

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

NOTICE TO THE BOARD OF COUNTY COMMISSIONERS

Huerfano COUNTY

HCR High Country Repair (the "Applicant/Operator") has applied for a Regular (112) reclamation permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct the extraction of construction materials operations in Huerfano County. The attached information is being provided to notify you of the location and nature of the proposed operation. The entire application is on file with the Division of Reclamation, Mining, and Safety (the "Division") and the local county clerk and recorder.

The applicant/operator proposes to reclaim the affected land to Rangeland use. Pursuant to Section 34-32.5-116(4)(m), C.R.S., the Board may confer with the local Board of County Commissioners before approving of the post-mining land use. Accordingly, the Board would appreciate your comments on the proposed operation. Please note that, in order to preserve your right to a hearing before the Board on this application, you must submit written comments on the application within twenty (20) days of the date of last publication of notice pursuant to Section 34-32.5-112(10), C.R.S.

If you would like to discuss the proposed post-mining land use, or any other issue regarding this application, please contact the Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567.

NOTE TO APPLICANT/OPERATOR: You must attach a copy of the application form to this notice. If this is a notice of a change to a previously filed application you must either attach a copy of the changes, or attach a complete and accurate description of the change.

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY
Department of Natural Resources

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



CONSTRUCTION MATERIALS REGULAR (112) OPERATION RECLAMATION PERMIT APPLICATION FORM

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

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

New Application (Rule 1.4.5)

Amendment Application (Rule 1.10)

Conversion Application (Rule 1.11)

Permit # M - 2003 002 (provide for Amendments and Conversions of existing permits)

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

GENERAL OPERATION INFORMATION

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

1. **Applicant/operator or company name (name to be used on permit):** HCR High Country Repair
 - 1.1 Type of organization (corporation, partnership, etc.): _____
2. **Operation name (pit, mine or site name):** Ghost River Gravel Pit
3. **Permitted acreage (new or existing site):**

| | | |
|----------------------------------|-------------|-----------------|
| | <u>9.9</u> | permitted acres |
| 3.1 Change in acreage (+) | <u>3.6</u> | acres |
| 3.2 Total acreage in Permit area | <u>13.5</u> | acres |
4. **Fees:**

| | | |
|--|-------------------|--------------------|
| 4.1 New Application | <u>\$2,696.00</u> | application fee |
| 4.2 New Quarry Application | <u>\$3,342.00</u> | quarry application |
| 4.4 Amendment Fee | <u>\$2,229.00</u> | amendment fee |
| 4.5 Conversion to 112 operation (set by statute) | <u>\$2,696.00</u> | conversion fee |
5. **Primary commodity(ies) to be mined:** Gravel Aggregate
 - 5.1 Incidental commodity(ies) to be mined:

| | |
|-------------------------|-------------------------|
| 1. <u>-</u> lbs/Tons/yr | 2. <u>/</u> lbs/Tons/yr |
| 3. <u>/</u> lbs/Tons/yr | 4. <u>/</u> lbs/Tons/yr |
| 5. <u>/</u> lbs/Tons/yr | |
 - 5.2 Anticipated end use of primary commodity(ies) to be mined: Construction Aggregate
 - 5.3 Anticipated end use of incidental commodity(ies) to be mined: _____

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

7. **Name of owner of surface of affected land:** Natasha Goldberg

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

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

COUNTY: Huerfano

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

SECTION (write number): S 35

TOWNSHIP (write number and check direction): T 25 North South

RANGE (write number and check direction): R 66 East West

QUARTER SECTION (check one): NE NW SE SW

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

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

This mine is located approximately 4 miles west of I-25 on County Road 110. It is approximately 5674 feet in elevation.

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

Latitude/Longitude:

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

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

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

OR

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

Latitude (N) 37 825628 (5 decimal places)

Longitude(W) -104 749247 (5 decimal places)

OR

Universal Transverse Mercator (UTM)

Example: 201336.3 E NAD27 Zone 13
4398351.2 N

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

Easting _____

Northing _____

11. **Correspondence Information:**

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

Contact's Name: Natasha Goldberg Title: Owner
Company Name: HCR High Country Repair
Street/P.O. Box: _____ P.O. Box: 61
City: Rye
State: CO Zip Code: 81069
Telephone Number: (_____) - _____
Fax Number: (_____) - _____

PERMITTING CONTACT (if different from applicant/operator above)

Contact's Name: Jodi Schreiber Title: _____
Company Name: PFM Consulting LLC
Street/P.O. Box: 1774 N. Cougar Dr. P.O. Box: _____
City: Pueblo West
State: Colorado Zip Code: 81007
Telephone Number: (719) - 529-0916
Fax Number: (_____) - _____

INSPECTION CONTACT

Contact's Name: Natasha Goldberg Title: Owner
Company Name: HCR High Country Repair
Street/P.O. Box: _____ P.O. Box: 61
City: Rye
State: CO Zip Code: 81069
Telephone Number: (_____) - _____
Fax Number: (_____) - _____

CC: STATE OR FEDERAL LANDOWNER (if any)

Agency: _____
Street: _____
City: _____
State: _____ Zip Code: _____
Telephone Number: (_____) - _____

CC: STATE OR FEDERAL LANDOWNER (if any)

Agency: _____
Street: _____
City: _____
State: _____ Zip Code: _____
Telephone Number: (_____) - _____

12. **Primary future (Post-mining) land use (check one):**

- | | | |
|--|--|--|
| <input type="checkbox"/> Cropland(CR) | <input type="checkbox"/> Pastureland(PL) | <input type="checkbox"/> General Agriculture(GA) |
| <input checked="" type="checkbox"/> Rangeland(RL) | <input type="checkbox"/> Forestry(FR) | <input type="checkbox"/> Wildlife Habitat(WL) |
| <input type="checkbox"/> Residential(RS) | <input type="checkbox"/> Recreation(RC) | <input type="checkbox"/> Industrial/Commercial(IC) |
| <input type="checkbox"/> Developed Water Resources(WR) | | <input type="checkbox"/> Solid Waste Disposal(WD) |

13. **Primary present land use (check one):**

- | | | |
|--|--|--|
| <input type="checkbox"/> Cropland(CR) | <input type="checkbox"/> Pastureland(PL) | <input type="checkbox"/> General Agriculture(GA) |
| <input checked="" type="checkbox"/> Rangeland(RL) | <input type="checkbox"/> Forestry(FR) | <input type="checkbox"/> Wildlife Habitat(WL) |
| <input type="checkbox"/> Residential(RS) | <input type="checkbox"/> Recreation(RC) | <input type="checkbox"/> Industrial/Commercial(IC) |
| <input type="checkbox"/> Developed Water Resources(WR) | | |

14. **Method of Mining:** Briefly explain mining method (e.g. truck/shovel): _____
Material will be extracted using front end loaders.

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

13.1 Briefly explain mining method (e.g. truck/shovel): _____
Excavation will be performed by front end loaders which will remove and haul the raw resource to a processing plant and will deposit the material in a surge pile. A front end loader will deposit the material from the surge pile into the crushing and screening plant.

List any designated chemicals or acid-producing materials to be used or stored within permit area: _____
No designated chemicals or acid-producing materials will be used or stored within the permit area

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

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

This conversion application is requesting to take the original permit M2003-002 (9.9 acres) and add in the additional disturbed acreage outside the original permit boundary. This would create one permit boundary with 13.5 acres in total.

Maps and Exhibits:

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

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

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

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

Responsibilities as a Permittee:

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

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



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



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



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



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



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

a. the name of the operator;

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

c. the permit number.



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



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



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



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