

DMC/GRM

March 6, 2013

RECEIVED

MAR 08 2013

Division of Reclamation,
Mining & Safety

Suzi Erickson
Division of Reclamation, Mining and Safety
Department of Natural Resources
1313 Sherman Street, Room 215
Denver, CO 80203

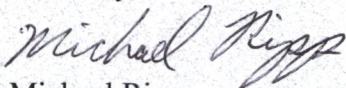
RE: 112 Permit Application submittal for Cook Pit, Delta County, Colorado

Dear Ms. Erickson:

We are delivering to you a 112 Application for the Cook Gravel Pit. The applicant is Delta County. I am a consultant representing Delta County and will be the permitting contact. Please let me know as soon as possible if the application is considered complete and the file number assigned to this permit.

Thank you for your assistance.

Sincerely,



Michael Ripp
Consultant

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

RECEIVED

MAR 08 2013

Division of Reclamation
Mining & Safety



Bill Ritter, Jr.
Governor

Harris D. Sherman
Executive Director

Ronald W. Cattany
Division Director
Natural Resource Trustee

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

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

☒ New Application (Rule 1.4.5)

☐ Amendment Application (Rule 1.10)

☐ Conversion Application (Rule 1.11)

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

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

GENERAL OPERATION INFORMATION

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

1. Applicant/operator or company name (name to be used on permit): Delta County

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

2. Operation name (pit, mine or site name): Cook Pit

3. Permitted acreage (new or existing site):

162.53 permitted acres

3.1 Change in acreage (+)

acres

3.2 Total acreage in Permit area

acres

4. Fees:

4.1 New Application

\$2,696.00 application fee

4.2 New Quarry Application

\$3,342.00 quarry application

4.4 Amendment Fee

\$2,229.00 amendment fee

4.5 Conversion to 112 operation (set by statute)

\$2,696.00 conversion fee

5. Primary commodity(ies) to be mined: Gravel Sand

5.1 Incidental commodity(ies) to be mined: 1. - lbs/Tons/yr 2. / lbs/Tons/yr

3. / lbs/Tons/yr 4. / lbs/Tons/yr 5. / lbs/Tons/yr

5.2 Anticipated end use of primary commodity(ies) to be mined: Road construction aggregate

5.3 Anticipated end use of incidental commodity(ies) to be mined:

Office of
Mined Land Reclamation

Denver • Grand Junction • Durango

Office of
Active and Inactive Mines

6. **Name of owner of subsurface rights of affected land:** The Estate of Joseph W. Cook
If 2 or more owners, "refer to Exhibit O".

7. **Name of owner of surface of affected land:** The Estate of Joseph W. Cook

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

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

COUNTY: Delta

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

SECTION (write number): S 33

TOWNSHIP (write number and check direction): T 15 ☐ North ☒ South

RANGE (write number and check direction): R 96 ☐ 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): _____

Approximately 3 miles southwest of the town of Delta at approximately 5100 feet elevation.

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

Latitude/Longitude:

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

Latitude (N): deg _____ min _____ sec _____ (2 decimal places)

Longitude (W): deg _____ min _____ sec _____ (2 decimal places)

OR

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

Latitude (N) 38 71413 (5 decimal places)

Longitude (W) 108 07059 (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: **Bob Kalenak** Title: **Delta County Engineer**
Company Name: **Delta County**
Street/P.O. Box: **501 Palmer Street** P.O. Box: _____
City: **Delta**
State: **Colorado** Zip Code: **81416**
Telephone Number: **(970) - 874-2035**
Fax Number: **(970) - 874-2455**

PERMITTING CONTACT (if different from applicant/operator above)

Contact's Name: **Michael Ripp** Title: **Consultant**
Company Name: **MVR Resources, Inc.**
Street/P.O. Box: _____ P.O. Box: **54**
City: **Delta**
State: **Colorado** Zip Code: **81416**
Telephone Number: **(970) - 874-5127**
Fax Number: **(970) - 874-5127**

INSPECTION CONTACT

Contact's Name: **Larry Record** Title: **Road & Bridge Foreman**
Company Name: **Delta County**
Street/P.O. Box: **501 Palmer Street** P.O. Box: _____
City: **Delta**
State: **Colorado** Zip Code: **81416**
Telephone Number: **(970) - 874-2133**
Fax Number: **(970) - 874-0246**

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): _____
Dozers, trackhoes and front-end loaders and trucks will be used to remove overburden and excavate gravel.

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

13.1 Briefly explain mining method (e.g. truck/shovel): _____
Front-end loaders and trucks will be used to transport material to crushing and screening area. Conveyors and front-end loaders will stockpile finished material. None.

List any designated chemicals or acid-producing materials to be used or stored within permit area: _____
None.

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

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

Maps and Exhibits:

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

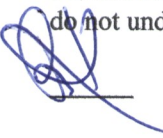
With each of the two (2) signed application forms, you must submit a corresponding set of the maps and exhibits as described in the following references to Rule 6.4, 6.5, and 1.6.2(1)(b):


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

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


Responsibilities as a Permittee:

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


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




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;




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;



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;



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




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):

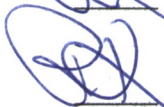
a. the name of the operator;

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.




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.



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.



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.



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 4 day of MARCH, 2013.

DELTA COUNTY
Applicant/Operator or Company Name

If Corporation Attest (Seal)

Signed: [Signature]

Signed: _____

Title: COUNTY ENGINEER

Corporate Secretary or Equivalent

Town/City/County Clerk

State of COLORADO)
) ss.
County of DELTA)

The foregoing instrument was acknowledged before me this 4th day of March 2013,
by Robert Kalenak as County Engineer of Delta County



[Signature]
Notary Public

My Commission expires: 5/18/2014

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

Division of Reclamation, Mining, and Safety

Fee Receipt for M2013013

MVR Resources, Inc.

000000000

Receipt #: 14770

Date: 03/11/2013

Permit: M2013013

Payment Method	Revenue Code	Fee Description/Notes	Amount
106014	4300-02	Minerals Application Fees M-2013-013, CMB	\$2,696.00
Receipt Total:			\$2,696.00

EXHIBIT A -Legal Description

The E1/2 of the SE1/4 Section 32 and the W1/2 of the SW1/4 Section 33, T15S, R96W, 6th P.M., Delta County, Colorado.

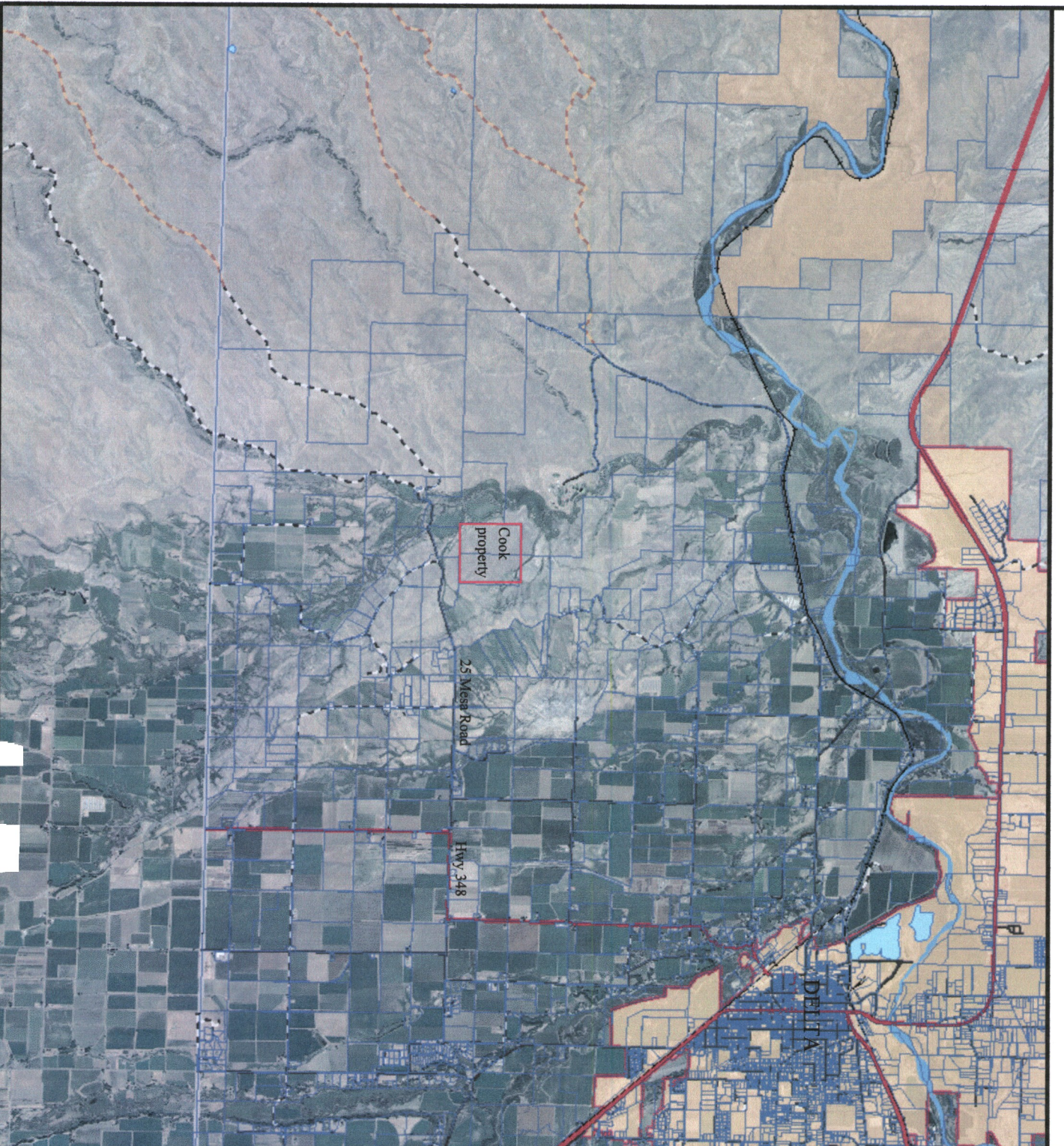
Together with an Access easement in the NE1/4 NE1/4 of Section 7, T51N, R11W of the New Mexico P.M., Delta County Colorado, said easement being 45 feet right and 45 feet left of the following centerline:

Commencing at a stone monument for the SW Corner of Section 33, T15S, R96W, 6th P.M., also being the north line of Section 7, whence an alloy cap, PLS24944, for W1/16 Corner on the south line of said Section 33 bears S89° 38'36"E a distance of 1320.14 feet; thence S54°14'47"E for a distance of 1124.50 feet to a point on the northerly right-of-way line of 25 Mesa Road and the Point of Beginning-A; thence running on said centerline the following courses and distances:

1. N00° 58'26"W for a distance of 19.44 feet;
2. Northwesterly for a distance of 137.65 feet on the arc of a 100.00 foot radius curve to the left, having a central angle of 78° 51' 59" and the cord of which bears N 40° 24'26"W a distance of 127.04 feet;
3. N79° 50'25"W for a distance of 150.93 feet;
4. N78° 34'24"W for a distance of 63.03 feet;
5. N82°34'23"W for a distance of 77.56 feet;
6. N78°48'41"W for a distance of 81.81 feet;
7. N81°30'58" for a distance of 43.29 feet;
8. Southwesterly for distance of 26.08 feet on the arc of a 50.00 foot radius curve to the left, having a central angle of 29°53'06" and the cord of which bears S83°32'29"W a distance of 25.78 feet;
9. S68°35'36"W for a distance of 4.86 feet;
10. Northwesterly for a distance of 50.70 feet on the arc of a 50.00 foot radius curve to the right, having a central angle 58°05'55" and the cord of which bears N82°21'06"W a distance of 48.56 feet;
11. N53°18'09"W for a distance of 33.74 feet;
12. N38°49'14"W for a distance of 71.55 feet;
13. Northwesterly for a distance of 56.93 feet on the arc of a 50.00 foot radius curve to the right, having a central angle of 65°14'09" and a cord of which bears N06°12'10"W a distance of 53.90 feet;
14. Northeasterly for a distance of 10.16 feet on the arc of a 50.00 foot radius curve to the left, having a central angle of 11°38'40" and a cord of which bears N20°35'35"E a distance of 10.14 feet;
15. N14°46'15"E for a distance of 112.43 feet;
16. N23°29'24"E for a distance of 90.18 feet;
17. N44°22'25"E for a distance of 52.60 feet;
18. N51°55'02"E for a distance of 93.46 feet;
19. N37°41'21"E for a distance of 49.31 feet to a point on the northerly line of said Section 7 and point of terminus, whence said West 1/16 Corner of Section 33 bears S89°38'36"E for a distance of 847.70 feet.

Containing 2.53 acres more or less.

EXHIBIT B - INDEX MAP



- ☐ Parcel
- ☐ Address Points
- ☐ Highways
- ☐ Roads
- ☐ Paved Road
- ☐ Gravel Road
- ☐ Unimproved Dirt
- ☐ Railroad
- ☐ Rivers
- ☐ Waterways
- ☐ Lakes
- ☐ Towns
- ☐ Delta County Boundary
- ☐ Government Land
- ☐ United States Forest Service
- ☐ Bureau Of Land Management
- ☐ Bureau Of Reclamation
- ☐ State Of Colorado
- ☐ Colorado Division Of Wildlife
- ☐ Aerial Photo (NAIP 09)
- ☐ Red_Band_1
- ☐ Green_Band_2
- ☐ Blue_Band_3

1.112 miles

This map is a product of the Delta County GIS Dept. and is for the display of relative locations only. No assertion is made as to the accuracy of this map. The information displayed was obtained from numerous sources.

Exhibit D – Mining Plan

This mining permit is for a gravel pit on 160 acre parcel of land owned by the Estate of Joseph W. Cook. Delta County has a contract to purchase the Cook property when all mining permits have been obtained. Until then, Delta County has a Right-to-Enter agreement with the Estate of Joseph W. Cook to mine the property. The property is situated about three miles southwest of the town of Delta, Colorado.

The land is currently desert rangeland and consists of an isolated mesa whose top is approximately 125 feet above surrounding valleys. Most of the mesa lies within the boundaries of the property. The mesa is nearly flat on top (<1% grade) sloping northwest. The mesa top is covered by gravelly loam with 10 to 25 feet of glacially deposited gravel on top of the Mancos Shale formation. Topsoil is of poor quality and is found in thickness from 0 to 12 inches, with overburden of 0 to 12 inches. Gravel is thinnest in the southeast and thickens to the northwest. The remnants of an old gravel surfaced air field can be seen on the south half of the mesa. Access is from Delta County 25 Mesa Road onto a private ranch road owned by the Campbell Cattle Company. Delta County has obtained an easement from 25 Mesa Road, through the Campbell Cattle Company land onto the Cook property. Part of the existing private road from 25 Mesa Road will be improved and a new road section will be built up an existing draw in the easement to access the Cook property in the southeast corner where mining will begin. The new road will remain in place for use of both land owners after mining and reclamation of the site is complete. The new road is included in the permit area bringing the total permit area to 162.53 acres more or less. There are irrigation ditches on the east and west flanks of the mesa. Campbell Cattle Company has 30 foot easements across the Cook property for these ditches. The ditch easements and the land below them in elevation have been excluded from the affected lands shown on the Pre-Mining Map. The area of the mesa top with minable gravel inside the boundaries of the Cook property is approximately 83 acres.

Operations will begin by improving that part of the existing Campbell ranch road in the access easement and constructing a new section of road up the large draw on the south flank of the mesa to the southeast corner of the Cook property. Mining will begin by stripping topsoil and overburden from the surface of approximately 10 acres in the southeast corner of the property and stockpiling in separate piles west of the access road. Topsoil stockpiles that are not to be disturbed for more than a year will be broadcast with dry land pasture mix to prevent erosion. A 20 foot buffer zone of un-mined land will be maintained along the perimeter of the pit where the mesa top lies outside the property boundary to allow access for reclamation operations. Scrapers, front-end loaders and possibly a dozer will be used for this work. Excavation of gravel will be done with excavators, front-end loaders and possibly a dozer. As material is removed, the operator will cut slopes to the final 3:1 h:v slope along boundaries where the mesa top lies outside the property line. Where the mesa top lies within the property boundary, excavations will daylight to the slope of the mesa.

Mining Plan –cont.

The initial processing and stockpile area will be just west of the access road. When mining has progressed to allow enough work area, the process and stockpile area will move into the excavated southeast corner of the pit and then move from time to time to follow mining excavations through the pit for efficient material handling. Mining will continue west, then north through the full area of the mesa top. The operator will leave 10 to 18 inches of gravel on the pit floor to promote drainage and a stable base for trucks and equipment. Building the road and establishing the initial process and stockpile area and excavations is expected to take place in the first year of operations.

The primary commodities from the mined material will be sand and gravel for road construction aggregate to maintain county roads. It is possible that a portable asphalt plant may be on site on a temporary basis as specific projects may require. We estimate that there is up to 2,000,000 cubic yards of minable gravel on this site. Delta County has several gravel pits and material will be removed from this pit as needed to maintain roads in District 1. We estimate the life of this mine at approximately 40 years

There will be no use of explosives at any time for any purpose on this site.

EXHIBIT E – Reclamation Plan

The site is current classified as Loamy Salt Desert with very little vegetation, particularly on the mesa top. The reclamation plan is to return the property to the desert rangeland that is its current condition. The total disturbed area to be reclaimed under this permit is approximately 83 acres, which is the entire minable area of the mesa top. The road is to remain in place for use by the landowner and Campbell Cattle Company on that part of the road that crosses their property. As described in the Mining Plan, any quality topsoil will be segregated, stockpiled and stabilized with a dry land pasture mix until used in reclamation. Perimeter slopes will be graded concurrently with mining operations to no steeper than 3:1, h:v into the pit where the property boundary does not allow the operation to daylight. This will occur in two areas in the southeast corner and one small area in the southeast corner of Section 32 as shown on the reclamation map. Since the natural gravel will remain in place, these slopes will be stable and require no further compaction.

The applicant will practice concurrent reclamation and will not have more than 30 acres of unreclaimed disturbance at any one time. The rest of the mesa will be lowered by the amount of gravel removed (10 to 25 feet) and daylight to the natural slope on the flanks of the mesa. The reclaimed mesa top will slope to the northwest at approximately 1.3% grade similar to the pre-mining slope.

Approximately 10 to 18 inches of gravel will be left on the pit floor to permit natural drainage. Overburden and topsoil will be replaced on the slopes as soon as practical. Topsoil will be replaced by either a scraper or front-end loader and dozer or motor grader. Fine grading will be done with a motor grader. Topsoil is very thin and of poor quality. The operator will replace 2 to 4 inches of topsoil on 3 to 6 inches of overburden.

Seeding of the area will take place when the entire property has been mined and all applicable topsoil has been replaced and graded. This will prevent incidental disturbance of seeded areas while there are still mining operations on the property. The areas to be seeded will be ripped and disked to loosen the soil. Seed can be drilled on the entire area. Weed free mulch will be crimped into the surface by tracked equipment at 2000 pounds per acre. Fertilizer may be added as determined by soil tests at the time of seeding. Seeding will take place in the fall to take advantage of winter moisture.

A dry land seed mix approved for other pits in the area with similar desert characteristics will be used and is listed below. There are no trees on the property and the operator does not wish to introduce them on this site.

<u>Dry land seed mix</u>	<u>Lbs/acre</u>
Four Wing Saltbush	0.5
Shadescale	0.5
Yellow Sweetclover	1.0
Western Wheatgrass	4.0
Crested Wheatgrass	<u>1.0</u>
Total	9.75

EXHIBIT G – Water Information

There is no water on the site except during the irrigation season when there will be water in the irrigation ditches on the east and west flanks of the mesa. These ditches are owned by the Campbell Cattle Company which has easements for them across this property. Mining operations will not affect these ditches and they have been left outside the affected lands of this permit. Mining is not expected to directly affect any surface or groundwater systems.

The site will be graded to collect any storm water in the pit area to be settled and discharged through filter media to existing drainages in compliance with the Stormwater Discharge Permit.

The only water use during mining operations will be for dust control and will be brought in by truck from off-site sources available to Delta County. Water for this purpose may be up to 6000 gallons per day or about two truck loads.

The operator has applied for a Stormwater Discharge Permit from the Water Quality Control Division of the Colorado Department of Health and will not discharge any water from this site until it is obtained.

EXHIBT H – Wildlife Information

The areas to be mined is very gravelly ground with very sparse vegetation and almost no wildlife is evident. The property below the irrigation ditches grassy rangeland and is used by rodents and birds and the predators that hunt them. The property is traversed by cattle from the Campbell Cattle Company as they travel to and from the lower grassy areas. There are no known threatened or endangered species that use the property. Impact to in the general area is expected to have little adverse effect on the wildlife other than avoiding those areas when there is noisy human activity. The part of the Escalante State Wildlife Area that borders the northwest corner of the property is used for the Delta Correctional Facility and is not expected to be impacted by this operation.

EXHIBIT I – Soils Information

Soil type and distribution on the property are shown on the attached soil map. Soil thickness varies across the property and ranges between 0 and 12 inches thick with the thinnest soil cover in the northeastern part of the mesa. There are three basic soil types identified on the property from soil survey data obtained from NRCS. Map unit 763 around the top of the mesa in the north, east and south, map unit 764 the central part of the mesa, and map unit 802 on the slopes of the mesa. Units 763 and 764 are described as mesa gravelly loam and cover the gravel deposit. Unit 802 is the steep slopes of the mesa and contains no minable gravel. Full descriptions of these soil units are attached with the map.



United States
Department of
Agriculture



NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for Ridgway Area, Colorado, Parts of Delta, Gunnison, Montrose, and Ouray Counties

Cook Property



March 4, 2013

MAP LEGEND

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

MAP INFORMATION

Map Scale: 1:7,740 if printed on A size (8.5" x 11") sheet.

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

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

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

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
Coordinate System: UTM Zone 12N NAD83

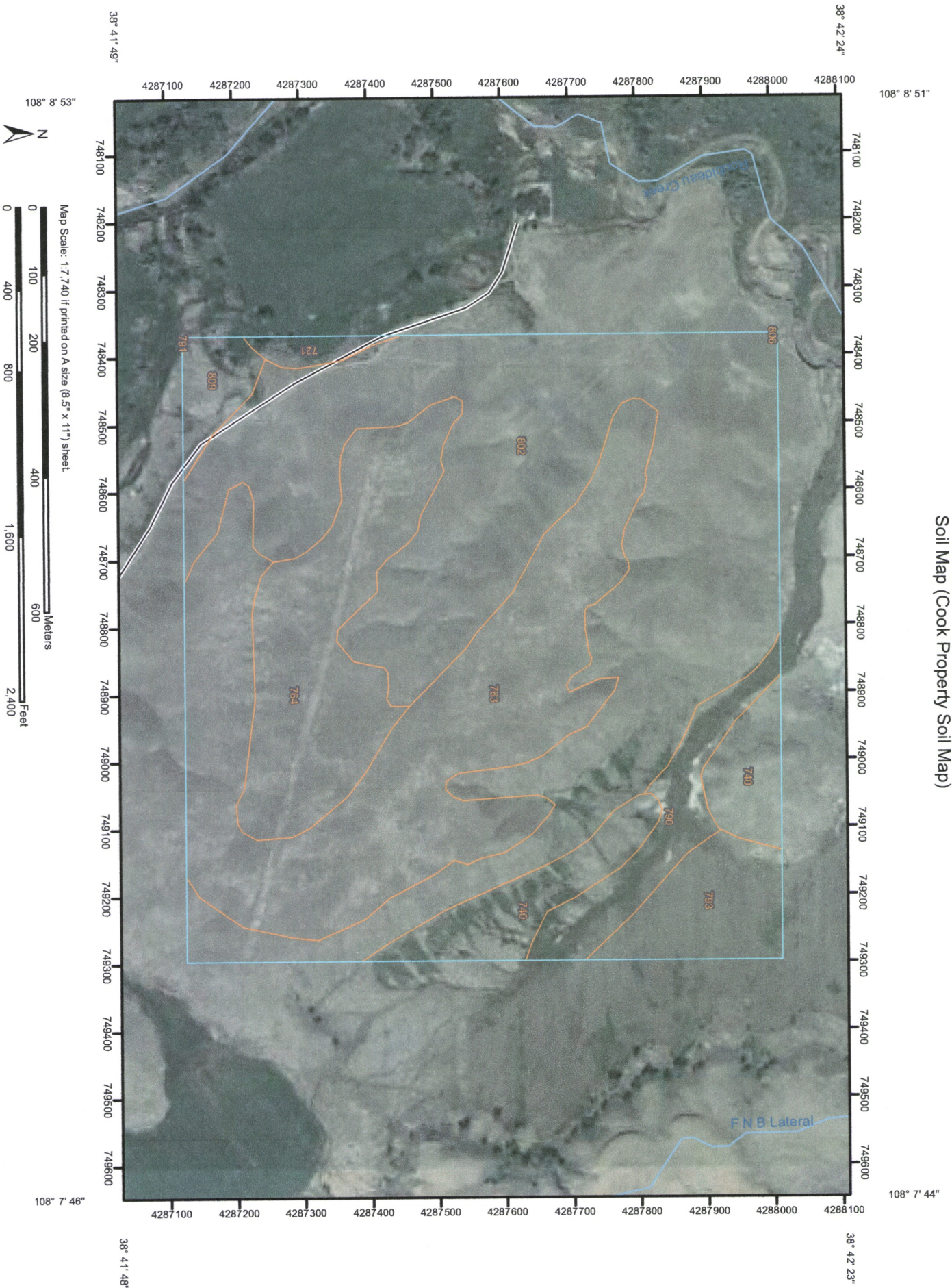
This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Ridgway Area, Colorado, Parts of Delta, Gunnison, Montrose, and Ouray Counties
Survey Area Data: Version 6, Jul 10, 2006

Date(s) aerial images were photographed: 6/30/2005; 8/8/2005

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

Custom Soil Resource Report
Soil Map (Cook Property Soil Map)



Custom Soil Resource Report

Maximum salinity: Very slightly saline to slightly saline (4.0 to 8.0 mmhos/cm)

Sodium adsorption ratio, maximum: 8.0

Available water capacity: Very low (about 1.8 inches)

Interpretive groups

Farmland classification: Not prime farmland

Land capability (nonirrigated): 7c

Hydrologic Soil Group: D

Ecological site: Silty Salt desert (R034XY410CO)

Typical profile

0 to 4 inches: Silty clay loam

4 to 13 inches: Silty clay loam

13 to 31 inches: Weathered bedrock

31 to 41 inches: Weathered bedrock

41 to 74 inches: Unweathered bedrock

Minor Components

Loutzenhizer

Percent of map unit: 5 percent

Landform: Erosion remnants

Down-slope shape: Linear

Across-slope shape: Linear

Ecological site: Clayey Salt desert (R034XY403CO)

East mesa

Percent of map unit: 5 percent

Landform: Basin-floor remnants, erosion remnants

Down-slope shape: Convex

Across-slope shape: Convex

Ecological site: Silty Salt desert (R034XY410CO)

Montrose

Percent of map unit: 3 percent

Landform: Alluvial fans, stream terraces

Landform position (three-dimensional): Tread

Ecological site: Salt Flats (R034XY262CO)

Aquisalids

Percent of map unit: 2 percent

Landform: Drainageways, marshes, sloughs

Down-slope shape: Linear

Across-slope shape: Concave, linear

763—Mesa gravelly loam, 2 to 5 percent slopes

Map Unit Setting

Landscape: Valleys

Elevation: 4,800 to 6,200 feet

Mean annual precipitation: 8 to 10 inches

Custom Soil Resource Report

Mean annual air temperature: 49 to 51 degrees F

Frost-free period: 140 to 160 days

Map Unit Composition

Mesa and similar soils: 80 percent

Minor components: 20 percent

Description of Mesa

Setting

Landform: Outwash terraces

Landform position (three-dimensional): Tread, riser

Down-slope shape: Convex

Across-slope shape: Convex

Parent material: Fine-loamy alluvium derived from sandstone over gravelly glaciofluvial deposits derived from igneous, metamorphic and sedimentary rock; fine-loamy alluvium derived from sandstone over gravelly glaciofluvial deposits derived from igneous, metamorphic and sedimentary rock

Properties and qualities

Slope: 2 to 5 percent

Surface area covered with cobbles, stones or boulders: 0.0 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately low to high (0.06 to 1.98 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 50 percent

Gypsum, maximum content: 2 percent

Maximum salinity: Nonsaline (0.0 to 2.0 mmhos/cm)

Sodium adsorption ratio, maximum: 3.0

Available water capacity: Low (about 3.6 inches)

Interpretive groups

Farmland classification: Farmland of unique importance

Land capability classification (irrigated): 4s

Land capability (nonirrigated): 7c

Hydrologic Soil Group: C

Ecological site: Loamy Salt desert (R034XY401CO)

Typical profile

0 to 5 inches: Gravelly loam

5 to 11 inches: Cobbly loam

11 to 23 inches: Cobbly sandy clay loam

23 to 83 inches: Extremely cobbly loamy sand

Minor Components

Mack

Percent of map unit: 7 percent

Landform: Alluvial fans, outwash terraces, stream terraces

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Ecological site: Loamy Salt desert (R034XY401CO)

Custom Soil Resource Report

Gyprockmesa

Percent of map unit: 5 percent
Landform: Alluvial fans, hills, outwash terraces, stream terraces
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Base slope, tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: Saltdesert Overflow (R035XY407CO)

Cherylade

Percent of map unit: 3 percent
Landform: Alluvial fans, fan remnants
Ecological site: Loamy Saltdesert (R034XY401CO)

Fruitland

Percent of map unit: 2 percent
Landform: Alluvial fans, stream terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Convex
Ecological site: Sandy Saltdesert (R035XY402CO)

Tuomack

Percent of map unit: 1 percent
Landform: Outwash terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: Loamy Saltdesert (R034XY401CO)

Tuomesa

Percent of map unit: 1 percent
Landform: Outwash terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: Loamy Saltdesert (R034XY401CO)

Aquisalids

Percent of map unit: 1 percent
Landform: Drainageways, marshes, sloughs
Down-slope shape: Linear
Across-slope shape: Concave, linear

764—Mesa gravelly loam, 0 to 2 percent slopes

Map Unit Setting

Landscape: Valleys
Elevation: 4,800 to 6,200 feet
Mean annual precipitation: 8 to 10 inches
Mean annual air temperature: 49 to 51 degrees F

Custom Soil Resource Report

Frost-free period: 140 to 160 days

Map Unit Composition

Mesa and similar soils: 75 percent

Minor components: 25 percent

Description of Mesa

Setting

Landform: Outwash terraces, stream terraces

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Fine-loamy alluvium derived from sandstone over gravelly glaciofluvial deposits derived from igneous, metamorphic and sedimentary rock

Properties and qualities

Slope: 0 to 2 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately low to high (0.06 to 1.98 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 50 percent

Gypsum, maximum content: 2 percent

Maximum salinity: Nonsaline (0.0 to 2.0 mmhos/cm)

Sodium adsorption ratio, maximum: 3.0

Available water capacity: Low (about 3.9 inches)

Interpretive groups

Farmland classification: Prime farmland if irrigated

Land capability classification (irrigated): 6s

Land capability (nonirrigated): 7c

Hydrologic Soil Group: B

Ecological site: Loamy Salt desert (R034XY401CO)

Typical profile

0 to 12 inches: Gravelly loam

12 to 20 inches: Sandy clay loam

20 to 23 inches: Gravelly sandy clay loam

23 to 28 inches: Extremely cobbly sandy loam

28 to 60 inches: Extremely cobbly loamy sand

Minor Components

Mack

Percent of map unit: 7 percent

Landform: Alluvial fans, outwash terraces, stream terraces

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Ecological site: Loamy Salt desert (R034XY401CO)

Gyprock mesa

Percent of map unit: 5 percent

Custom Soil Resource Report

Landform: Alluvial fans, hills, outwash terraces, stream terraces

Landform position (two-dimensional): Toeslope

Landform position (three-dimensional): Base slope, tread

Down-slope shape: Linear

Across-slope shape: Linear

Ecological site: Saltdesert Overflow (R035XY407CO)

Cherylade

Percent of map unit: 3 percent

Landform: Alluvial fans, fan remnants

Ecological site: Loamy Saltdesert (R034XY401CO)

Fruitland

Percent of map unit: 3 percent

Landform: Alluvial fans, stream terraces

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Convex

Ecological site: Sandy Saltdesert (R035XY402CO)

Tuomack

Percent of map unit: 3 percent

Landform: Outwash terraces

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Ecological site: Loamy Saltdesert (R034XY401CO)

Tuomesa

Percent of map unit: 3 percent

Landform: Outwash terraces

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Ecological site: Loamy Saltdesert (R034XY401CO)

Aquisalids

Percent of map unit: 1 percent

Landform: Drainageways, marshes, sloughs

Down-slope shape: Linear

Across-slope shape: Concave, linear

790—Aquisalids, occasionally flooded, 0 to 2 percent slopes

Map Unit Setting

Elevation: 4,800 to 6,200 feet

Mean annual precipitation: 8 to 10 inches

Mean annual air temperature: 48 to 52 degrees F

Frost-free period: 140 to 160 days

802—Typic Haplocambids, 12 to 60 percent slopes

Map Unit Setting

Landscape: Valleys

Elevation: 4,790 to 6,990 feet

Mean annual precipitation: 8 to 14 inches

Mean annual air temperature: 49 to 51 degrees F

Frost-free period: 140 to 160 days

Map Unit Composition

Typic haplocambids and similar soils: 70 percent

Minor components: 30 percent

Description of Typic Haplocambids

Setting

Landform: Outwash terraces, hills

Landform position (two-dimensional): Backslope

Landform position (three-dimensional): Side slope, riser

Parent material: Sandy and gravelly outwash derived from mixed sources

Properties and qualities

Slope: 12 to 60 percent

Depth to restrictive feature: 41 inches to bedrock (paralithic)

Drainage class: Excessively drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.57 to 5.95 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 14 percent

Gypsum, maximum content: 1 percent

Maximum salinity: Nonsaline to very slightly saline (1.0 to 4.0 mmhos/cm)

Sodium adsorption ratio, maximum: 2.0

Available water capacity: Very low (about 1.5 inches)

Interpretive groups

Farmland classification: Not prime farmland

Land capability (nonirrigated): 7c

Hydrologic Soil Group: A

Typical profile

0 to 3 inches: Very cobbly fine sandy loam

3 to 21 inches: Extremely cobbly loamy sand

21 to 65 inches: Extremely cobbly sand

Minor Components

Typic torriorthents

Percent of map unit: 10 percent

Custom Soil Resource Report

Landform: Outwash terraces, hills
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope, riser

Gyprockmesa

Percent of map unit: 8 percent
Landform: Alluvial fans, hills, outwash terraces, stream terraces
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Base slope, tread, riser
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: Saltdesert Overflow (R035XY407CO)

Gypimack

Percent of map unit: 5 percent
Landform: Alluvial fans, hills, outwash terraces, stream terraces
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Base slope, tread, riser
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: Saltdesert Overflow (R035XY407CO)

Mesa

Percent of map unit: 5 percent
Landform: Alluvial fans, outwash terraces, stream terraces
Landform position (three-dimensional): Tread, riser
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: Loamy Saltdesert (R034XY401CO)

Typic endoaquolls

Percent of map unit: 2 percent
Landform: Erosion remnants, hills, outwash terraces
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope, riser
Down-slope shape: Linear
Across-slope shape: Convex

806—Fluvaquents, protected-Torrifluvents, protected complex, 0 to 2 percent slopes

Map Unit Setting

Landscape: River valleys
Elevation: 4,600 to 6,600 feet
Mean annual precipitation: 8 to 12 inches
Mean annual air temperature: 47 to 51 degrees F
Frost-free period: 140 to 160 days

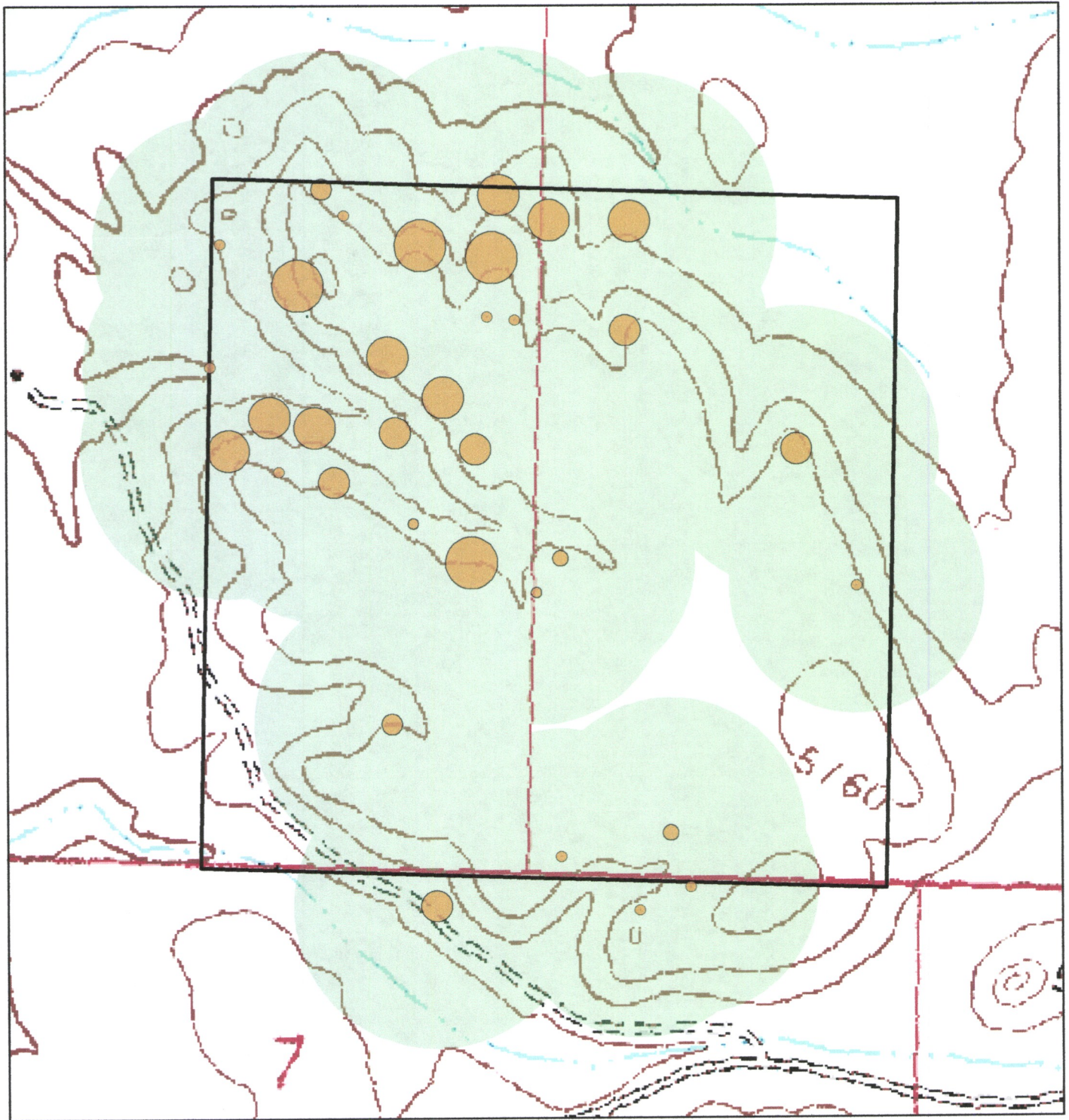
Map Unit Composition

Fluvaquents, protected, and similar soils: 40 percent
Torrifluvents, protected, and similar soils: 30 percent

EXHIBIT J – Vegetation Information

There is very little vegetation on this site in the area to be mined. Potential native vegetation for Loamy Salt Desert is gallet, Gardners saltbush, Indian ricegrass, saline wildrye, shadescale saltbush, bottlebrush squirreltail, needle and thread, winterfat, and yellow rabbitbrush pricklypear cactus and a few yucca plants. Most vegetation is less than 12 inches high and less than 1% ground cover.

One significant plant identified on the site is the Colorado Hookless Cactus (*Sclerocactus glaucus*). This plant is listed as a threatened species and occurs mostly on the slopes of the mesa. A survey of the property for this cactus was commissioned by Delta County. A map of the survey results is attached. The US fish and Wildlife Service was contacted and stated that they have no jurisdiction over this species on private land and would not require anything of the operator in regard to this plant. However, Delta County intends to mitigate the potential effects of this operation on this species and has contracted to have cacti in potential disturbed areas transplanted to a safe area on the property prior to commencement of mining operations. A copy of the mitigation plan is attached.



Locations of boundaries and features are approximate.

Base Map Source:
NGS 2D Topographic Map

Legend

- Property Boundary
- Sclerocactus glaucus Locations
- Sclerocactus glaucus Locations Buffered 150 Meters

Delta County Gravel Pit

Figure 2
Sclerocactus glaucus Locations
and 150-meter Buffer

Map created: 04/26/2012

BIO-Logic, Inc.
125 Colorado Avenue, Suite B
Montrose, CO 81401
(970) 240-4374
www.bio-geo.com

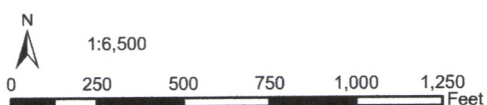


EXHIBIT K – Climate Information

The following climate information is presented for Delta, Colorado. The elevation of Delta is approximately 4950 feet above sea level. The Cook Pit is approximately 3 miles southwest of Delta and approximately 5100 feet elevation.

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
Avg. Max Temp (°F)	93	48	57	65	75	87	92	89	81	69	53	41	70.83
Avg. Min Temp (°F)	13	19	27	33	42	49	55	53	45	34	24	15	34.08
Mean Temp (°F)	26	33	42	49	59	68	73	71	63	52	38	28	50.17
Avg. Precipitation (in)	0.37	0.39	0.66	0.53	0.69	0.40	0.72	0.79	0.90	1.07	0.67	0.42	7.61

EXHIBIT L – Reclamation Costs

Not applicable to County permits.

EXHIBIT M – Other Permits and Licenses

- 1) Specific Development Permit and agreement from Delta County. Approval is pending.
- 2) APEN – Air pollution emission notice for fugitive dust emissions for processing more than 70,000 tons from the Colorado Department of Health and Environment. Applied for. All process equipment on site will have its own air pollution permits specific to that equipment.
- 3) NPDES Stormwater Discharge Permit from the Colorado Department of Health and Environment. Applied for.
- 4) A Stormwater Management Plan with Spill Prevention and Containment Plan is being developed for the Cook Pit and will be maintained on site at all times.

EXHIBIT N – Source of Legal Right to Enter

The Estate of Joseph W. Cook owns the property and mineral rights. A copy of the Right-Of-Entry signed by the Personal Representative of the Estate of Joseph W. Cook is attached.

RIGHT OF ENTRY

We, Carl Cook and Dorothy Cooper, Co-Personal Representatives of the Estate of Joseph W. Cook, hereby grant representatives, agents, and employees of Delta County, Colorado, a body corporate and politic, the exclusive right to enter the following described real property for the purpose of exploration and mining of the gravel resources thereon.

A parcel of land located in Section 33, T15S, R96W, 6th PM, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$, totaling 80 acres +/-; and

A parcel of land located in Section 32, T15S, R96W, 6th PM, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$, subject to exceptions and reservations in the U.S. Patent, totaling 80 acres +/-.

DATED this 05 day of November, 2012.

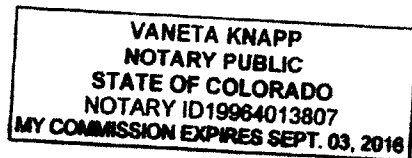
Dorothy Cooper, Affiant

Carl Cook
Carl Cook, Affiant

Subscribed and sworn to before me this 5TH day of NOVEMBER 2012,
by Carl Cook and Dorothy Cooper, Co-Personal Representatives of the Estate of Joseph W. Cook.

WITNESS my hand and official seal.

My commission expires 04-03-2016.



Vaneta Knapp
Notary Public

Exhibit O – Owners of Affected Lands and Substance to be Mined

The owner of the affected lands and the substance to be mined is:

The Estate of Joseph W. Cook
c/o Carl Cook
3618 Ridge Drive
Grand Junction, CO

EXHIBIT P – Municipalities within Two Miles

There are no municipalities within two miles of the property. The City of Delta is the closest and is approximately three miles to the northeast.

**EXHIBIT Q – Proof of notice to the Board of County Commissioners and the
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 COUNTY COMMISSIONERS

Delta COUNTY

Delta 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 Delta 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.

MVR Resources, Inc.

March 6, 2013

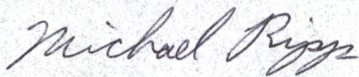
Delta County Board of County Commissioners
501 Palmer
Delta, CO 81416

Re: Application for a Mined Land Reclamation Permit

We are delivering to you here permit application documents for the Cook Gravel Pit, pursuant to C.R.S. 34-32.5-110(5)© and 34-32.5-112(9)(a).

Please acknowledge receipt of this copy of the permit application by signing in the appropriate space provided below and return a signed copy of this cover letter to the person delivering it.

Respectfully Submitted,
MVR Resources, Inc.



Michael Ripp
Consultant

Enclosure

RECEIVED THIS 6th DAY OF March, 2013
MLRB application documents for the above mine

By Margaret A. Dwyer, Accounting
Delta County Board of County Commissioners

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

Delta DISTRICT

Delta 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 Delta 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.

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MVR R Resources, Inc.

March 6, 2013

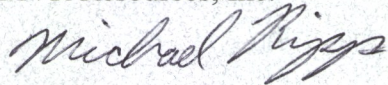
Delta Soil Conservation District
690 Industrial Blvd.
Delta, CO 81416

Re: Application for a Mined Land Reclamation Permit

We are delivering to you here permit application documents for the Cook Gravel Pit, pursuant to C.R.S. 34-32.5-110(5)© and 34-32.5-112(9)(a).

Please acknowledge receipt of this copy of the permit application by signing in the appropriate space provided below and return a signed copy of this cover letter to the person delivering it.

Respectfully Submitted,
MVR Resources, Inc.



Michael Ripp
Consultant

Enclosure

RECEIVED THIS 6th DAY OF March, 2013
MLRB application documents for the above mine

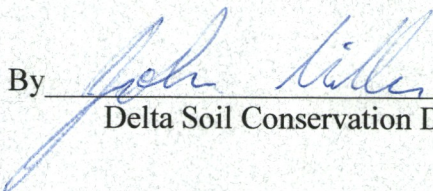
By 
Delta Soil Conservation District

EXHIBIT R – Proof of Filing with County Clerk

MVR R Resources, Inc.

March 6, 2013

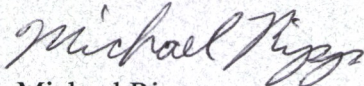
Delta County Clerk and Recorder
501 Palmer
Delta, CO 81416

Re: Application for a Mined Land Reclamation Permit

We are delivering to you here permit application documents for the Cook Gravel Pit, pursuant to C.R.S. 34-32.5-110(5)© and 34-32.5-112(9)(a).

Please acknowledge receipt of this copy of the permit documents by signing in the appropriate space provided below and return a signed copy of this cover letter to the person delivering it. Please hold the document for public review to be picked up after the application has been heard by the Mined Land Reclamation Board. (Approx. 90 days)

Respectfully Submitted,
MVR Resources, Inc.



Michael Ripp
Consultant

Enclosure

RECEIVED THIS 6TH DAY OF March, 2013
MLRB application documents for the above mine

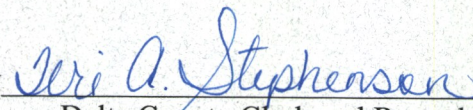
By 
Delta County Clerk and Recorder

EXHIBIT S – Permanent Man-made Structures

- a) Dirt roads, barbed wire fences, irrigation ditches, water line and phone line owned by Campbell Cattle Company. Waiver to follow.
- b) Waterline along 25 Mesa Road owned by Tri-County Water Conservancy District. Waiver to follow.
- c) Phone line along 25 Mesa Road owned by Century Link Communications. Waiver to follow.
- d) 25 Mesa Road south of the access road to the property owned by Delta County. Waiver attached.
- e) A barbed wire fence along the northwest corner boundary with the Escalante State Wildlife Area owned by Colorado Division of Parks and Wildlife. Waiver to follow.
- f) A barbed wire fence south of 25 Mesa Road owned by Lazy HX, LLC. Waiver to follow.

March 4, 2013

Delta County Road and Bridge Department
501 Palmer St.
Delta, CO 81416

Dear Supervisor:

As a part of the application for a Colorado Mined Land Reclamation Permit to extract gravel materials from the Cook Pit (W1/2 of the SW1/4 of Section 33 and E1/2 of the SE1/4 of Section 32, T.15S., R.96W., 6th P.M., Delta County, Colorado), the Mined Land Reclamation Board requires the applicant to obtain an agreement to reimburse owners of permanent man-made structures within 200 feet of the operation for any damage done to their property or structures as a result of the permitted mining operation.

Since 25 Mesa Road is within 200 feet of the affected area, Delta County agrees to reimburse you for any damage done to your property or structures as a result of the permitted mining operation.

Your acknowledging signature in the space provided should satisfy the M.L.R.B. law requirement. A pre-addressed, stamped envelope is enclosed for your use. Thank you for your cooperation.

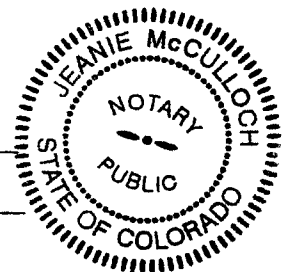
Sincerely,


Bob Kalenak
Delta County Engineer

Bob Kalenak acknowledged the foregoing instrument before me this 4th day of March, 2013.


Notary Public


My Commission Expires: 5/18/2014



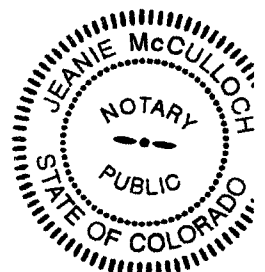
ACKNOWLEDGED BY: Larry R Record
Delta County Road and Bridge Department


Signature/Title

The foregoing instrument was acknowledged before me this 4th day of March 2013 by Larry R Record for Delta County Road and Bridge Department.


Notary Public

My Commission Expires: 5/18/2014



ADDENDUM 1 – Notice Requirements

NOTICE

This site is the location of a proposed construction materials operation. Delta County, whose address and phone number is 501 Palmer Street, Delta, Colorado 81416, 970-874-2035, has applied for a Reclamation Permit with the Mined Land Reclamation Board.

Anyone wishing to comment on the application may view the application at the Delta County Clerk and Recorder's Office, 501 Palmer Street, Delta, Colorado 81416 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:

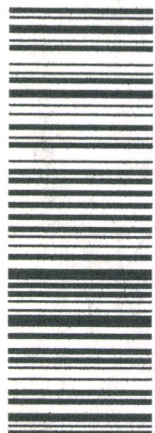
I, Michael Ripp, hereby certify that I posted a sign containing the above notice for the proposed permit area known as the Cook Pit on March 6, 2013.

Michael Ripp
SIGNATURE

March 6, 2013
DATE

NVR Resources, Inc.
Rt. Box 54
Delta, CO 81416

CERTIFIED MAIL™



7012 0470 0002 0391 8132

Division of Reclamation, Mining & Safety
1313 Sherman St, Room 215
Denver, CO 80203

RETURN RECEIPT
REQUESTED



PRIORITY®
MAIL

UNITED STATES POSTAL SERVICE

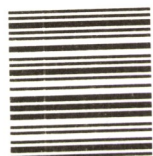
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