

Greg Lewicki And Associates, PLLC

11541 Warrington Court
Parker, CO USA 80138

Phone: (303) 346-5196
E-Mail: info@lewicki.biz

Fax (303)-346-6934

July 5, 2013

Wally Erickson
Division of Reclamation, Mining and Safety
691 CR 233 Suite A-2
Durango, CO 81301

RECEIVED

JUL 09 2013

Durango Field Office
Division of Reclamation,
Mining and Safety

RE: Response to Adequacy letter of June 14, 2013 for Rocky Mtn Aggregate and Construction's Uncompahgre Pit

Dear Wally:

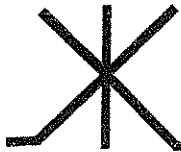
This letter has the answers to all adequacy issues of your June 14, 2013 letter. All required proof of publication and certified mailings are enclosed. Two copies of all revised pages of the application are also enclosed.

My number is 303-346-5196. Zane Luttrell, the operator, can also be reached at 970-249-8780.

Sincerely,

Greg Lewicki, P.E.
Greg Lewicki and Associates

Cc: Zane Luttrell



Greg Lewicki And Associates, PLLC

11541 Warrington Court
Parker, CO USA 80138

Phone (303) 346-5196 Fax: (303)-346-6934
E-Mail: info@lewicki.biz

April 5, 2013

Francine Tipton-Long
Montrose County Clerk and Recorder
320 South First Street Room 101
Montrose, CO 81401

Dear Clerk and Recorder:

Enclosed is a notice for a new application to the Colorado Division of Reclamation, Mining, and Safety for the 112 gravel permit for the pit named as the Uncompahgre Pit, located approximately 9 miles south of the Montrose and west of T Road. This new notice is for the same Application filed in February but the addition of a new access road has required new notices. The applicant is Rocky Mountain Aggregate and Construction, LLC. The Colorado Division of Reclamation, Mining, and Safety needs evidence that you received this notice and that the application has been filed with your office. Therefore, please sign and date the box below. Thank you.

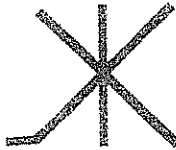
Sincerely,

Greg Lewicki, P. E.
Greg Lewicki and Associates

APR 09 2013

The application was received on the following date:

by: Charissa Conant - Secretary



Greg Lewicki And Associates, PLLC

11541 Warrington Court
Parker, CO USA 80138

Phone (303) 346-5196 Fax: (303)-346-6934
E-Mail: info@lewicki.biz

April 5, 2013

Montrose County Commissioners
54161 South Townsend Ave.
Montrose, CO 81402

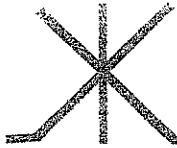
Dear Commissioners:

Enclosed is a notice for a new application to the Colorado Division of Reclamation, Mining, and Safety for the 112 gravel permit for the pit named as the Uncompahgre Pit, located approximately 9 miles south of the Montrose and west of T Road. This new notice is for the same Application filed in February but the addition of a new access road has required new notices. The applicant is Rocky Mountain Aggregate and Construction, LLC. The Colorado Division of Reclamation, Mining, and Safety needs evidence that you received this notice and that the application has been filed with your office. Therefore, please sign and date the box below. Thank you.

Sincerely,

Greg Lewicki, P. E.
Greg Lewicki and Associates

The application was received on the following date: 4/9/2013
by: [Signature]



Greg Lewicki And Associates, PLLC

11541 Warrington Court
Parker, CO USA 80138

Phone (303) 346-5196 Fax: (303)-346-6934
E-Mail: info@lewicki.biz

April 5, 2013

Shavano Conservation District
102 Par Place
Montrose, CO 81401

Dear District Manager:

Enclosed is a notice for a new application to the Colorado Division of Reclamation, Mining, and Safety for the 112 gravel permit for the pit named as the Uncompahgre Pit, located approximately 9 miles south of the Montrose and west of T Road. This new notice is for the same Application filed in February but the addition of a new access road has required new notices. The applicant is Rocky Mountain Aggregate and Construction, LLC. The Colorado Division of Reclamation, Mining, and Safety needs evidence that you received this notice and that the application has been filed with your office. Therefore, please sign and date the box below. Thank you.

Sincerely,

Greg Lewicki, P. E.
Greg Lewicki and Associates

The application was received on the following date:

4/9/13

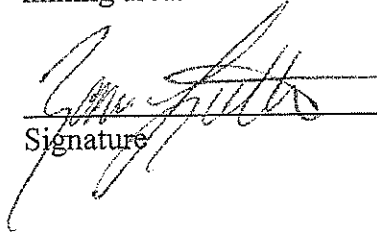
by:

NOTICE

THIS SITE IS THE LOCATION OF A PROPOSED CONSTRUCTION MATERIALS OPERATION. ROCKY MOUNTAIN AGGREGATE AND CONSTRUCTION, LLC, WHOSE ADDRESS IS 23625 UNCOMPAHGRE RD, MONTROSE, CO 81401 AND PHONE NUMBER IS 970-249-8780, HAS APPLIED FOR A RECLAMATION PERMIT WITH THE COLORADO MINED LAND RECLAMTION BOARD FOR AN OPERATION CALLED THE UNCOMPAHGRE PIT. ANYONE WISHING TO COMMENT ON THE APPLICATION MAY VIEW THE APPLICATION AT THE MONTROSE COUNTY CLERK AND RECORDER'S OFFICE AT 320 SOUTH FIRST STREET, ROOM 101, MONTROSE, CO 81401, 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, CO 80203.

CERTIFICATION

I, ZANE LUTHELL, hereby certify that I posted the above notice for the proposed permit known as the Uncompahgre Pit on 4/8/2013 (date) at two locations: 1) at the junction of T Road and the entrance to the access road to the pit area, which is the entrance to the main permit area and 2) at the junction of T Road and the entrance to the office/shop portion of the permit area, which is on T Road east of the mining area.


Signature

4/8/2013
Date

The Montrose Daily Press
Montrose, Colorado 81402
AFFIDAVIT OF PUBLICATION

STATE OF COLORADO)
COUNTY OF MONTROSE) SS.

I, Terri Trujillo, do solemnly swear that the MONTROSE DAILY PRESS is a daily newspaper printed, in whole or in part, and published in the City of Montrose, County of Montrose, State of Colorado, and which has general circulation therein; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United State mails as second-class matter under the provisions of the Act of March 3, 1879, or any amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices within the meaning of the laws of the State of Colorado; that copies of each number of said newspaper, in which said notice was published, were transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

That the annexed legal notice was published in the regular and entire editions of said newspaper for the period of four insertions; and that the first publication of said notice was in the issue of said newspaper dated March 13, 2013 and that the last publication of said notice was in the issue of said newspaper dated April 3, 2013.

In witness whereof I have hereunto set my hand this

3rd day of April, 2013.

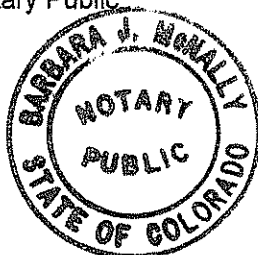
Terri Trujillo Other

Subscribed and sworn to before me this _____

3rd day of April, 2013

My Commission Expires April 26, 2017

Barbara J. McNally Notary Public



Rocky Mountain Aggregate and Construction, LLC, whose address is 23625 Uncompahgre RD, Montrose, CO, 81401 and phone number is 970-249-8780, has filed an application for a Regular (112) Construction Materials Operation Reclamation Permit with the Colorado Mined Land Reclamation Board under provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials. The proposed mine is known as the Uncompahgre Pit, and is located at or near Sections 27 and 34, Township 47 North, Range 9 West of the New Mexico Principal Meridian, Montrose County.

The proposed date of commencement is May 2013, and the proposed date of completion is 2123. The proposed future use of the land is dry rangeland. 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 Montrose County Clerk and Recorder's office, 320 South First Street, Room 101, Montrose, CO 81401, or the above-named applicant. Comments must be in writing and must be received by the Division of Reclamation, Mining and Safety by 4:00 pm on April 24, 2013.

Please note that under the provisions of C.R.S. 34-32.5-101 et seq. Comments related to noise, truck traffic, hours of operation, visual impacts, effects on property values and other social or economic concerns are issues not subject to this Office's jurisdiction. These subjects, and similar ones, are typically addressed by your local governments, rather than the Division of Reclamation, Mining, and Safety or the Mined Land Reclamation Board.

Published: March 13, 20, 27 and April 3, 2013

L-10949

(Extra Fee) ☐ Yes

CERTIFIED

Article Number

7196 9000 9408 2737 8662



7196 9000 9408 2737 8662

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Pam Jetter

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D. Addressee's Address (If Different From Address Used by Sender)

Article Addressed To:

Secondary Address / Suite / Apt. / Floor (Please Print Clearly)

Delivery Address

City State ZIP + 4 Code

Lazy K Bar Land & Cattle Company, LLLP
70455 Buckhorn Road
Montrose CO 81403-8704

Restricted Delivery?

Service Type

(Extra Fee) ☐ Yes

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Betty Spence

Betty Spence

MAY 23 2013

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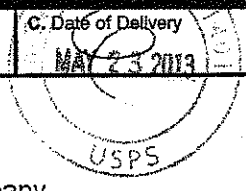
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Delivery Address

City State ZIP + 4 Code

Harris Company
19975 Highway 550
Montrose CO 81403-8614



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Donna Marolf *DONNA MAROLF*

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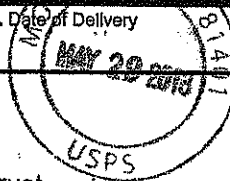
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Secondary Address / Suite / Apt. / Floor (Please Print Clearly)

Delivery Address

State ZIP + 4 Code

Marolf Family Trust
20225 Hwy 550
Montrose CO 81403-8616



USACERTIFIED

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Service Type

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Article Number

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C. Date of Delivery

Sheryl Alexander

Addressee's Address (If Different From Address Used by Sender)

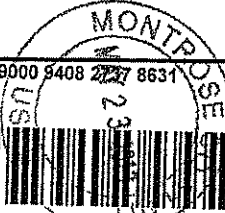
Article Addressed To:

Secondary Address / Suite / Apt. / Floor (Please Print Clearly)

Delivery Address

City State ZIP + 4 Code

Lyle V Alexander & Sherly D Alexander Trust
67077 T Road
Montrose CO 81403-8542



Restricted Delivery?

Service Type

(Extra Fee) ☐ Yes

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Article Number

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Wayne & Deborah D. Hawk

Addressee's Address (If Different From Address Used by Sender)

Article Addressed To:

Secondary Address / Suite / Apt. / Floor (Please Print Clearly)

Delivery Address

Wayne & Deborah D. Hawk
19985 Hwy 550
Montrose CO 81403-8614



(Extra Fee) ☐ Yes

CERTIFIED

Article Number

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B. Received By: (Please Print Clearly)

C. Date of Delivery

Stanley Borinski

STANLEY BORINSKI

Addressee's Address (If Different From Address Used by Sender)

Article Addressed To:

Secondary Address / Suite / Apt. / Floor (Please Print Clearly)

Stan & Kathleen Borinski
67737 Uintah Court
Montrose CO 81403-8548

Primary Address

State ZIP + 4 Code

Restricted Delivery?

Service Type

(Extra Fee) ☐ Yes

CERTIFIED

Article Number

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[Signature]

Cooperling

5/20/13

Addressee's Address (If Different From Address Used by Sender)

Article Addressed To:

Secondary Address / Suite / Apt. / Floor (Please Print Clearly)

Bureau of Land Management
2465 South Townsend Ave
Montrose CO 81401-5436

Primary Address

State ZIP + 4 Code

Restricted Delivery?

Service Type

(Extra Fee) ☐ Yes

CERTIFIED

Article Number

7196 9000 9408 2737 8150



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JANICE WHEELER

Addressee's Address (If Different From Address Used by Sender)

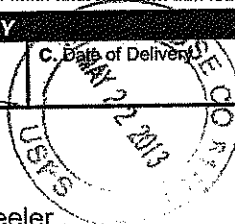
Article Addressed To:

Secondary Address / Suite / Apt. / Floor (Please Print Clearly)

Janice Wheeler
67269 T Road
Montrose CO 81403-8473

Primary Address

State ZIP + 4 Code



UNCOMPAHGRE PIT PERMIT

REGULAR 112 OPERATION

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INTRODUCTION

The proposed Uncompaghre Pit is located 9.0 miles south of the City of Montrose in Montrose County, Colorado and accessed from T Road approximately 1 mile west of Highway 550. The site, in relation to the City of Montrose, is shown on Map B-1. The Mining area is located on a dry terrace elevated above irrigated pasture to the east and west. The shop and office are located in farm storage yard / rural residence. The site is bordered to the north irrigated cropland and rangeland. To the east it is bordered by irrigated pasture including the West Canal. Along the southern and western boundary, the Uncompaghre Pit is bordered by rangeland managed by The Bureau of Land Management. Parcel lines obtained from Montrose County are shown on Map B-2. A List of the names and mailing addresses of the landowners are listed in Exhibit R.

The topography within the permit area slopes gently down toward the north and is perched on an alluvial terrace. The disturbed area for the Uncompaghre Pit is 190.58 acres for the mining area and sediment ponds, 3.96 acres for Topsoil Stockpile #1, 13.81 acres for the access road, 1.58 acres for the lower topsoil berm and 3.69 acres for the office and shop area. The permit boundary is shown on Map C-1 and the entire permit area is 253.25 acres. This upper terrace to be mined has historically been used for dryland grazing. The terrace has also been used often for target practice and big game hunting. The 3.69 acre lower office/shop area has been a home with associated outbuildings for many years.

The permittee for this site is Rocky Mountain Aggregate and Construction, LLC, who has a lease with the property owner, Lazy K-Bar Land and Cattle Company, LLLP.

The site will be reclaimed to a land use of rangeland for animal grazing and wildlife habitat. The topography of the reclaimed land is shown on Map F-1. All maps are found in Appendix 5.

EXHIBIT D MINING PLAN

1. General Mining Plan

The permit area will be staked prior to any additional site disturbance. Map C-2A shows the configuration of the site after mining has progressed through mining Area 4. This map also displays the visual buffer berm left as Mining Area 5. Map C-2B shows the configuration of the fully mined out pit as well as the location of the processing plants, stockpiles and office/shop area. The plan shows that mining will be done in 5 phases: Mining Areas 1 through 5. Mining Areas 1 through 4 contain the majority of the gravel resource and Mining Area 5 is used to retain the visual buffer to the end of mining. Processing of the gravel will be conducted within Mining Area 1 as shown on Map C-2B. The gravel will be excavated and hauled to the crusher with a loader. Mining will progress in order starting in Mining Area and finishing in Mining Area 5.

Access to the mining area will be from a new access road starting at T Road immediately west of the Horsefly Creek bridge crossing. Originally, it was contemplated to use T Road to access the pit area, but a few houses are very close to the road, so therefore, Rocky Mountain decided to move the access 100 feet south of T Road. This new access slightly disrupts the irrigated field, but it provides better mitigation for the homes along T Road. In addition to constructing this new access, the operator commits to constructing a permanent berm of 6 feet height, with slight undulations immediately north of the access road to protect the residences from noise, dust and visual impact from the truck traffic on the road. The berm will be topsoiled with at least 8-12 inches of topsoil and seeded and mulched using the dryland range mix described later in this reclamation plan. This access road will cross the Montrose West Canal with a new crossing, and will then traverse up the side of the terrace and end in Mining area 1. This access road is shown on Map C-2A. The access road will be approximately 24 feet wide travel surface with a small v-shaped drainage ditch on any cut slope of approximately 1.0 feet depth. The entire access road will be paved with recycled asphalt to a depth of 4 inches, underlain by 2 inches of Class 6 road base, underlain by 18 inches of pit run gravel. The crossing of the Montrose West Canal will be in a new small bridge, which is the same size as all other crossings of the Canal in the surrounding area. This bridge will be designed by an experienced professional engineer acceptable to Montrose County Engineering Department. The design will also be approved by

Montrose County Engineering. This entire new road will be part of the permit area. The access to the shop and office area is directly from T Road. The anticipated haul route will utilize this new Access Road, which converges with T Road east of the residences and then north or south on Highway 550 depending on the location of the project. There is minimal overburden on site, but it averages at approximately 1 foot thick with 1 foot of topsoil above the overburden. The loose gravel deposit is very uniform at approximately 25-35 feet thick. The deposit tapers out as the terrace transitions from the flat top to the side slopes. Below the loose gravel deposit is shale which is exposed on the side slopes of the terrace.

Topsoil will be salvaged from all Mining Areas. The expected topsoil thickness is 12 inches. Initially, topsoil will be stockpiled in the southwest corner of the permit area (See Map C-2A) in Topsoil Stockpile 1. Approximately 77,000 cubic yards of topsoil from Mining Area 1 will be stockpiled here. The topsoil in this stockpile will be used for reclamation. All other topsoil will be salvaged and directly replaced on areas that have been previously excavated. The operation will mine for a few months per year and produce stockpiles to last the remainder of the year. Product sales will occur throughout the year. Crushed product will be stored within the Mining Area 1. All final slopes will be mined to 3H:1V or less to reduce the amount of reclamation required after mining. In reality, the upper gravel portion of the terrace will be removed, so that the reclaimed slopes in the mining area will actually be milder than 8H:1V in almost all cases. The overburden will not be stockpiled but directly replaced on the pit floor as it is mined. In addition to the overburden, crusher fines will be placed on top of the shale to provide a deeper growth medium above the shale. The mining areas and stockpiles are shown on Map C-2B.

Table D-1 Mining Area Material Table

Mining Area	Acreage	Topsoil (C.Y.)	Overburden (C.Y.)	Gravel (tons)
Mining Area 1	47.77	77,069	77,069	2,298,000
Mining Area 2	42.22	68,115	68,115	2,622,000
Mining Area 3	43.61	70,357	70,357	3,082,000
Mining Area 4	43.35	69,938	69,938	2,904,000
Mining Area 5	13.68	22,070	22,070	413,000
Total	190.63	307,550	307,550	11,319,000

The material volumes described in Table D-1 are approximate but are based on limited drilling and test pits that were dug on site. Note that the areas above are located in the mining area. The anticipated total disturbed area for the mining area portion of the operation consists of 190.63 acres, which includes the sediment ponds. The additional disturbance comes from the access road, topsoil stockpile, and the office / shop area. This is 11.82 acres for the access road and residential protection berm, 3.96 acres for the topsoil stockpile and 3.69 acres for the office and shop area. Therefore, the total disturbed area is 210.1 acres over the life of the mine. The disturbance at any one time is much smaller since there will be ongoing reclamation as the pit advances.

Topsoil will be stripped prior to mining each year. Overburden will be removed at the same time as the topsoil but will be handled separately. Topsoil will be stockpiled or directly replaced depending on the portion of the area being mined. Overburden will be placed on the pit floor and not stockpiled. Details of the topsoil handling are shown in Table D-2 and also in Exhibit E - Reclamation Plan. Gravel will be directly loaded into the crusher by a loader or will be hauled to the crusher from the mining face in a truck.

Highway trucks will haul sellable material to market from the processing site. Truck traffic will descend on the access road to the junction of T Road where it crosses the Montrose West Canal.

2. Mining Timetable

The following table (Table D-2) is a best estimate of the sequence of operations for the life of the mine and is based on producing 104,000 raw tons per year and selling 100,000 tons per year.

Table D-2 Uncompahgre Pit Mining Sequence

Year	Production per year (tons)	Phase	Comments	Length of time to complete (years)
2013	-	1	Site Preparation, Construct Ponds, Topsoil stripping, build stockpile along northern permit boundary.	0.25
2013-2035	104,000	2	Mine in Mining Area 1, stockpile topsoil. Seed the stockpile. Place overburden on the pit floor.	22.1
2035-2060	104,000	3	Mine in Mining Area 2, place topsoil on the sideslopes and pit floor of Mining Area 1. Seed and mulch topsoiled area.	25.2
2060-2090	104,000	4	Mine in Mining Area 3, Place topsoil on the sideslopes and pit floor of Mining Area 2. Seed and mulch topsoiled area.	29.6
2090-2118	104,000	5	Mine in Mining Area 4, Place topsoil on the sideslopes and pit floor of Mining Area 3. Seed and mulch topsoiled area.	27.9
2118-2122	104,000	6	Mine in Mining Area 5, Place topsoil on the sideslopes and pit floor of Mining Area 4. Seed and mulch topsoiled area.	4.0
2122-2123	-	7	Remove scale and mobile equipment. Place stockpiled topsoil on the pit floor and sideslopes of Mining Area 5 and the pit floor of the existing pit area. Seed and mulch topsoiled area.	1.0
			Total	105.1

The mining schedule is planned to minimize disturbance by reclaiming areas as additional mining is undertaken. This table is based on a reasonable projection of average production rates, which can vary significantly. If production and sales increase to 200,000 tons per year, the mine life is shortened to 52.5 years. The table shows that mining and reclamation will occur approximately 105 years and the total gravel sold will be approximately 11 million tons. The large size of this operation allows for the operator to plan for the future as well as the County Planning Department to know there is a long term source of material in this portion of Montrose County.

3. Mine Facilities and Operation

The crushing and screening will take place within the Mining Area 1. Fuel will be brought to the site by a mobile fueling truck. On site fuel storage needs will vary depending on the plants that are located on site at any one time. The mining, crushing and screening equipment will require a single 3,000 gallon diesel tank which will be located near the crushing/screening plant as shown on map C-2A. A 10,000 gallon tank will be located in the shop/office area as shown on Map C-

2A. Both tanks will have secondary containment of at least 110% of the full tank capacity. The 10,000 gallon tank will have a concrete block wall around it of minimum dimensions of 12' x 3' x 37.3'. It will be cemented and lined with a 20 mil HPDE liner or aquitard. The 3000 gallon tanks will be a factory double-walled tank on skids. Spills within the mine area also have a third level of containment, which is the natural berm around the area. Both of these tanks are subject to a strict SPCC plan for the site. An SPCC Plan will be placed in the mine office and the employees will be trained to take the appropriate steps for inspections and spill response in case of a spill. All portable plants will have their own tanks built into the plant that have built-in secondary containment and are covered under their own portable plant SPCC Plans. If any fuel spill is encountered, the material will be removed from the site. The Division will be notified in the case of any toxic or hazardous substance, including spills of petroleum product in accordance with the requirements of Rule 3.1.13. Upon final reclamation, all equipment will be removed from the site.

A portable wash plant will be utilized on site to create washed products for the Concrete and Asphalt plants as well as sell washed aggregate products. The wash plant will be fed with crushed and screened products and will remove the fine material as required in the material specifications. These fines will be deposited in the wash pond located near the wash plant within Mining Area 1. This pond will periodically be cleaned out. The fines will be deposited in the depression around the plant area and reclaimed at the end of mining. Water consumed in the wash plant will be hauled from the irrigation ditches on this parcel. See Exhibit G for additional details on water use.

The portable concrete plant will consist of a lime silo, fly ash silo, loading hopper, control room and a batching hopper. Concrete mixer trucks will haul the material from the mining area to the various project locations. The mixer trucks will be stored next to the concrete plant when not in use. The sediment ponds will also serve as a concrete washout ponds. Excess concrete created during batch operations will be laid out on a gravel pad and allowed to cure. The excess concrete will be recycled in the crushing operation.

The portable asphalt plant will consist of burner fuel tanks, asphalt cement tanks, mixer drum, loading hopper and a control room. Asphalt batching operation will only be conducted in the

warmer months as it can only be installed in these months. The asphalt plant may be stored on site during the winter months depending on the projects schedules. Excess asphalt produced during batching operations as well as spillage will be cleaned up daily and placed in an asphalt material storage location. The asphalt material will be directly recycled into the mixer drum on the next asphalt production run.

No permanent structures will be built within the mining area. The control rooms, scale house, truck scales and plants will be portable, although the scale will have a concrete foundation. The office and shop will be constructed in the office and shop area, as shown on Map C-2A.

Maintenance vehicles will visit the site regularly to provide oil, grease, and perform other minor maintenance on vehicles and equipment. Any major repair work required will be performed in the shop.

The following list is the best estimate of the required equipment to be used onsite throughout the mine life:

Gravel Crushing Equipment

- Portable Jaw Crusher
- Portable Cone Crusher
- Portable Screen Decks
- Portable Stacking / Transporting Conveyors
- Water Truck for dust suppression
- Portable Generators for plants
- Electric Control Van
- Wheel Loader Cat 988, Cat 980
- Cat D-9 size dozer or equivalent
- Portable Wash Plant
- Portable Concrete Plant and Mixer Trucks
- Portable Asphalt Plant and Highway Haul Trucks

Support equipment will to come to the site on an as-needed basis. The 3.69 acre area will house the mine office, the shop, parts storage and a truck scale. The employee and vendor parking area will also be located here.

There will be no blasting as part of this operation.

No refuse, acid or toxic producing materials are expected to be encountered in this operation. If these materials are encountered, topsoil will be placed over the area and mining will move to a different area.

The stormwater containment berms are intended to hold the stormwater for less than 24 hours. This will be done by storing the water on the pit floor. The stormwater will infiltrate to the groundwater as it did prior to mining.

All existing fencing will stay in place. Any new fencing will be installed according to the Division of Parks and Wildlife's specifications.

The operator commits to clearly marking the affected area boundary with stakes surveyed on site, once the permit is approved. It is planned that the material may be used to provide base material for construction projects in the area.

One main road will be present in the mining area and will change locations in the pit as mining progresses. This road will access Mining Area 1, which also is accessed by the new access road. In pit roads are not delineated as they will move throughout mining.

4. Topsoil, Overburden Handling

As previously stated, the average topsoil depth on the mining terrace is 12 inches. Overburden is approximately the same thickness. Topsoil will be salvaged from all Mining Areas as well as the reclaimed slope that needs to be re-disturbed. Topsoil from Mining Area 1 will be stockpiled in Topsoil Stockpile 1 located in the southwest portion of the permit area. All other topsoil will be directly replaced except for that placed in the permanent residential mitigation berm located north of the access road as shown on Map C-2A. This berm will be approximately 6 feet high, with 3H:1V sideslopes over a length of 2240 feet. Therefore, the amount of topsoil required for

this berm is 2990 cubic yards. This topsoil will come from the excavation of the access road itself in the irrigated field. The remaining volume from the berm will come from overburden from the pit. In order to get rapid vegetation on the topsoil berm and stockpile, an initial seed mix of 40 lbs of oats per acre will be seeded on the areas and will be watered if needed to get vegetative growth immediately after seeding. Overburden encountered during mining will be placed on the pit floor of previously excavated areas. The expected average topsoil thickness available for salvage is approximately 12 inches with a stripping range of 6-18 inches. The topsoil stockpile will be seeded with the rangeland seed mix shown in Exhibit E.

Further details of overburden and topsoil re-distribution are discussed in **Exhibit E: Reclamation Plan.**

5. Water Handling

All water rights issues such as availability of water for this operation, consumption rates, dust control, etc. are presented in Exhibit G - Water Information.

During initial topsoil stripping, v – ditches of approximately 18 inch depth and 2.5H:1V sideslopes will be constructed around the initial area to be disturbed, which will lead to the mine sediment ponds. This is a series of two small ponds as shown on Map C-2A and C-2B. These ponds will be approximately 8-9 feet high and are located in a natural gully on the west side of the permit area. The ditches will gravity feed these ponds and the lining of these ponds will be the natural gravel that exists on the site. The ponds will be constructed of fill compacted to 90% maximum dry density and the outslope and inslope will be 3.0H:1V. The emergency spillway for each pond will be a trapezoidal spillway of 10 feet width at the bottom, 3H:1V sideslopes and a grade of 1% toward the outslope. The emergency spillways will be lined with durable rock of D50 of 8 inches to an average depth of 12 inches. Each pond will have a 4 inch pipe that will be installed above the sediment cleanout level so that the pond can be dewatered after proper settling has been achieved. The valve will normally be shut and will only be opened when the water quality meets the requirements of the discharge permit.

Once the pit has excavated some area, all runoff from the disturbed mining area will be trapped in the excavation and it is extremely unlikely that the ponds will receive runoff after that time.

The access road will have v-ditches on the cut slopes that will fall off into the natural terrain on both sides. An 18 inch CMP will be installed in the access road crossing of the Ouray Ditch. Four additional culverts are also to be installed along the road. The designs for these culverts are given in Appendix 7.

The junction of the mine access road and T Road will take place at the crossing of the Montrose West Canal. The current bridge is steel beam and concrete and adequate to handle the loads but will require improvement to the width. The current width of 14 feet must be expanded to a width of 24 feet which matches the access road width and allows full 2 lane traffic. This extra width will be accomplished by removing the existing bridge and replacing it with a new steel and concrete crossing structure that will be designed by a professional engineer and installed according to the design specifications. It is planned that this work will take place at the end of the 2013 construction season.

Once Mining Area 5 is removed, the unreclaimed portions of the site would again be vulnerable to erosion. For this reason, the outside edge of the perimeter of the site will have an 18 inch high berm of approximately 6H:1V slope left in place to ensure that no disturbed area runoff leaves the site in the final reclamation stage.

6. Schedule of Operations

Mining operations will only occur as dictated by demand. Mining, crushing and screening may take place in any part of the year but is expected to be limited to less than 7 months per year. Product will be sold throughout the year, although far less material is expected to be sold in winter months. The operator will not have night gravel mining operations, although minor truck activity or repairs may occur after hours.

7. Montrose County Impacts and Environmental Impacts

The aggregate production is estimated to be 104,000 tons annually. Sales are expected to be 100,000 tons per year, although this is only approximate since past forecasts of economic conditions have been erratic. Impacts to Montrose County include:

a) Truck traffic: Highway trucks will utilize the new access road to T Road and Highway 550 to haul material to individual project locations. An access permit has been filed with CDOT to

access Highway 550 from T Road. The engineering report for the access has shown that the low level of production will may still require significant improvements to the intersection of T Road and Highway 550.

b) Noise: Will be minimized since the majority of the operations will be on the pit floor which is up to 35' below the surrounding ground, since the natural berm will be in place for the vast majority of the mining operation. The nearest residence is approximately 645 feet from the edge of the mining area but this residence is owned by the applicant. The nearest residence to the edge of the mining area not owned by the applicant is 1190 feet. The residential mitigation berm also protects the homes along T Road, since the pit traffic will use the new access road located south of the berm.

c) Dust: Although the pit activities will be watered and all operations on the site are regulated by the Air Quality Control Division of the CDPHE, the relatively low annual production, aggressive watering of roads and limiting the disturbed area should prevent significant dust impacts.

d) Visual impact: This is subject to an evaluation as part of the Special Use process. The lower 3.69 acres for the office and shop area will remain essentially the same as it currently exists since the existing house will be used as an office. A new shop and supply building will be built in this area but this is not different from many other commercial sites along Highway 550 north and south of this site. The access road will have approximately 8.32 acres of disturbance but this area is hidden from Highway 550 by placing the road in a natural dry gulch with a bluff between the road and Highway 550. The closest point of this access road is over 3500 feet from Highway 550. All cuts and fills required for this road will be reclaimed within 6 months of the road construction. Visual impact from the pit will also be minimized by essentially mining down into the gravel deposit while leaving a natural berm around the perimeter of the site, which will only be mined out at the end of the mine life, leaving a flat terrace. Initially, the portable plants and the topsoil operation may be visible to a few residents west of the pit in the lower valley but once the deposit has been mined in a 7-10 acre area to its depth of 25-35 feet, all equipment and plants will be placed on the bottom and will be basically invisible to anyone located in any direction from the pit. Only at the very end of the mine life, when the natural berm is removed, will the excavation equipment be seen again. This is Mining Area 5 and has a reserve amount of 411,000

tons. It should be mined in approximately 4 years or less. Once it is mined out, the terrace will be completely restored to rangeland and wildlife habitat. Visual impact from the truck traffic to the residences along T Road is also mitigated by the residential mitigation berm north of the new access road.

e) The product from this mine will positively impact the local community by supplying construction materials for the foreseeable growth of this part of Montrose County. It also has the advantage of supplying this area with construction material from the same area, thus limiting the amount of truck traffic that goes through the town of Montrose and also greatly lessening truck traffic on the highway system, which in turn will lessen road repairs. Also, lessening truck traffic by providing construction materials near to the end use will also lessen the amount of greenhouse gases produced for many years to come.

f) The hydrological system will detain all runoff so that sediment will not leave the site and cloud any downstream waters. There will be sanitation facilities located in the Mining Area, therefore no leach fields or other means of sewage disposal within the Mining Area. A septic system is planned within the Office Shop area and will be permitted through Montrose County.

g) The Uncompahgre Pit will be reclaimed to rangeland and wildlife habitat as shown on Map F-1. The operator will work closely with the County, NRCS, CDPW and the DRMS to ensure that the reclamation plan is the most appropriate for achieving the post-mining land use.

7. Import Fill, Recycled Concrete and Asphalt

The pit will accept concrete and asphalt materials that have been removed from existing sites in order that they can be recycled through the plants on site. Fill material may also be accepted into the mine site. Fill material will be spread out on the mined out pit floor and will be blended into the final landscape. Some material may also be re-sold as construction material. Any importation of structural fill materials will occur in accordance with the requirements of Rule 3.1.5(9). None of this material can be accepted by the Operator unless the attached form is filled out by the entity bringing the material to the site. The form provides an assurance that all material brought to the site is inert and has no toxic or acid forming material above acceptable limits.

Affidavit For Import of Materials into Uncompahgre Pit

Date or Time Period of Import:

Description of Import Material:

Entity Providing Material to Pit (not the trucking Company):

I hereby certify that the material described above and brought to the Uncompahgre Pit site is inert, which means it is free from any chemicals, toxic substances, acid forming material, or any other material which would violate the material waste disposal laws of the State of Colorado.

Signature

Written Name of Signer

Signer's Position in Company

Company

Date: _____

This mix will provide a variety of shrubs, forbs and grasses for the reclamation of the terrace and all of the species have been recommended by the local office of the Colorado Division of Parks and Wildlife. These grasses have proven to do well in the dry medium elevation environment of western Colorado. They will prevent erosion and do provide forage and cover for animals. Certified weed free hay or straw mulch will also be applied at the rate of 2000 lbs/acre. The mulch will be crimped into the ground to provide soil stabilization. Fertilizer is not anticipated to be used for revegetation assistance. Annual evaluations will be conducted on the revegetation efforts and the use of fertilizer will be re-evaluated at that time.

6. Post-Reclamation Site Drainage

The site will contain a 100 year 24 hour event. Once Mining Area 5 is removed, the unreclaimed portions of the site would again be vulnerable to erosion. For this reason, the outside edge of the perimeter of the site will have an 18 inch high berm of approximately 6H:1V slope left in place to ensure that no disturbed area runoff leaves the site in the final reclamation stage.

This stormwater containment berm will hold back the water producing a shallow pool. This pool will quickly dissipate into the pit floor. No drainages enter the site, meaning a diversion ditch will not be needed. A small area in relation to the total mining area (the southwest portion) will be allowed to drain into the reclaimed area, but the size of the pit floor will be able to allow infiltration. Stormwater will sheet flow down the side slopes (3H:1V) across the pit floor and pool behind the stormwater berm. This berm will be left in place due to its shallow slopes and minimal height. It will be seeded and mulched at the time that the various segments on Mining Area 5 are excavated.

The sediment ponds will be constructed less than 10' above the natural surface, therefore the Office of the State Engineer does not need to be notified. This pit will be operated above the water table and water to be used for dust suppression will be supplied from Irrigation water rights. A stormwater discharge permit will be obtained during mining operations but will not be needed after reclamation. The sediment ponds will be left for stock use and wildlife use, since there is almost no water on the terrace during the entire year.

EXHIBIT G WATER INFORMATION

1. Surface Water General Discussion

The surface water features within and near the permit area are the Montrose West Canal and the Ouray Ditch which are approximately 300 feet east of the mining area boundary. The irrigation ditches only run during irrigation season, which varies yearly but is normally from the start of April to the end of October. Existing stormwater on the terrace either infiltrates through the gravel or runs off through the un-named drainages. Surface water within the disturbed area will be collected during mining in the northwest portion of the mining area and will infiltrate. No sediment will be allowed to leave the site and cloud any downstream waters. The site will not affect existing water rights, since the pit will not expose groundwater and will not store stormwater for more than 72 hours.

After reclamation, stormwater encountered in the mining area will continue to infiltrate or evaporate.

2. Hydrology and Sediment Control for Mining

Water that is encountered in the pit will not be released from the site. The only water that will be found within the disturbed area is stormwater runoff and water hauled to the mining area and used in processing and for dust control. During topsoil stripping, ditches will lead to the sediment ponds, shown on Map C2-A, to ensure that no runoff leaves the site. The ponds and bermed areas will contain the 100 year runoff from the area that drains to it. Once the excavation of the pit has started, all water from the disturbed area will drain to the bermed pit and cannot leave the site. More details on the sediment control system and the ponds are shown in Subsection 5 of Exhibit D – Mine Plan.

3. Groundwater

Since the test pits did not show groundwater and there are no visible seeps or springs, groundwater is not expected to be encountered during mining. While no groundwater is anticipated to be exposed by excavation, if it is exposed, excavation will cease at an elevation of 2 feet above the groundwater level.

Buckhorn Geotech, Inc. conducted a groundwater monitoring survey of the property in 2006. They installed 20 groundwater monitoring standpipe piezometers on the property and these were

monitored during a period from April 10 to July 27, 2006. Generally, the piezometers situated in agricultural areas experience high groundwater levels due to flood-type irrigation practices, and the proximity to the River, while the piezometers positioned on top of the mesa remained dry during the monitoring period. The only significant groundwater aquifer located within the boundaries of affected lands is the alluvial aquifer in the valley.

The depth to groundwater is approximately 5.5 feet below the valley floor during the summer months. Groundwater beneath the higher portions of the proposed operation where material extraction and processing will occur is more than 200 feet below the surface of the mesa. Mining is approximately 35 feet depth below the surface of the mesa, therefore the mining will not be close to any groundwater aquifer.

4. Irrigation Water

Irrigation water is currently used on the flat land below the irrigation ditches, and will continue as the Uncompahgre Pit is mined and reclaimed. A small portion of the water needed for the mining operation will come from existing water rights attached to the land that will be mined. See the attached water rights information at the end of this exhibit. This water will be pumped from the onsite irrigation ditches during irrigation season and hauled in a water truck to the mining operation on the top of the terrace.

5. Water Consumption for the Operation

The Pit is on an elevated terrace and there is no groundwater on the terrace. This is known from existing operations on the terrace further north of this site and also the lack of springs emanating from the base of the gravel anywhere on the site. There is very little moisture in the gravel that will evaporate when the material is mined.

The water uses are dependent upon the breakdown of products forecast for the pit production and sales. This breakdown is given below:

Table G-1 Production Use

Production Use	Crush/Screened	Washed	Raw Tonnage/Yr	Sales Tonnage/Yr
Road Base	50,000	0	50,000	50,000
Pit Run	0	0	10,000	10,000
Asphalt	20,000	0	20,000	20,000
Concrete Mix	24,000	24,000	24,000	20,000
Total	94,000	24,000	104,000	100,000

Water will be used in a number of ways in the pit operation:

1) Control dust on the haul roads and excavation areas

Water used for dust suppression is usually 100 percent depletive with no measurable return flows to the river system. Dust from the haul roads will be controlled by paving for all areas outside the mining pit boundary. Water will be used on all in pit roads. Water will only be applied when needed at this elevation, since cold conditions on site for much of the year result in little evaporation and/or dust. It is assumed that watering of roads will require 1700 gallons water 4x per day for 100 days per year. Other days will have natural moisture on the roads or the site will be inactive since the annual production is not very high. This is equivalent to 2.09 acre feet per year.

It is also assumed that minor amounts may be needed during very dry windy conditions during the mining operation. This use is expected to be 1.2 acre feet per year. Therefore, the total consumptive use for this category is 3.29 acre feet per year.

2) Crushing and Screening Plant Operations

The crushing/screening plant uses 200 gallons per hour at a throughput rate of 225 tons per hour, but 180 tons per hour will be assumed, so this amount for 180 tons per hour is conservative.

Therefore, the total hours needed per year to produce the required tonnage is 522 hours. The crusher will be an enclosed crusher with water sprays and the screen deck will also have sprays at the entrance and on the screen deck itself. This is an amount of 0.32 acre feet per year. Although the crusher/screen plant uses considerable water, it does not run for many hours during the year to meet the annual production.

3) Wash plant operations

The wash plant will be used to remove fines from the material that will be used to make concrete. Based on a throughput rate of 1000 tons per day, the plant will use 32,000 gallons of water per day and will operate 24 days per year. This is a use of 2.36 acre feet per year. Approximately 60% of this water will be recycled from the wash pond, but 40% will be consumptive use through evaporation and infiltration. This results in a consumptive use of 0.94 acre feet.

4) Concrete batching

The concrete plant will have a throughput rate of 2000 tons per day. Based on the estimated annual concrete production, the plant will operate 10 days per year and will use approximately 4000 gallons for each operating day. Therefore, the consumptive use is 0.12 acre feet per year.

5) Asphalt plant operation

The asphalt plant will have a throughput rate of 2000 tons per day. Based on the estimated annual asphalt production, the plant will operate 10 days per year and will use approximately 4000 gallons for each operating day. Therefore, the consumptive use is 0.12 acre feet per year.

6) Potable water for drinking

Potable drinking water is estimated to be 50 gallons per month, but this water will be purchased commercially and will not be considered in the consumptive use calculations.

Table G-2 Summary of Consumptive Uses

Consumptive use	Max feet/yr Use	Acre- Use	Comments
1. Dust Control on Roads/Pit	3.29		
2. Crushing and Screen Plant	0.32		
3. Wash Plant	0.94		
4. Concrete Plant	0.12		
5. Asphalt Plant	0.12		
6. Potable water	0.00		
Total	4.79		This is a maximum consumptive use based on full operation.

7) Water Purchases Needed for the Operation

The owner of the land parcel has rights to water in the Ouray Ditch and the Uncompahgre Valley Water Users Association, which are enclosed in this section. This water has historically been used for irrigation but it has been confirmed that it is allowed to use this water for use in the mining operation. The 115.6 shares of Uncompahgre Water and 2.5 shares of Ouray Ditch far exceed any potential consumptive use from the mine.

When the operation needs water during the winter when the ditch is not running, the operator will buy water from the Tri-County Water Company Filling Station located at the intersection of Highway 550 and Buckhorn Road approximately 5 miles south of the pit.

EXHIBIT M OTHER PERMITS AND LICENSES REQUIRED

The following permits are needed for the site:

1. *County Special Use Permit*
2. *NPDES combined process water/storm water discharge permit – The application was submitted July 2013 to the Water Control Division at the Colorado Department of Public Health and Environment. A Storm Water Management Plan has also been developed for the site.*
3. *APEN – A fugitive air emissions permit will be needed from the Colorado Department of Public Health and Environment since the site. The APEN is required to be submitted and has been submitted for the site in March of 2013. Initial Approval has been granted as of June 2013.*
4. *A Substitute Water Supply Plan or Augmentation Plan from the Division of Water Resources is not needed for the operation since this is not a wet pit that will leave a gravel pit lake. Also, the existing water rights for irrigation can be used for industrial purposes. See Exhibit G.*
5. *A County Road Access Permit will not be required for vehicles entering T Road.*
6. *A CDOT Access Permit will be required for access to State Highway 550 from T Road. This application process has been started.*
7. *A Spill Prevention Control and Countermeasure (SPCC) Plan is needed for the mining operation since the site tank storage exceeds 1320 gallons (there will be a 3000 gallon tank and a 10,000 gallon tank). Other tanks that will be located on site will be associated with the individual processing plants. Fuel will be brought to the site with a mobile fueling truck. No spilled material will be allowed to leave the site and all tanks will have secondary containment. In addition, the portable plants that will be on site from time to time each have their own separate SPCC Plans.*
8. *No USCOE 404 permit will be necessary because no wetlands or waters of the U.S. will be disturbed.*

EXHIBIT S PERMANENT MAN-MADE STRUCTURES

The man-made structures within 200 feet of the permit boundary are as listed below:

- 1) Various old ranch barbed wire fences on wood posts owned by Lazy K Bar and Cattle Company.
- 2) T Road owned by Montrose County. This structure is covered by a special maintenance agreement between Montrose County and Rocky Mountain Aggregate. This letter is attached to this section.
- 3) Ouray Ditch owned by Ouray Ditch Company (although the ditch through the subject property is the end of the ditch and the Ditch Company does not care what occurs on the property.
- 4) Montrose West Canal and T Road crossing of the canal owned by Bureau of Reclamation and operated by the Uncompahgre Valley Water Users Association.
- 5) Steel pipe fence with chicken wire grating owned by Dean Alexander on the property north of T Road and east of the Montrose West Canal.
- 6) Tri-County Water owns a 4" plastic water line that is buried in the south right of way of T Road from Highway 550 to the Alexander residence.
- 7) Power poles and overhead transformers located on the north side of T Road and west of the office/shop area, owned by DMEA.
- 8) Century Link phone line on power poles along T Road.
- 9) Source Gas Company owns a buried gas line along T Road.
- 10) Irrigation structures owned by Roger Noble.

- 11) Irrigation structures, fences, driveway and culvert owned Lyle Alexander.
- 12) Irrigation structures, fences, driveway and culvert owned Dean Alexander.
- 13) Irrigation structures, fences, driveway, wooden cabin and culvert owned Janice Wheeler.

Damage waiver agreements have been sent to all owners of record of any structures with 200 feet of the permit. These are enclosed in this section. The certified receipts are also enclosed. No damage waivers have yet been signed by the receiving party, therefore, the engineering demonstration is provided in Exhibit U, to show that the structures will not be damaged. In the unlikely case of any damage to an owner's structure, Rocky Mountain Aggregate commits to either replacing or repairing the structure, as long as it is evident that the damage was caused by the operator or a vehicle related to the operation.

Montrose County Public Works Engineering Dept.

MEMO

Date: March 19, 2013

To: Land Use Director

From: County Engineer

CC: Public Works Director
County Manager
County Attorney
Public Works Administrative Assistant
CDOT Region 3 Permit Unit Manager

RE: Uncompahgre Pit Special Use Permit



Montrose County Engineering Department has reviewed the information submitted for the above referenced Special Use Permit. This review is mainly limited to State Highway 550 and T-Road.

State Highway 550

The Highway 550/T Road access is controlled by CDOT and will be a crucial aspect for the safe operation of this gravel pit. Because Montrose County owns and maintains T Road, the County also bears responsibility to coordinate with CDOT in making sure the access from T Road onto Hwy 550 is as safe as reasonably possible for the proposed use.

In response to the Special Use Permit application data submitted by the applicant, Montrose County has discussed the traffic report with CDOT Region 3 Permit Unit Manager Dan Roussin. Mr. Roussin prepared a letter dated 2/20/2013 in response to the traffic study submitted by the applicant's traffic engineer Kimley-Horn Associates, Inc. A copy of this letter is attached herewith. A letter from Kimley-Horn dated 3/12/2013 responding to Mr. Roussin's letter is also attached herewith. Montrose County Public Works request that the following comments and concerns be given careful consideration in the review of this Special Use Permit:

1. A CDOT Access Permit will be required. Since T Road is a "County" road, Montrose County will be named as the permittee. All expenses related to compliance with the terms and conditions of this permit shall lie with the gravel pit applicant, not Montrose County.
2. There are no existing turn lanes at the Hwy 550/T-Road Intersection.
3. The traffic study states that auxiliary (turn) lanes are not necessary.
4. The highway speed limit is 60 MPH.

MEMO Continued

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Montrose County Engineer

5. The highway classification is CDOT Category R-A (Regional Highway)
6. T Road and Tulare Road are offset from each other by approximately 50 feet at their intersection with Hwy 550.
7. Regardless of the proposed gravel pit, the existing frontage road is crucial to the safety of local traffic by providing a means to travel between nearby properties without the need to enter the highway, especially for farm equipment and implements.
8. The traffic study states that the total existing morning peak hour traffic on Hwy 550 was measured at 527 vehicles per hour. This equates to an average time gap between the highway vehicles of 6.8 seconds, or 598 feet when traveling at the 60 MPH speed limit.
9. The CDOT Access Code requires Design Hour Volume (DHV) be used to determine the need for auxiliary (turn) lanes. The DHV is supposed to be the estimated highest or peak number of vehicles entering and exiting the access in any given hour.

However, the traffic study is based on Average Daily Traffic (ADT) estimates, not DHV. The traffic study extrapolates a Design Hour Volume (DHV) of 24 trucks by dividing the ADT of 312 by a 13 hour work day. The traffic study assumes that the truck traffic in and out of the pit will be uniform throughout the day. This does not provide a realistic Design Hour Volume estimate. Any major construction project, or multiple projects occurring at the same time, will generate more than 12 trucks in and 12 trucks out of the pit during the peak hour.

10. The traffic study figures are very close to exceeding CDOT Access Code threshold requirements for auxiliary lanes. Section 1, Page 5 of the application "Narrative" specifically states "The pit will utilize 24 ton trucks to haul the vast majority of the construction products from the site."

A 24 ton gravel haul truck is almost always a belly dump which is an 18 wheel semi-tractor with a belly dump trailer; these trucks are longer than 40 ft in most cases. The traffic study assumes a low percentage of belly dump trucks will use the pit. This is crucial because the assumption of more realistic, high percentage of belly dump trucks will require auxiliary lanes.

11. An existing trucking/gravel hauling company uses T Road as well as local residents. The Traffic Study states the existing peak hour traffic on T Road but does not appear to include this existing traffic, nor does it distinguish how much of this existing traffic are trucks, when determining the need for auxiliary lanes. CDOT Access Code (5)(c)(3) requires that ALL traffic be considered, not just the traffic generated by the proposed new use.
12. The existing United Companies gravel pit is located approximately 1.25 miles south of T-Road and directly accesses Hwy 550. This access has extensive auxiliary (turn) lanes.
13. The CDOT Access Code does not have a minimum traffic volume threshold for requiring a left turn acceleration lane. This is a safety judgment call that has not been addressed by the traffic engineer.

MEMO Continued

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March 22, 2013

Montrose County Engineer

14. Based on the observations above, and in consideration of CDOT Highway Access Code, Section 3.5(1),(2),(3), & (4); AND Section 4.8(1)(b), the Montrose County Engineering Department recommends the following be made part of the conditions of approval for the Special Use Permit as being necessary for the protection of the health, safety, and welfare of the traveling public:

- a. Full movement auxiliary (turn) lanes shall be required as a condition of approval of the CDOT Access Permit and the Montrose County Special Use Permit.
- b. T Road shall be re-aligned at Hwy. 550 to line directly up with Tulare Road.
- c. The existing frontage road shall NOT be closed. This frontage road provides for a much safer movement of local and farm traffic without forcing this traffic onto the highway.
- d. T Road shall be asphalt paved from the west edge of Hwy 500 to the westerly right of way (fence line) of Hwy 550 using full depth asphalt or similar structural section necessary to provide reasonable service life for the use intended.

T Road

T-Road is a low volume, low speed, Montrose County owned and maintained gravel surfaced road and is classified as "Local". The proposed gravel pit will render T Road as substandard and the road classification will become a "Collector". Montrose County Engineering Department requires the follow be made part of the conditions of approval for the Special Use Permit as being necessary for the protection of the health, safety, and welfare of the traveling public:

The applicant shall execute a "Road Improvements Agreement" with Montrose County to detail the applicant's responsibilities and trigger points for executing T-Road improvements. All expenses for related to or required by the agreement shall be the applicant's responsibility, not Montrose County. This agreement shall at a minimum require the applicant provide or address the following:

1. Submit detailed engineering design and construction plans to improve T-Road to a Two Lane Rural Road standard. These plans shall be signed and stamped by a Colorado Registered Professional Engineer and shall specifically address the following deficiencies:
 - a. Inadequate Road Width - The width of T Road is substandard (less than 20 feet in most places). Two trucks cannot pass each other without using the shoulder.
 - b. Inadequate setbacks from existing structures - The existing location of T-Road is in close proximity to existing structures. The change in road classification from "local" to "collector", and the increase in traffic volume will place at least one of these structures in the object free road side clear zone as determined by AASHTO standards.
 - c. Poor Drainage - The shoulders and road side ditches are soft and have poor drainage in some locations. Additional culverts and drain ditch improvements should be anticipated.
 - d. Alignment Problems - There are centerline alignment issues in the vicinity of the Horsefly Creek Bridge. Where possible, these reverse curves should be removed

MEMO Continued

Page 4 of 5
March 22, 2013

Montrose County Engineer

- and the alignment straightened as much as possible. Guardrail must be upgraded to conform to current CDOT/AASHTO standards.
- e. Horsefly Creek Bridge – The structural capacity of this bridge is not known. To insure the safety of the traveling public, the applicant's engineer shall provide a structural analysis of this existing bridge to identify deficiencies and include corrections of such deficiencies in the engineering plans. The bridge must have adequate width and capacity to carry HS-20 design loads and as otherwise required by the Montrose County Standards and Specifications for Road and Bridges, current edition.
 - f. Private bridge across the M&D Canal – The structural capacity of this bridge is not known. To insure the safety of emergency responders, the applicant's engineer shall provide a structural analysis of this private bridge to identify deficiencies and include corrections of such deficiencies in the engineering plans. The bridge must have adequate width and capacity to carry HS-20 design loads and as otherwise required by the Montrose County Standards and Specifications for Road and Bridges, current edition.
 - g. Road Structural Section – There may not be adequate road base gravel in T Road to support year round use by haul trucks. The applicant shall provide a subsurface geotechnical study and analysis of the existing section and incorporate noted deficiencies into the plans. This may require the applicant provide additional road base gravel and perform regular surface maintenance (sec 2. below).
 - h. All T Road and related improvements must be completed within 18 months of the start of hauling operations.
2. Dust Control and Surface Maintenance – Montrose County does not maintain T Road for dust control. The applicant shall perpetually be responsible for application of magnesium chloride solution, or other county approved dust control measures applied at intervals to be determined by Montrose County but not less than once every 12 months. Regular surface maintenance with a motor grader will also be required to minimize wash boarding caused by the haul trucks. Montrose County will not perform additional maintenance to T Road over and above what it has historically provided. Dust control and surface maintenance must commence immediately upon the start of hauling operations.
3. Access Permits – The applicant will be required to obtain access permits to T Road for the gravel pit access at the west end of T Road and for the Sales Office/Scale House site on the south side of T Road just east of Horsefly Creek.

Montrose County Engineering Staff strongly recommends the applicant consider providing its own privately owned and maintained access road parallel to and as far away from T Road as reasonably practical, beginning at the proposed Office and extending west past the M&D Canal and into the pit. Doing so would alleviate and/or avoid many of the T Road problems and deficiencies noted above. The applicant will still be required to provide HS-20 rated crossings at Horsefly Creek and the M&D Canal so emergency vehicles could safely cross to respond to an emergency in the pit.

MEMO Continued

Page 5 of 5
March 22, 2013

Montrose County Engineer

MISCELLANEOUS REPORT COMMENTS

NARRATIVE

1. Assumptions for hours of operation indicated are inconsistent. Narrative, Section 1., Page 5 says 10 hours per day; Narrative, Section 5., page 14 says 12 hours per day; Kimley-Horn letter says 13 hours per day. A more specific time of operation should be required.
2. Narrative, Section 1., Page 5 says the pit will operate 9 months out of the year. It is likely that some amount of hauling will occur year round and should be anticipated as such.

ROCKY MOUNTAIN
AGGREGATE & CONSTRUCTION LLC

Lazy K Bar Land & Cattle Company
70455 Buckhorn Road
Montrose, CO 81403

RE: Uncompahgre Gravel Pit Damage Waiver

Jay,

Please find the attached structure agreement that is required by the State of Colorado Division of Reclamation, Mining and Safety to be sent to any landowner who has man-made structures within 200 feet of the permit boundary. The purpose of the agreement is to ensure that we, the permittee of the mine, will fix or replace any structures on your property that are within 200 feet of the permit area that we could damage. This is an extremely remote possibility, but nevertheless, it is required that we send this agreement to you. We have listed any man-made structures that fall within this area on the agreement in order to insure that damages that are proven to be caused by our operations will fall under the guidelines of the attached agreement. If you have any questions regarding this form, please call me and I can provide further explanation of this requirement by the State of Colorado Division of Mining, Reclamation and Safety.

Thank You,



Zane Luttrell
Owner

Rocky Mountain Aggregate & Construction

Attachment:
Structure agreement for DRMS

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

Structure Agreement

This letter has been provided to you as the owner of a structure on or within two hundred (200) feet of a proposed mine site. The State of Colorado, Division of Reclamation, Mining and Safety ("Division") requires that where a mining operation will adversely affect the stability of any significant, valuable and permanent man-made structure located within two hundred (200) feet of the affected land, the Applicant shall either:

- a) Provide a notarized agreement between the Applicant and the Person(s) having an interest in the structure, that the Applicant is to provide compensation for any damage to the structure; or
- b) Where such an agreement cannot be reached, the Applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- c) Where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility. (*Construction Materials Rule 6.3.12 and Rule 6.4.19 & Hard Rock/Metal Mining Rule 6.3.12 and Rule 6.4.20*)

The Colorado Mined Land Reclamation Board ("Board") has determined that this form, if properly executed, represents an agreement that complies with Construction Materials Rule 6.3.12(a), Rule 6.4.19(a), and C.R.S. § 34-32.5-115(4)(e) and with Hard Rock/Metal Mining Rule 6.3.12(a), Rule 6.4.20(a), and C.R.S. § 34-32-115(4)(d). This form is for the sole purpose of ensuring compliance with the Rules and Regulations and shall not make the Board or Division a necessary party to any private civil lawsuit to enforce the terms of the agreement or create any enforcement obligations in the Board or the Division.

The following structures are located on or within 200 feet of the proposed affected area:

1. IRRIGATION STRUCTURES
2. FENCES
3. _____
4. _____
5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, Rocky Mountain Aggregate and Construction, LLC (print applicant/company name),
by Zane Luttrell (print representative's name), as Manager (print
representative's title), does hereby certify that LAZY K BAR LAND & CATTLE CO (structure owner) shall
be compensated for any damage from the proposed mining operation to the above listed structure(s)
located on or within 200 feet of the proposed affected area described within Exhibit A, of the Reclamation
Permit Application for Uncompahgre Pit (operation name),
File Number M- 2013-007

*This form has been approved by the Colorado Mined Land Reclamation Board pursuant to its
authority under the Colorado Land Reclamation Act for the Extraction of Construction Materials and
the Colorado Mined Land Reclamation Act for Hard Rock, Metal, and Designated Mining Operations.
Any alteration or modification to this form shall result in voiding this form.*

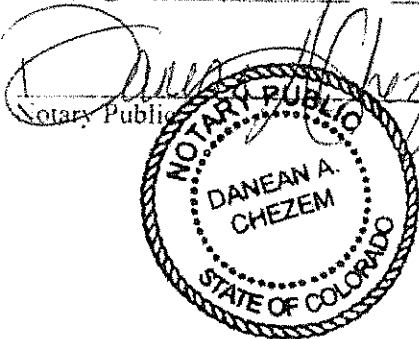
NOTARY FOR PERMIT APPLICANT

ACKNOWLEDGED BY:

Applicant Rocky Mountain Aggregate & Construction LLC Representative Name ZANE LUTTRELL
Date 6/25/2013 Title MANAGER

STATE OF COLORADO,
COUNTY OF MONTROSE ss.

The foregoing was acknowledged before me this 25 day of JUNE, 2013, by
ZANE LUTTRELL as MANAGER of ROCKY MOUNTAIN AGGREGATE
& CONSTRUCTION LLC



My Commission Expires: 1/4/2016

NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner	Name
-----------------	------

Date _____ Title _____

STATE OF _____)
) ss.

COUNTY OF _____)

The foregoing was acknowledged before me this _____ day of _____, 20____, by _____ as _____ of _____.

Notary Public _____ My Commission Expires: _____

Rocky Mountain

Kathleen Ozga
Lands & Recreation Group Chief
Bureau of Reclamation
Western Colorado Area Office
2764 Compass Dr., Suite 106
Grand Junction, CO 81506
kozga@usbr.gov
(970) 248-0649

RE: Uncompahgre Gravel Pit Damage Waiver

To Whom It May Concern,

Please find the attached structure agreement that is required by the State of Colorado Division of Reclamation, Mining and Safety to be sent to any landowner who has man-made structures within 200 feet of the permit boundary. The purpose of the agreement is to ensure that we, the permittee of the mine, will fix or replace any structures on your property that are within 200 feet of the permit area that we could damage. This is an extremely remote possibility, but nevertheless, it is required that we send this agreement to you. We have listed any man-made structures that fall within this area on the agreement in order to insure that damages that are proven to be caused by our operations will fall under the guidelines of the attached agreement. If you have any questions regarding this form, please call me and I can provide further explanation of this requirement by the State of Colorado Division of Mining, Reclamation and Safety.

Thank You.

Zane Luttrell
Owner

Rocky Mountain Aggregate & Construction

Attachment:
Structure agreement for DRMS

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

Structure Agreement

This letter has been provided to you as the owner of a structure on or within two hundred (200) feet of a proposed mine site. The State of Colorado, Division of Reclamation, Mining and Safety ("Division") requires that where a mining operation will adversely affect the stability of any significant, valuable and permanent man-made structure located within two hundred (200) feet of the affected land, the Applicant shall either:

- a) Provide a notarized agreement between the Applicant and the Person(s) having an interest in the structure, that the Applicant is to provide compensation for any damage to the structure; or
- b) Where such an agreement cannot be reached, the Applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- c) Where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility. (*Construction Materials Rule 6.3.12 and Rule 6.4.19 & Hard Rock/Metal Mining Rule 6.3.12 and Rule 6.4.20*)

The Colorado Mined Land Reclamation Board ("Board") has determined that this form, if properly executed, represents an agreement that complies with Construction Materials Rule 6.3.12(a), Rule 6.4.19(a), and C.R.S. § 34-32.5-115(4)(e) and with Hard Rock/Metal Mining Rule 6.3.12(a), Rule 6.4.20(a), and C.R.S. § 34-32.5-115(4)(d). This form is for the sole purpose of ensuring compliance with the Rules and Regulations and shall not make the Board or Division a necessary party to any private civil lawsuit to enforce the terms of the agreement or create any enforcement obligations in the Board or the Division.

The following structures are located on or within 200 feet of the proposed affected area:

1. WEST MONTROSE CANAL
2. EXISTING BRIDGE CROSSING ON T ROAD
3. IRRIGATION STRUCTURES
4. _____
5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, Rocky Mountain Aggregate and Construction, LLC (print applicant/company name),
by Zane Luttrell (print representative's name), as Manager (print
representative's title), does hereby certify that BUREAU OF RECLAMATION (structure owner) shall
be compensated for any damage from the proposed mining operation to the above listed structure(s)
located on or within 200 feet of the proposed affected area described within Exhibit A, of the Reclamation
Permit Application for Uncompahgre Pit (operation name),
File Number M- 2013-007

*This form has been approved by the Colorado Mined Land Reclamation Board pursuant to its
authority under the Colorado Land Reclamation Act for the Extraction of Construction Materials and
the Colorado Mined Land Reclamation Act for Hard Rock, Metal, and Designated Mining Operations.
Any alteration or modification to this form shall result in voiding this form.*

NOTARY FOR PERMIT APPLICANT

ACKNOWLEDGED BY:

Applicant Rocky Mountain Aggregate & Construction LLC Representative Name ZANE LUTTRELL
Date 6/25/2013 Title MANAGER

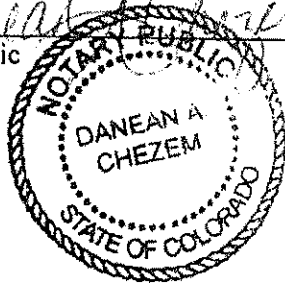
STATE OF COLORADO
COUNTY OF MONTROSE ss.

The foregoing was acknowledged before me this 25 day of JUNE, 2013, by
ZANE LUTTRELL as MANAGER of ROCKY MOUNTAIN AGGREGATE & CONSTRUCTION LLC

Notary Public

My Commission Expires:

1/4/2016



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner _____ Name _____

Date _____ Title _____

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing was acknowledged before me this _____ day of _____, 20____, by
_____ as _____ of _____.

Notary Public My Commission Expires: _____

ROCKY MOUNTAIN
AGGREGATE & CONSTRUCTION LLC

Ouray Ditch Company

20965 Highway 550

Montrose, CO 81403

RE: Uncompahgre Gravel Pit Damage Waiver

To Whom It May Concern,

Please find the attached structure agreement that is required by the State of Colorado Division of Reclamation, Mining and Safety to be sent to any landowner who has man-made structures within 200 feet of the permit boundary. The purpose of the agreement is to ensure that we, the permittee of the mine, will fix or replace any structures on your property that are within 200 feet of the permit area that we could damage. This is an extremely remote possibility, but nevertheless, it is required that we send this agreement to you. We have listed any man-made structures that fall within this area on the agreement in order to insure that damages that are proven to be caused by our operations will fall under the guidelines of the attached agreement. If you have any questions regarding this form, please call me and I can provide further explanation of this requirement by the State of Colorado Division of Mining, Reclamation and Safety.

Thank You,



Zane Luttrell
Owner

Rocky Mountain Aggregate & Construction

Attachment:

Structure agreement for DRMS

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Structure Agreement

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- c) Where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility. (*Construction Materials Rule 6.3.12 and Rule 6.4.19 & Hard Rock/Metal Mining Rule 6.3.12 and Rule 6.4.20*)

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The following structures are located on or within 200 feet of the proposed affected area:

1. OURAY DITCH
2. IRRIGATION STRUCTURES
3. _____
4. _____
5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, Rocky Mountain Aggregate and Construction, LLC (print applicant/company name),
by Zane Luttrell (print representative's name), as Manager (print
representative's title), does hereby certify that Quikay Ditch CO (structure owner) shall
be compensated for any damage from the proposed mining operation to the above listed structure(s)
located on or within 200 feet of the proposed affected area described within Exhibit A, of the Reclamation
Permit Application for Uncompahgre Pit (operation name),
File Number M- 2013-007.

*This form has been approved by the Colorado Mined Land Reclamation Board pursuant to its
authority under the Colorado Land Reclamation Act for the Extraction of Construction Materials and
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NOTARY FOR PERMIT APPLICANT

ACKNOWLEDGED BY:

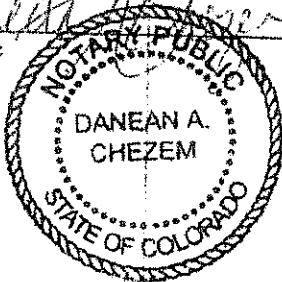
Applicant Rocky Mountain Aggregate & Construction, LLC Representative Name Zane Luttrell
Date 6/25/2013 Title MANAGER

STATE OF COLORADO
COUNTY OF MONTROSE ss.

The foregoing was acknowledged before me this 25 day of JUNE, 2013, by
ZANE LUTTRELL as MANAGER of ROCKY MOUNTAIN AGGREGATE & CONSTRUCTION LLC

DANEAN A. CHEZEM
Notary Public

My Commission Expires: 1/4/2016



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner _____ Name _____

Date _____ Title _____

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing was acknowledged before me this _____ day of _____, 20____, by
_____ as _____ of _____.

Notary Public My Commission Expires: _____

ROCKY MOUNTAIN
AGGREGATE & CONSTRUCTION LLC

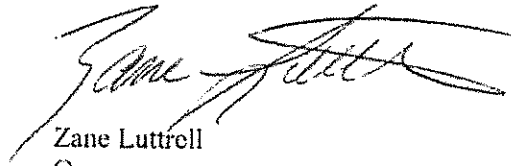
Uncompahgre Valley Water Users Association
601 North Park Avenue
Montrose, CO 81401

RE: Uncompahgre Gravel Pit Damage Waiver

To Whom It May Concern,

Please find the attached structure agreement that is required by the State of Colorado Division of Reclamation, Mining and Safety to be sent to any landowner who has man-made structures within 200 feet of the permit boundary. The purpose of the agreement is to ensure that we, the permittee of the mine, will fix or replace any structures on your property that are within 200 feet of the permit area that we could damage. This is an extremely remote possibility, but nevertheless, it is required that we send this agreement to you. We have listed any man-made structures that fall within this area on the agreement in order to insure that damages that are proven to be caused by our operations will fall under the guidelines of the attached agreement. If you have any questions regarding this form, please call me and I can provide further explanation of this requirement by the State of Colorado Division of Mining, Reclamation and Safety.

Thank You,



Zane Luttrell
Owner

Rocky Mountain Aggregate & Construction

Attachment:
Structure agreement for DRMS

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

Structure Agreement

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- a) Provide a notarized agreement between the Applicant and the Person(s) having an interest in the structure, that the Applicant is to provide compensation for any damage to the structure; or
- b) Where such an agreement cannot be reached, the Applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- c) Where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility. (*Construction Materials Rule 6.3.12 and Rule 6.4.19 & Hard Rock/Metal Mining Rule 6.3.12 and Rule 6.4.20*)

The Colorado Mined Land Reclamation Board ("Board") has determined that this form, if properly executed, represents an agreement that complies with Construction Materials Rule 6.3.12(a), Rule 6.4.19(a), and C.R.S. § 34-32.5-115(4)(e) and with Hard Rock/Metal Mining Rule 6.3.12(a), Rule 6.4.20(a), and C.R.S. § 34-32-115(4)(d). This form is for the sole purpose of ensuring compliance with the Rules and Regulations and shall not make the Board or Division a necessary party to any private civil lawsuit to enforce the terms of the agreement or create any enforcement obligations in the Board or the Division.

The following structures are located on or within 200 feet of the proposed affected area:

1. WEST MONTROSE CANAL
2. IRRIGATION STRUCTURES
3. _____
4. _____
5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, Rocky Mountain Aggregate and Construction, LLC (print applicant/company name),
by Zane Luttrell (print representative's name), as Manager (print
representative's title), does hereby certify that UVWA (structure owner) shall
be compensated for any damage from the proposed mining operation to the above listed structure(s)
located on or within 200 feet of the proposed affected area described within Exhibit A, of the Reclamation
Permit Application for Uncompahgre Pit (operation name),
File Number M- 2013-007.

*This form has been approved by the Colorado Mined Land Reclamation Board pursuant to its
authority under the Colorado Land Reclamation Act for the Extraction of Construction Materials and
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Any alteration or modification to this form shall result in voiding this form.*

NOTARY FOR PERMIT APPLICANT

ACKNOWLEDGED BY:

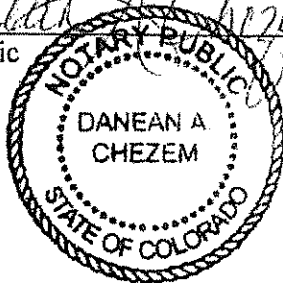
Applicant Rocky Mountain Aggregate & Construction LLC Representative Name ZANE LUTTRELL
Date 6/25/2013 Title MANAGER

STATE OF COLORADO)
) ss.
COUNTY OF MONTROSE

The foregoing was acknowledged before me this 25 day of JUNE, 2013, by
ZANE LUTTRELL as MANAGER of ROCKY MOUNTAIN AGGREGATE & CONSTRUCTION LLC

Notary Public

My Commission Expires: 1/4/2016



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner _____ Name _____

Date _____ Title _____

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing was acknowledged before me this _____ day of _____, 20____, by _____ as _____ of _____

Notary Public _____ My Commission Expires: _____

ROCKY MOUNTAIN
AGGREGATE & CONSTRUCTION LLC

DMEA
11925 6300 Road
Montrose, CO 81401

RE: Uncompahgre Gravel Pit Damage Waiver

To Whom It May Concern,

Please find the attached structure agreement that is required by the State of Colorado Division of Reclamation, Mining and Safety to be sent to any landowner who has man-made structures within 200 feet of the permit boundary. The purpose of the agreement is to ensure that we, the permittee of the mine, will fix or replace any structures on your property that are within 200 feet of the permit area that we could damage. This is an extremely remote possibility, but nevertheless, it is required that we send this agreement to you. We have listed any man-made structures that fall within this area on the agreement in order to insure that damages that are proven to be caused by our operations will fall under the guidelines of the attached agreement. If you have any questions regarding this form, please call me and I can provide further explanation of this requirement by the State of Colorado Division of Mining, Reclamation and Safety.

Thank You,



Zane Luttrell
Owner
Rocky Mountain Aggregate & Construction

Attachment:
Structure agreement for DRMS

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

Structure Agreement

This letter has been provided to you as the owner of a structure on or within two hundred (200) feet of a proposed mine site. The State of Colorado, Division of Reclamation, Mining and Safety ("Division") requires that where a mining operation will adversely affect the stability of any significant, valuable and permanent man-made structure located within two hundred (200) feet of the affected land, the Applicant shall either:

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- b) Where such an agreement cannot be reached, the Applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- c) Where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility. (*Construction Materials Rule 6.3.12 and Rule 6.4.19 & Hard Rock/Metal Mining Rule 6.3.12 and Rule 6.4.20*)

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The following structures are located on or within 200 feet of the proposed affected area:

1. OVERHEAD POWERLINES & POLES
2. TRANSFORMERS
3. _____
4. _____
5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, Rocky Mountain Aggregate and Construction, LLC (print applicant/company name),
by Zane Luttrell (print representative's name), as Manager (print
representative's title), does hereby certify that DMEA (structure owner) shall
be compensated for any damage from the proposed mining operation to the above listed structure(s)
located on or within 200 feet of the proposed affected area described within Exhibit A, of the Reclamation
Permit Application for Uncompahgre Pit (operation name),
File Number M- 2013-007

*This form has been approved by the Colorado Mined Land Reclamation Board pursuant to its
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NOTARY FOR PERMIT APPLICANT

ACKNOWLEDGED BY:

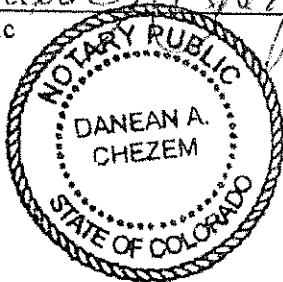
Applicant Rocky Mountain Aggregate & Construction LLC Representative Name ZANE LUTTRELL
Date 6/25/2013 Title MANAGER

STATE OF COLORADO)
) ss.
COUNTY OF MONTROSE)

The foregoing was acknowledged before me this 25 day of JUNE, 2013, by
ZANE LUTTRELL as MANAGER of ROCKY MOUNTAIN AGGREGATE & CONSTRUCTION LLC

Notary Public

My Commission Expires: 1/4/2016



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner _____ Name _____

Date _____ Title _____

STATE OF _____)
) ss.

COUNTY OF _____)

The foregoing was acknowledged before me this ____ day of _____, 20____, by
_____ as _____ of _____.

Notary Public My Commission Expires: _____

ROCKY MOUNTAIN
AGGREGATE & CONSTRUCTION LLC

Source Gas
343 N 3rd Street
Montrose, CO 81401

RE: Uncompahgre Gravel Pit Damage Waiver

To Whom It May Concern,

Please find the attached structure agreement that is required by the State of Colorado Division of Reclamation, Mining and Safety to be sent to any landowner who has man-made structures within 200 feet of the permit boundary. The purpose of the agreement is to ensure that we, the permittee of the mine, will fix or replace any structures on your property that are within 200 feet of the permit area that we could damage. This is an extremely remote possibility, but nevertheless, it is required that we send this agreement to you. We have listed any man-made structures that fall within this area on the agreement in order to insure that damages that are proven to be caused by our operations will fall under the guidelines of the attached agreement. If you have any questions regarding this form, please call me and I can provide further explanation of this requirement by the State of Colorado Division of Mining, Reclamation and Safety.

Thank You,



Zane Luttrell
Owner

Rocky Mountain Aggregate & Construction

Attachment:
Structure agreement for DRMS

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

Structure Agreement

This letter has been provided to you as the owner of a structure on or within two hundred (200) feet of a proposed mine site. The State of Colorado, Division of Reclamation, Mining and Safety ("Division") requires that where a mining operation will adversely affect the stability of any significant, valuable and permanent man-made structure located within two hundred (200) feet of the affected land, the Applicant shall either:

- a) Provide a notarized agreement between the Applicant and the Person(s) having an interest in the structure, that the Applicant is to provide compensation for any damage to the structure; or
- b) Where such an agreement cannot be reached, the Applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- c) Where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility. (*Construction Materials Rule 6.3.12 and Rule 6.4.19 & Hard Rock/Metal Mining Rule 6.3.12 and Rule 6.4.20*)

The Colorado Mined Land Reclamation Board ("Board") has determined that this form, if properly executed, represents an agreement that complies with Construction Materials Rule 6.3.12(a), Rule 6.4.19(a), and C.R.S. § 34-32.5-115(4)(e) and with Hard Rock/Metal Mining Rule 6.3.12(a), Rule 6.4.20(a), and C.R.S. § 34-32-115(4)(d). This form is for the sole purpose of ensuring compliance with the Rules and Regulations and shall not make the Board or Division a necessary party to any private civil lawsuit to enforce the terms of the agreement or create any enforcement obligations in the Board or the Division.

The following structures are located on or within 200 feet of the proposed affected area:

1. UNDERGROUND GASLINE
2. BURIED GASLINE MARKERS
3. _____
4. _____
5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, Rocky Mountain Aggregate and Construction, LLC (print applicant/company name),
by Zane Luttrell (print representative's name), as Manager (print
representative's title), does hereby certify that Snake Gas (structure owner) shall
be compensated for any damage from the proposed mining operation to the above listed structure(s)
located on or within 200 feet of the proposed affected area described within Exhibit A, of the Reclamation
Permit Application for Uncompahgre Pit (operation name),
File Number M- 2013- -007

This form has been approved by the Colorado Mined Land Reclamation Board pursuant to its authority under the Colorado Land Reclamation Act for the Extraction of Construction Materials and the Colorado Mined Land Reclamation Act for Hard Rock, Metal, and Designated Mining Operations. Any alteration or modification to this form shall result in voiding this form.


NOTARY FOR PERMIT APPLICANT

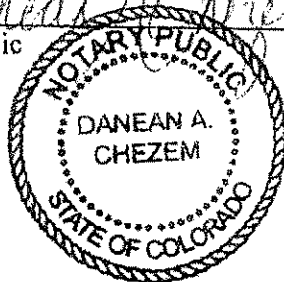
ACKNOWLEDGED BY:

Applicant Rocky Mountain Aggregate L Representative Name ZANE LUTTRELL
Construction LLC
 Date 6/25/2013 Title MANAGER

STATE OF COLORADO)
COUNTY OF MONTROSE) ss.

The foregoing was acknowledged before me this 25 day of JUNE, 2013, by ZANE LUTTRELL as MANAGER of ROCKY MOUNTAIN AGGREGATES & CONSTRUCTION LLC

Notary Public  My Commission Expires: 1/4/2016



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner _____ Name _____

Date _____ Title _____

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing was acknowledged before me this ____ day of _____, 20____, by
_____ as _____ of _____.

Notary Public My Commission Expires: _____

ROCKY MOUNTAIN
AGGREGATE & CONSTRUCTION LLC

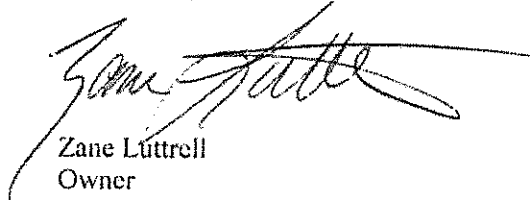
Tri-County Water
647 North 7th Street
Montrose, CO 81401

RE: Uncompahgre Gravel Pit Damage Waiver

To Whom It May Concern,

Please find the attached structure agreement that is required by the State of Colorado Division of Reclamation, Mining and Safety to be sent to any landowner who has man-made structures within 200 feet of the permit boundary. The purpose of the agreement is to ensure that we, the permittee of the mine, will fix or replace any structures on your property that are within 200 feet of the permit area that we could damage. This is an extremely remote possibility, but nevertheless, it is required that we send this agreement to you. We have listed any man-made structures that fall within this area on the agreement in order to insure that damages that are proven to be caused by our operations will fall under the guidelines of the attached agreement. If you have any questions regarding this form, please call me and I can provide further explanation of this requirement by the State of Colorado Division of Mining, Reclamation and Safety.

Thank You,



Zane Luttrell
Owner

Rocky Mountain Aggregate & Construction

Attachment:
Structure agreement for DRMS

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

Structure Agreement

This letter has been provided to you as the owner of a structure on or within two hundred (200) feet of a proposed mine site. The State of Colorado, Division of Reclamation, Mining and Safety ("Division") requires that where a mining operation will adversely affect the stability of any significant, valuable and permanent man-made structure located within two hundred (200) feet of the affected land, the Applicant shall either:

- a) Provide a notarized agreement between the Applicant and the Person(s) having an interest in the structure, that the Applicant is to provide compensation for any damage to the structure; or
- b) Where such an agreement cannot be reached, the Applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- c) Where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility. (*Construction Materials Rule 6.3.12 and Rule 6.4.19 & Hard Rock/Metal Mining Rule 6.3.12 and Rule 6.4.20*)

The Colorado Mined Land Reclamation Board ("Board") has determined that this form, if properly executed, represents an agreement that complies with Construction Materials Rule 6.3.12(a), Rule 6.4.19(a), and C.R.S. § 34-32.5-115(4)(e) and with Hard Rock/Metal Mining Rule 6.3.12(a), Rule 6.4.20(a), and C.R.S. § 34-32-115(4)(d). This form is for the sole purpose of ensuring compliance with the Rules and Regulations and shall not make the Board or Division a necessary party to any private civil lawsuit to enforce the terms of the agreement or create any enforcement obligations in the Board or the Division.

The following structures are located on or within 200 feet of the proposed affected area:

1. UNDERGROUND WATERLINE
2. METER PITS
3. SERVILES
4. _____
5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, Rocky Mountain Aggregate and Construction, LLC (print applicant/company name),
by Zane Luttrell (print representative's name), as Manager (print
representative's title), does hereby certify that TRI-COUNTY WATER (structure owner) shall
be compensated for any damage from the proposed mining operation to the above listed structure(s)
located on or within 200 feet of the proposed affected area described within Exhibit A, of the Reclamation
Permit Application for Uncompahgre Pit (operation name),
File Number M- 2013- -007

This form has been approved by the Colorado Mined Land Reclamation Board pursuant to its authority under the Colorado Land Reclamation Act for the Extraction of Construction Materials and the Colorado Mined Land Reclamation Act for Hard Rock, Metal, and Designated Mining Operations. Any alteration or modification to this form shall result in voiding this form.

NOTARY FOR PERMIT APPLICANT

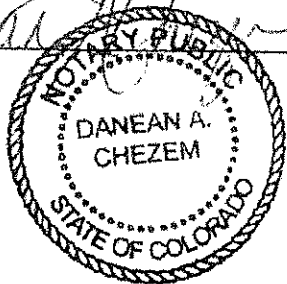
ACKNOWLEDGED BY:

Applicant Rocky Mountain Aggregate L Representative Name JANE LUTTRELL
Date 6/25/2013 Construction Co Title MANAGER

STATE OF COLORADO)
COUNTY OF MONTROSE) ss.

The foregoing was acknowledged before me this 25 day of JUNE, 2013, by JANIE LUTTRELL as MANAGER of PECKY MOUNTAIN AGGREGATE
E CONSTRUCTION LLC

Notary Public



My Commission Expires: 1/4/2016

NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner _____ Name _____

Date _____ Title _____

STATE OF _____)
) ss.

COUNTY OF _____)

The foregoing was acknowledged before me this ____ day of _____, 20____, by
_____ as _____ of _____.

Notary Public My Commission Expires: _____

ROCKY MOUNTAIN
AGGREGATE & CONSTRUCTION LLC

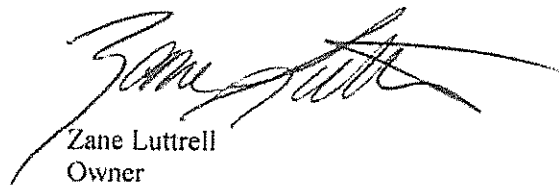
Century Link
500 North 2nd Street
Montrose, CO 81401

RE: Uncompahgre Gravel Pit Damage Waiver

To Whom It May Concern,

Please find the attached structure agreement that is required by the State of Colorado Division of Reclamation, Mining and Safety to be sent to any landowner who has man-made structures within 200 feet of the permit boundary. The purpose of the agreement is to ensure that we, the permittee of the mine, will fix or replace any structures on your property that are within 200 feet of the permit area that we could damage. This is an extremely remote possibility, but nevertheless, it is required that we send this agreement to you. We have listed any man-made structures that fall within this area on the agreement in order to insure that damages that are proven to be caused by our operations will fall under the guidelines of the attached agreement. If you have any questions regarding this form, please call me and I can provide further explanation of this requirement by the State of Colorado Division of Mining, Reclamation and Safety.

Thank You,



Zane Luttrell
Owner

Rocky Mountain Aggregate & Construction

Attachment:
Structure agreement for DRMS

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

Structure Agreement

This letter has been provided to you as the owner of a structure on or within two hundred (200) feet of a proposed mine site. The State of Colorado, Division of Reclamation, Mining and Safety ("Division") requires that where a mining operation will adversely affect the stability of any significant, valuable and permanent man-made structure located within two hundred (200) feet of the affected land, the Applicant shall either:

- a) Provide a notarized agreement between the Applicant and the Person(s) having an interest in the structure, that the Applicant is to provide compensation for any damage to the structure; or
- b) Where such an agreement cannot be reached, the Applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- c) Where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility. (*Construction Materials Rule 6.3.12 and Rule 6.4.19 & Hard Rock/Metal Mining Rule 6.3.12 and Rule 6.4.20*)

The Colorado Mined Land Reclamation Board ("Board") has determined that this form, if properly executed, represents an agreement that complies with Construction Materials Rule 6.3.12(a), Rule 6.4.19(a), and C.R.S. § 34-32.5-115(4)(e) and with Hard Rock/Metal Mining Rule 6.3.12(a), Rule 6.4.20(a), and C.R.S. § 34-32-115(4)(d). This form is for the sole purpose of ensuring compliance with the Rules and Regulations and shall not make the Board or Division a necessary party to any private civil lawsuit to enforce the terms of the agreement or create any enforcement obligations in the Board or the Division.

The following structures are located on or within 200 feet of the proposed affected area:

1. BURIED PHONE LINES
2. SERVICES
3. _____
4. _____
5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, Rocky Mountain Aggregate and Construction, LLC (print applicant/company name),
by Zane Luttrell (print representative's name), as Manager (print
representative's title), does hereby certify that Century Link (structure owner) shall
be compensated for any damage from the proposed mining operation to the above listed structure(s)
located on or within 200 feet of the proposed affected area described within Exhibit A, of the Reclamation
Permit Application for Uncompahgre Pit (operation name),
File Number M- 2013-007

*This form has been approved by the Colorado Mined Land Reclamation Board pursuant to its
authority under the Colorado Land Reclamation Act for the Extraction of Construction Materials and
the Colorado Mined Land Reclamation Act for Hard Rock, Metal, and Designated Mining Operations.
Any alteration or modification to this form shall result in voiding this form.*

NOTARY FOR PERMIT APPLICANT

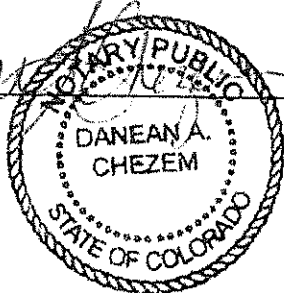
ACKNOWLEDGED BY:

Applicant Rocky Mountain Aggregate & Construction LLC Representative Name ZANE LUTTRELL
Date 6/25/2013 Title MANAGER

STATE OF COLORADO)
) ss.
COUNTY OF MONTROSE)

The foregoing was acknowledged before me this 25 day of JUNE, 2013, by
ZANE LUTTRELL as MANAGER of ROCKY MOUNTAIN AGGREGATE & CONSTRUCTION LLC

Notary Public



My Commission Expires:

1/4/2016

NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner _____ Name _____

Date _____ Title _____

STATE OF _____)
) ss.

COUNTY OF _____)

The foregoing was acknowledged before me this _____ day of _____, 20____, by _____ as _____ of _____

Notary Public _____ My Commission Expires: _____

ROCKY MOUNTAIN
AGGREGATE & CONSTRUCTION LLC

Roger Noble
198 County Road 10
Ridgway, CO 81432

RE: Uncompahgre Gravel Pit Damage Waiver

Roger,

Please find the attached structure agreement that is required by the State of Colorado Division of Reclamation, Mining and Safety to be sent to any landowner who has man-made structures within 200 feet of the permit boundary. The purpose of the agreement is to ensure that we, the permittee of the mine, will fix or replace any structures on your property that are within 200 feet of the permit area that we could damage. This is an extremely remote possibility, but nevertheless, it is required that we send this agreement to you. We have listed any man-made structures that fall within this area on the agreement in order to insure that damages that are proven to be caused by our operations will fall under the guidelines of the attached agreement. If you have any questions regarding this form, please call me and I can provide further explanation of this requirement by the State of Colorado Division of Mining, Reclamation and Safety.

Thank You,



Zane Luttrell
Owner
Rocky Mountain Aggregate & Construction

Attachment:
Structure agreement for DRMS

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

Structure Agreement

This letter has been provided to you as the owner of a structure on or within two hundred (200) feet of a proposed mine site. The State of Colorado, Division of Reclamation, Mining and Safety ("Division") requires that where a mining operation will adversely affect the stability of any significant, valuable and permanent man-made structure located within two hundred (200) feet of the affected land, the Applicant shall either:

- a) Provide a notarized agreement between the Applicant and the Person(s) having an interest in the structure, that the Applicant is to provide compensation for any damage to the structure; or
- b) Where such an agreement cannot be reached, the Applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- c) Where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility. (*Construction Materials Rule 6.3.12 and Rule 6.4.19 & Hard Rock/Metal Mining Rule 6.3.12 and Rule 6.4.20*)

The Colorado Mined Land Reclamation Board ("Board") has determined that this form, if properly executed, represents an agreement that complies with Construction Materials Rule 6.3.12(a), Rule 6.4.19(a), and C.R.S. § 34-32.5-115(4)(e) and with Hard Rock/Metal Mining Rule 6.3.12(a), Rule 6.4.20(a), and C.R.S. § 34-32-115(4)(d). This form is for the sole purpose of ensuring compliance with the Rules and Regulations and shall not make the Board or Division a necessary party to any private civil lawsuit to enforce the terms of the agreement or create any enforcement obligations in the Board or the Division.

The following structures are located on or within 200 feet of the proposed affected area:

1. Irrigation Structures
2. Fences
3. _____
4. _____
5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, Rocky Mountain Aggregate and Construction, LLC (print applicant/company name),
by Zane Luttrell (print representative's name), as Manager (print
representative's title), does hereby certify that Roger Noble (structure owner) shall
be compensated for any damage from the proposed mining operation to the above listed structure(s)
located on or within 200 feet of the proposed affected area described within Exhibit A, of the Reclamation
Permit Application for Uncompahgre Pit (operation name),
File Number M- 2013-007

*This form has been approved by the Colorado Mined Land Reclamation Board pursuant to its
authority under the Colorado Land Reclamation Act for the Extraction of Construction Materials and
the Colorado Mined Land Reclamation Act for Hard Rock, Metal, and Designated Mining Operations.
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NOTARY FOR PERMIT APPLICANT

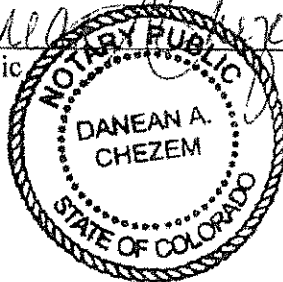
ACKNOWLEDGED BY:

Applicant Rocky Mountain Aggregate Construction LLC Representative Name ZANE LUTTRELL
Date 6/25/2013 Title MANAGER

STATE OF COLORADO
COUNTY OF MONTROSE ss.

The foregoing was acknowledged before me this 25 day of JUNE, 2013, by
ZANE LUTTRELL as MANAGER of ROCKY MOUNTAIN AGGREGATE
& CONSTRUCTION LLC

Notary Public



My Commission Expires: 1/4/2016

NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner _____ Name _____

Date _____ Title _____

STATE OF _____)
) ss.

COUNTY OF _____)

The foregoing was acknowledged before me this _____ day of _____, 20____, by
_____ as _____ of _____.

Notary Public My Commission Expires: _____

ROCKY MOUNTAIN
AGGREGATE & CONSTRUCTION LLC

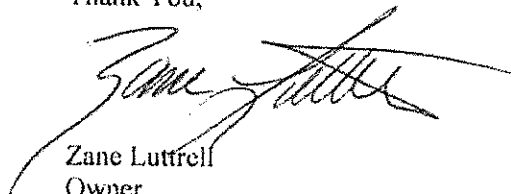
Lyle Alexander
67077 T Road
Montrose, CO

RE: Uncompahgre Gravel Pit Damage Waiver

Lyle,

Please find the attached structure agreement that is required by the State of Colorado Division of Reclamation, Mining and Safety to be sent to any landowner who has man-made structures within 200 feet of the permit boundary. The purpose of the agreement is to ensure that we, the permittee of the mine, will fix or replace any structures on your property that are within 200 feet of the permit area that we could damage. This is an extremely remote possibility, but nevertheless, it is required that we send this agreement to you. We have listed any man-made structures that fall within this area on the agreement in order to insure that damages that are proven to be caused by our operations will fall under the guidelines of the attached agreement. If you have any questions regarding this form, please call me and I can provide further explanation of this requirement by the State of Colorado Division of Mining, Reclamation and Safety.

Thank You,



Zane Luttrell
Owner

Rocky Mountain Aggregate & Construction

Attachment:
Structure agreement for DRMS

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

Structure Agreement

This letter has been provided to you as the owner of a structure on or within two hundred (200) feet of a proposed mine site. The State of Colorado, Division of Reclamation, Mining and Safety ("Division") requires that where a mining operation will adversely affect the stability of any significant, valuable and permanent man-made structure located within two hundred (200) feet of the affected land, the Applicant shall either:

- a) Provide a notarized agreement between the Applicant and the Person(s) having an interest in the structure, that the Applicant is to provide compensation for any damage to the structure; or
- b) Where such an agreement cannot be reached, the Applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- c) Where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility. (*Construction Materials Rule 6.3.12 and Rule 6.4.19 & Hard Rock/Metal Mining Rule 6.3.12 and Rule 6.4.20*)

The Colorado Mined Land Reclamation Board ("Board") has determined that this form, if properly executed, represents an agreement that complies with Construction Materials Rule 6.3.12(a), Rule 6.4.19(a), and C.R.S. § 34-32.5-115(4)(e) and with Hard Rock/Metal Mining Rule 6.3.12(a), Rule 6.4.20(a), and C.R.S. § 34-32-115(4)(d). This form is for the sole purpose of ensuring compliance with the Rules and Regulations and shall not make the Board or Division a necessary party to any private civil lawsuit to enforce the terms of the agreement or create any enforcement obligations in the Board or the Division.

The following structures are located on or within 200 feet of the proposed affected area:

1. Irrigation Structures
2. Metal Fence
3. Driveway Culvert
4. _____
5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, Rocky Mountain Aggregate and Construction, LLC (print applicant/company name),
by Zane Luttrell (print representative's name), as Manager (print
representative's title), does hereby certify that LYLE ALEXANDER (structure owner) shall
be compensated for any damage from the proposed mining operation to the above listed structure(s)
located on or within 200 feet of the proposed affected area described within Exhibit A, of the Reclamation
Permit Application for Uncompahgre Pit (operation name),
File Number M- 2013-007.

*This form has been approved by the Colorado Mined Land Reclamation Board pursuant to its
authority under the Colorado Land Reclamation Act for the Extraction of Construction Materials and
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NOTARY FOR PERMIT APPLICANT

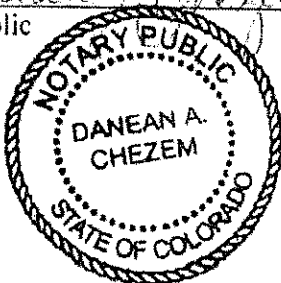
ACKNOWLEDGED BY:

Applicant Rocky Mountain Aggregate & Construction LLC Representative Name ZANE LUTTRELL
Date 6/25/2013 Title MANAGER

STATE OF COLORADO)
) ss.
COUNTY OF MONTROSE)

The foregoing was acknowledged before me this 25 day of JUNE, 2013, by
ZANE LUTTRELL as MANAGER of ROCKY MOUNTAIN AGGREGATE & CONSTRUCTION LLC

Danean A. Chezem My Commission Expires: 1/4/2016
Notary Public



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner _____ Name _____

Date _____ Title _____

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing was acknowledged before me this ____ day of _____, 20____, by
_____ as _____ of _____.

Notary Public My Commission Expires: _____

ROCKY MOUNTAIN
AGGREGATE & CONSTRUCTION LLC

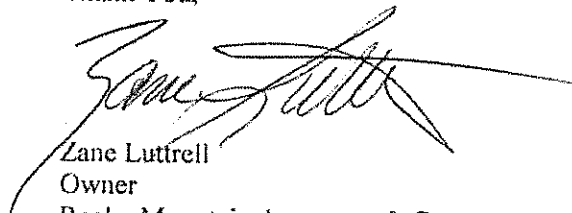
Dean Alexander
67121 T Road
Montrose, CO

RE: Uncompahgre Gravel Pit Damage Waiver

Dean,

Please find the attached structure agreement that is required by the State of Colorado Division of Reclamation, Mining and Safety to be sent to any landowner who has man-made structures within 200 feet of the permit boundary. The purpose of the agreement is to ensure that we, the permittee of the mine, will fix or replace any structures on your property that are within 200 feet of the permit area that we could damage. This is an extremely remote possibility, but nevertheless, it is required that we send this agreement to you. We have listed any man-made structures that fall within this area on the agreement in order to insure that damages that are proven to be caused by our operations will fall under the guidelines of the attached agreement. If you have any questions regarding this form, please call me and I can provide further explanation of this requirement by the State of Colorado Division of Mining, Reclamation and Safety.

Thank You,


Lane Luttrell
Owner
Rocky Mountain Aggregate & Construction

Attachment:
Structure agreement for DRMS

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

Structure Agreement

This letter has been provided to you as the owner of a structure on or within two hundred (200) feet of a proposed mine site. The State of Colorado, Division of Reclamation, Mining and Safety ("Division") requires that where a mining operation will adversely affect the stability of any significant, valuable and permanent man-made structure located within two hundred (200) feet of the affected land, the Applicant shall either:

- a) Provide a notarized agreement between the Applicant and the Person(s) having an interest in the structure, that the Applicant is to provide compensation for any damage to the structure; or
- b) Where such an agreement cannot be reached, the Applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- c) Where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility. (*Construction Materials Rule 6.3.12 and Rule 6.4.19 & Hard Rock/Metal Mining Rule 6.3.12 and Rule 6.4.20*)

The Colorado Mined Land Reclamation Board ("Board") has determined that this form, if properly executed, represents an agreement that complies with Construction Materials Rule 6.3.12(a), Rule 6.4.19(a), and C.R.S. § 34-32.5-115(4)(e) and with Hard Rock/Metal Mining Rule 6.3.12(a), Rule 6.4.20(a), and C.R.S. § 34-32-115(4)(d). This form is for the sole purpose of ensuring compliance with the Rules and Regulations and shall not make the Board or Division a necessary party to any private civil lawsuit to enforce the terms of the agreement or create any enforcement obligations in the Board or the Division.

The following structures are located on or within 200 feet of the proposed affected area:

1. IRRIGATION STRUCTURES
2. METAL FENCE
3. DRIVEWAY COLVERT
4. _____
5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, Rocky Mountain Aggregate and Construction, LLC (print applicant/company name),
by Zane Luttrell (print representative's name), as Manager (print
representative's title), does hereby certify that DAN ALEXANDER (structure owner) shall
be compensated for any damage from the proposed mining operation to the above listed structure(s)
located on or within 200 feet of the proposed affected area described within Exhibit A, of the Reclamation
Permit Application for Uncompahgre Pit (operation name),
File Number M- 2013-007.

*This form has been approved by the Colorado Mined Land Reclamation Board pursuant to its
authority under the Colorado Land Reclamation Act for the Extraction of Construction Materials and
the Colorado Mined Land Reclamation Act for Hard Rock, Metal, and Designated Mining Operations.
Any alteration or modification to this form shall result in voiding this form.*

NOTARY FOR PERMIT APPLICANT

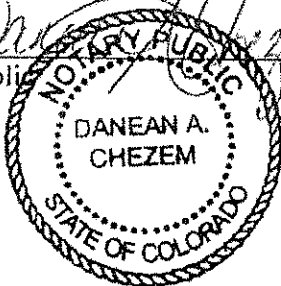
ACKNOWLEDGED BY:

Applicant Rocky Mountain Aggregate & Construction - LLC Representative Name ZANE LUTTRELL
Date 6/25/2013 Title MANAGER

STATE OF COLORADO)
) ss.
COUNTY OF MONTROSE)

The foregoing was acknowledged before me this 25 day of JUNE, 2013, by
ZANE LUTTRELL as MANAGER of ROCKY MOUNTAIN AGGREGATE
& CONSTRUCTION LLC

DANEAN A. CHEZEM My Commission Expires: 1/4/2016
Notary Public



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner _____ Name _____

Date _____ Title _____

STATE OF _____)
) ss.

COUNTY OF _____)

The foregoing was acknowledged before me this _____ day of _____, 20____, by _____ as _____ of _____.

Notary Public _____ My Commission Expires: _____

ROCKY MOUNTAIN
AGGREGATE & CONSTRUCTION LLC

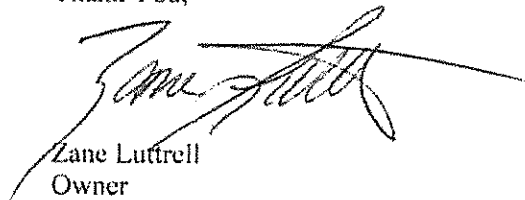
Janice Wheeler
67269 T Road
Montrose, CO

RE: Uncompahgre Gravel Pit Damage Waiver

Janice,

Please find the attached structure agreement that is required by the State of Colorado Division of Reclamation, Mining and Safety to be sent to any landowner who has man-made structures within 200 feet of the permit boundary. The purpose of the agreement is to ensure that we, the permittee of the mine, will fix or replace any structures on your property that are within 200 feet of the permit area that we could damage. This is an extremely remote possibility, but nevertheless, it is required that we send this agreement to you. We have listed any man-made structures that fall within this area on the agreement in order to insure that damages that are proven to be caused by our operations will fall under the guidelines of the attached agreement. If you have any questions regarding this form, please call me and I can provide further explanation of this requirement by the State of Colorado Division of Mining, Reclamation and Safety.

Thank You,



Zane Luttrell
Owner

Rocky Mountain Aggregate & Construction

Attachment:
Structure agreement for DRMS

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

Structure Agreement

This letter has been provided to you as the owner of a structure on or within two hundred (200) feet of a proposed mine site. The State of Colorado, Division of Reclamation, Mining and Safety ("Division") requires that where a mining operation will adversely affect the stability of any significant, valuable and permanent man-made structure located within two hundred (200) feet of the affected land, the Applicant shall either:

- a) Provide a notarized agreement between the Applicant and the Person(s) having an interest in the structure, that the Applicant is to provide compensation for any damage to the structure; or
- b) Where such an agreement cannot be reached, the Applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- c) Where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility. (*Construction Materials Rule 6.3.12 and Rule 6.4.19 & Hard Rock/Metal Mining Rule 6.3.12 and Rule 6.4.20*)

The Colorado Mined Land Reclamation Board ("Board") has determined that this form, if properly executed, represents an agreement that complies with Construction Materials Rule 6.3.12(a), Rule 6.4.19(a), and C.R.S. § 34-32.5-115(4)(e) and with Hard Rock/Metal Mining Rule 6.3.12(a), Rule 6.4.20(a), and C.R.S. § 34-32-115(4)(d). This form is for the sole purpose of ensuring compliance with the Rules and Regulations and shall not make the Board or Division a necessary party to any private civil lawsuit to enforce the terms of the agreement or create any enforcement obligations in the Board or the Division.

The following structures are located on or within 200 feet of the proposed affected area:

1. IRRIGATION STRUCTURES
2. FENCES
3. WOODEN CABIN ADJACENT TO T ROAD
4. DRIVEWAY CULVERT
5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, Rocky Mountain Aggregate and Construction, LLC (print applicant/company name),
by Zane Luttrell (print representative's name), as Manager (print
representative's title), does hereby certify that JANICE WHEELER (structure owner) shall
be compensated for any damage from the proposed mining operation to the above listed structure(s)
located on or within 200 feet of the proposed affected area described within Exhibit A, of the Reclamation
Permit Application for Uncompahgre Pit (operation name),
File Number M- 2013-007.

*This form has been approved by the Colorado Mined Land Reclamation Board pursuant to its
authority under the Colorado Land Reclamation Act for the Extraction of Construction Materials and
the Colorado Mined Land Reclamation Act for Hard Rock, Metal, and Designated Mining Operations.
Any alteration or modification to this form shall result in voiding this form.*

NOTARY FOR PERMIT APPLICANT

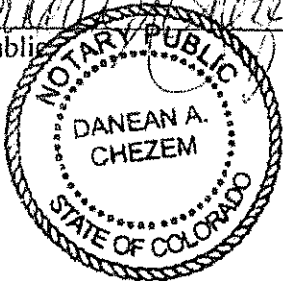
ACKNOWLEDGED BY:

Applicant Rocky Mountain Aggregate & Construction LLC Representative Name ZANE LUTTRELL
Date 6/25/2013 Title MANAGER

STATE OF COLORADO)
) ss.
COUNTY OF MONTROSE)

The foregoing was acknowledged before me this 25 day of JUNE, 2013, by
ZANE LUTTRELL as MANAGER of ROCKY MOUNTAIN AGGREGATE
& CONSTRUCTION LLC

[Signature] My Commission Expires: 1/4/2016
Notary Public



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner _____ Name _____

Date _____ Title _____

STATE OF _____)
) ss.

COUNTY OF _____)

The foregoing was acknowledged before me this ____ day of _____, 20____, by
_____ as _____ of _____.

Notary Public My Commission Expires: _____