owner: GEORGE ANSLEY
Subsurface Owner: GEORGE ANSLEY

MAILED



314546 04/14/2000 03:50P 8425 P900 WD
1 of 1 R 5.00 D 4.80 N 0.00 Lincoln County

WARRANTY DEED

THIS DEED, made this 14th day of April, 2000,
between George W. Ansley

of the * County of LINCOLN and State of
Colorado, grantor, and George A. Ansley

whose legal address is 9266 County Road 46
Haswell CO 81045

of the County of LINCOLN and State of Colorado, grantee:

WITNESS, that the grantor, for and in consideration of the sum of

Forty Eight Thousand and NO/100-----DOLLARS.

the receipt and sufficiency of which is hereby acknowledged, has granted bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantee, his heirs and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of LINCOLN and State of Colorado, described as follows:

WEST HALF (W $\frac{1}{2}$) OF SECTION TWENTY-TWO (22), TOWNSHIP SIXTEEN (16) SOUTH, RANGE FIFTY-TWO (52) WEST OF THE 6TH P. M.

This conveyance to include all water rights owned by seller in subject property.

GRANTOR RESERVES A LIFE ESTATE IN AND TO HOUSE, TWO GARAGES, OTHER SHEDS AND CORRALS. LIFE ESTATE IS RESERVED FOR GEORGE W. ANSLEY AND HIS WIFE, CORA E. ANSLEY.

also known by street and number as rural agricultural land
assessor's schedule or parcel number 358521100028 R

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. The grantor, for himself, his heirs and personal representatives, does covenant, grant, bargain, and agree to and with the grantee, his heirs and assigns, that at the time of the ensembling and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except easements, reservations, restrictions of record and 2000 and subsequent real estate taxes.

The grantor shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

George W. Ansley
George W. Ansley

STATE OF COLORADO

County of LINCOLN

ss.

The foregoing instrument was acknowledged before me this 14th day of April, 2000,
by George W. Ansley

Witness my hand and official seal
My commission expires: Apr 15, 2002

W. Wayne Steele
Notary Public

*If in Denver, insert "City and"

Name and Address of Person Creating New or Created Legal Description (to 35-35-106-2 C.R.S.)

SECTION		22-16-52	TOT AC 640
	# MIN	FRAC.	
LEGAL DESCRIPTION	ACRES	INT.	CURRENT OWNER OF RECORD
E1/2	160	1/2	GEORGE W ANSLELY
	160	1/2	SURFACE OWNER
W1/2	320	ALL	SURFACE OWNER
XX			

EXHIBIT P
GEORGE ANSLEY PIT
M-1978-078-SG
MUNICIPALITIES WITHIN 2 MILES

There are no municipalities within two (2) miles of this site.

EXHIBIT Q
GEORGE ANSLEY PIT
M-1978-078-SG
PROOF OF MAILING OF NOTICES TO BOARD OF COUNTY COMMISSIONERS
AND SOIL CONSERVATION DISTRICT

NOTICE OF FILING APPLICATION
FOR COLORADO MINED LAND RECLAMATION PERMIT
FOR **REGULAR (112) CONSTRUCTION MATERIALS EXTRACTION OPERATION**

NOTICE TO THE BOARD OF SUPERVISORS
OF THE LOCAL CONSERVATION DISTRICT

Hugo NRCS DISTRICT

Lincoln County (the "Applicant/Operator") has applied for a Regular (112) reclamation permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct the extraction of construction materials operations in Lincoln 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 Rangeland 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 twenty (20) days of the date of last publication of notice pursuant to Section 34-32.5-112(10), C.R.S.

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.

Brian Johnson DC

*Presented to Brian Johnson
NRCS*

8-31-12

Kenneth Hansen

NOTICE OF FILING APPLICATION
FOR COLORADO MINED LAND RECLAMATION PERMIT
FOR **REGULAR (112) CONSTRUCTION MATERIALS EXTRACTION OPERATION**

NOTICE TO THE BOARD OF COUNTY COMMISSIONERS

Lincoln COUNTY

Lincoln County (the "Applicant/Operator") has applied for a Regular (112) reclamation permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct the extraction of construction materials operations in Lincoln 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 Rangeland use. Pursuant to Section 34-32.5-116(4)(m), C.R.S., the Board may confer with the local Board of County Commissioners 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 twenty (20) days of the date of last publication of notice pursuant to Section 34-32.5-112(10), C.R.S.

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.

Presented to the B.O.C.C.

August 31, 2012

*Kenneth Morris
Land Use Administrator*

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) Lincoln County, whose address and phone number is (Address and Phone Number of the Applicant/Operator) 103 3rd Avenue; Hugo, CO; 719-743-2337, 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) Lincoln County Clerk and Recorder's Office, (Clerk and Recorder's Office Address) 103 3rd Avenue Hugo, Colorado 80821, 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, Kenneth Morrison, hereby certify that I posted a sign containing the above notice for the proposed permit area known as the (Name of Operation) George Ansley Pit, on (Date Posted) August 31, 2012.

Kenneth Morrison
SIGNATURE

August 31, 2012
DATE

EXHIBIT R
GEORGE ANSLEY PIT
M-1978-078-SG
PROOF OF FILING WITH COUNTY CLERK AND RECORDER

See Page 8 of the application.

EXHIBIT S
GEORGE ANSLEY PIT
M-1978-078-SG
PERMANENT MAN-MADE STRUCTURES

The only permanent man-made structures within two hundred (200) feet of the affected land are the barbed wire fences on the west, north and east sides of the affected land and the privately owned communication line to the west of the affected land. All these man made structures are the property of George Ansley. None of these structures will be affected by Lincoln County's operations in the pit.

MINERAL LEASE & RIGHT TO ENTER

THIS LEASE AGREEMENT, made this 5th day of December 2008
By and between George A. Ansley /
Hereinafter called the Lessor, and LINCOLN COUNTY, Hereinafter called the Lessee.

The said Lessor is the owner of the following described real property located in the County of Lincoln State of Colorado.

1. In consideration of the mutual covenants herein contained, the said Lessor does, by these presents lease and let for the purpose hereafter mentioned, under all lawful warranties unto said Lessee the mineral interest described in paragraph 2 hereof.
2. The Lessee shall have the right to mine, extract, remove and take from the above described real property all the **SAND AND GRAVEL**, (hereinafter called minerals), in and under said real property, with the right to remove the topsoil or overburden above said minerals and also Lessee shall have the right to use necessary space for the construction and maintenance of anything required for the extraction and/or handling of minerals and space for stockpiling such minerals on the premises all without any payment in addition to the royalties and other payments herein specifically provided for.
3. The Lessee shall have, during the term of this Lease, the unlimited right of ingress and egress for the removal of said minerals mined, extracted, removed and taken from the premises.
4. This lease shall continue in effect from Dec. 1, 2008 to Dec. 1, 2018, and may be extended by the Lessee for an additional period of **five (5) years**, upon written notice of such extension given to the Lessor ten day before the expiration of said lease agreement.
5. The Lessee shall pay the Lessor for all minerals mined and taken from the said premises herein leased, a royalty of **\$1.80** per single axle dump truck load or **\$4.20** per tandem axle dump truck load, or **\$5.40** per semi load.
6. The Lessee shall pay all taxes assessed or that may be assessed against the premises herein leased during the continuances of this Lease.
7. Lessee shall have over the aforesaid property only these rights intimately concerned with the mining and removal of said minerals including, without limitation, the right to stockpile said minerals on the above-described real property or other lands adjacent thereto and owned by the Lessor but within the boundary of the leased area.
8. Lessee will revegetate all damaged to the leased area due to the mining operations and upon completion of the operation all affected areas will be reseeded with a native grass seed mixture recommended by the Natural Resources Conservation Service and will have the right to fence the affected area in after revegetation to allow undisturbed growth if needed.
9. The Lessor agrees, upon termination of the Lease Agreement by the Lessee of the property herein above described, to assume full responsibility for the condition of such property, and further agrees to hold harmless from any and all claims by, or liability to, third parties arising after the termination of the Lease Agreement.
10. The Lessee is to provide compensation to the Lessor for any damages to permanent man-made structures, which where the result of mining the affected land.

LESSOR:

Lessee:

x Mye a cly

LINCOLN COUNTY

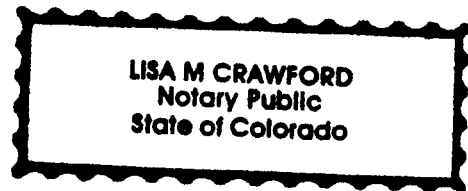
By _____

By Kenneth Morrison

For the Lessor

The foregoing instrument was acknowledged before me this 5th day of December
2008. By Lisa M. Crawford

My Commission expires May 7, 2012.



For the Lessee

The foregoing instrument was acknowledged before me this _____ day of _____,
_____. By _____

My Commission expires _____

PROOF OF MAILING
GEORGE ANSLEY PIT
M-1978-078-SG
ADJACENT SURFACE OWNERS

GEORGE ANSLEY PIT

M-1978-078-SG

Adjacent Land Owners

1. David And Lucille Ansley
48401 County Highway 63
Haswell, Colorado 81045

2. Martha Jane Blakemore Rodriquez

2735 Rawhide Drive

Rapid City, South Dakota 57702

3. George A. Ansley

9266 County Road 46

Haswell, Colorado 81045

LINCOLN COUNTY PITS TECHNICAL REVISION

WEED CONTROL PLAN

For the past six years the Lincoln County Weed Control Coordinator, Wayne Shade, has conducted yearly inspections of all active Lincoln County sand and gravel pits looking for weeds on the Colorado Noxious Weed List. Any species identified from any of the three lists; the A, B or C species will be immediately treated with the appropriate pesticide to eradicate the weed. In some cases if the infestation is minor the species may be eradicated by hand in order to protect the surrounding native grasses and forbs. The inspections of Lincoln County gravel pits take place from April to October or the first frost. The weed control officer conducts these inspections while traveling Lincoln County Roads to control noxious weeds growing within our easements. The spraying only takes place when weather conditions permit.

This technical revision applies to the following active Lincoln County sand and gravel pits:

1. Ellis Allen Pit M-1984-185
2. Anderson Farms Pit M-2006-050
3. George Ansley Pit M-1978-078-SG
4. Brent Pit M-1978-072
5. C & D Farms No. 2 M-1999-043
6. Clark Pit M-2007-084
7. County Line Pit M-1987-016
8. Daugherty Pit M-1978-079
9. Harold Eichman Gravel Pit M-1985-105
10. Eikermann Pit M-2002-108
11. Raymond Enderson Pit M-2000-066
12. Fisher Pit M-1977-163-SG
13. Hoffman Pit M-2005-044
14. Lofdahl Pit M-2004-001
15. Mosher Pit M-1985-107
16. O'Dwyer Pit M-2002-017
17. Pickenpaugh Pit M-1978-078
18. Ravenkamp Pit M-1991-060
19. Rohrbaugh Pit M-2000-143
20. Melvin Savage Pit M-1987-018
21. Arthur Schmeiser M-1985-109
22. Smith Ranch Pit No. 2 M-1988-022
23. Stavely Pit M-1985-110
24. Elmer Stone Gravel Pit M-1978-080
25. Taylor Pit M-1978-049

LINCOLN COUNTY GRAVEL PITS

TEMPORARY SEED MIXTURE

TECHNICAL REVISION

Lincoln County requests that the attached "temporary seed mixture" be allowed when seeding the overburden and topsoil stockpiles at the following listed Lincoln County san/gravel pits. This mixture was furnished by Brian Johnson, District Conservationist, of the N.R.C.S. Once final reclamation has started the native seed mixture recommended by the N.R.C.S. will be used.

<u>PIT NAME</u>	<u>PIT I. D. NUMBER</u>
Gaede Pit	M-1978-051
Brent Pit	M-1978-072
Pickenpaugh Pit	M-1978-078
George Ansley Pit	M-1978-078-SG
Daugherty Pit	M-1978-079
Elmer Stone Gravel Pit	M-1978-080
Ellis Allen Pit	M-1984-185
Harold Eichman Gravel Pit	M-1985-105
County Line Pit	M-1987-016
Ravenkamp Pit No. 1 ✓	M-1991-060
C & D Farms No. 2 ·	M-1999-043
Raymond Enderson Pit	M-2000-066
Eikermann Pit ✓	M-2002-108
Lofdahl Pit ✓	M-2004-001
Hoffman Pit	M-2005-04
Andersen Farms Pit	M-2006-050

The pits not listed from Lincoln County are in the process of final reclamation; no stockpiles exist in these pits.

Included with this request is the Technical Revision Fee of \$216.00

Main Identity

From: "Johnson, Brian - Hugo, CO" <brian.johnson@co.usda.gov>
To: <lclanduse@esrta.com>
Sent: Tuesday, October 28, 2008 6:47 AM
Subject: Temporary cover

Hi Ken,

Here are some annual crops and perennial crop that would be possibilities for temporary cover on spoil piles or stock piles as per your request:

Annual

Millet (foxtail variety or feed variety) seeding rate 4 lbs./acre, planting date 5/15-6/30

Wheat seeding rate 10 lbs./acre, planting date 8/20-9/30

Oats seeding rate 15 lbs./acre, planting date 3/1-4/30

Perennial

Smooth brome seeding rate 13 lbs./acre PLS, planting date 11/1-5/1

These seeding rates are based on that a drill will be used to plant the seed. I would probably recommend the millet as the first choice of annual cover then wheat or oats. Areas to be seeded should be as weed free as possible reducing completion for establishment of temporary cover

If you have any questions regarding this information give me a call.

Brian Johnson
District Conservationist

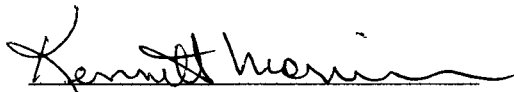
12/10/2008

NOTICE

This site is the location of a proposed construction materials operation. Lincoln County whose address is 103 3rd Avenue, Hugo, Colorado, 80821 and whose phone number is 719-743-2337 has applied for a Reclamation Permit with the Colorado Mined Land Reclamation Board. Anyone wishing to comment may view the application at the Lincoln County Clerk and Recorder's Office at 103 3rd Avenue, Hugo, Colorado and should send comments prior to the end of the public comment period to the Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203.

Certification:

I, Kenneth Morrison, hereby certify that I posted the above notice for the proposed permit area known as the George Ansley Pit on August 31, 2012


SIGNATURE

8-31-2012
DATE