



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

August 2, 2022

Amy Brooks
Castle Rock Construction Company of Colorado, LLC
6374 South Racine Circle
Centennial, CO 80111

Re: Orton Borrow Pit – File No. M-2022-031
Castle Rock Construction Company of Colorado, LLC
111 Construction Materials
Reclamation Permit Issuance

Dear Amy Brooks:

On August 2, 2022 the Division of Reclamation, Mining and Safety (Division) found Castle Rock Construction Company of Colorado, LLC to have satisfied the applicable requirements of the Colorado Mined Land Reclamation Act for the Extraction of Construction Materials, C.R.S. 34 32.5 101 et seq. for obtaining a mining and reclamation permit. Two signed originals of the permit have been executed. We have kept one copy for our files and are enclosing one copy for your use. It is your responsibility to comply with all of the terms of the permit.

1. All of the original application materials, as amended and supplemented, are an integral part of your permit and are incorporated into the permit by reference. We presume that you have a copy of all of these materials; therefore, none have been enclosed with this mailing. We suggest that you keep a copy of the permit and the permit application at the mining operation as a reference for operating personnel to help ensure compliance with the terms of the permit.
2. Changes in the mining and reclamation operations that differ from those described in the permit may require a modification to the permit. We suggest consulting the Construction Material Rules and Regulations and/or contacting us to determine if a revision to the permit is necessary. Rule 1.10 pertains to Amendments, Rule 1.9 to Technical Revisions, and Rule 1.11 to Conversions.
3. On your permit anniversary date each year, August 2, you must submit an annual fee and an annual report to the Division. The annual fee for this permit is \$504.00. Please consult the Act, Rules and Regulations, and your permit for specific annual report requirements applicable to your mine. Annual reports, maps, and fees must be filed electronically using the Division's ePermitting portal. If you have not done so already, you will need to sign up for electronic filing of your annual report, map, and fee by visiting the Division's web site (<https://drms.colorado.gov>) clicking on 'ePermitting' on the 'Information' page, and then clicking on the 'Sign up For Minerals Annual Report Electronic Filing' link.



If you have any questions, please contact Timothy A. Cazier, P.E. by telephone at (303) 866-3567 x 8169, or by email at Tim.cazier@state.co.us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Virginia Brannon". The signature is fluid and cursive, with a large initial "V" and a stylized "B".

Virginia Brannon
Division Director

Enclosure

MINING AND RECLAMATION PERMIT
CONSTRUCTION MATERIAL MINING OPERATIONS

Permit Number: M-2022-031
Type of Permit: 111
Permit Date: August 2, 2022
(Anniversary date for annual report and fees purposes)

THIS PERMIT is issued by the Mined Land Reclamation Board, Department of Natural Resources, State of Colorado.

RECITALS

- A. The Permittee, Castle Rock Construction Company of Colorado, LLC, desires to conduct a mining operation known as Orton Borrow Pit, for the purpose of extracting Borrow material for construction. Unless this permit is modified or a separate permit is issued to cover the mining and/or recovery of other minerals or extractive products, the Permittee will not mine or recover any other commodities at this site.
- B. On July 21, 2022 the Mined Land Reclamation Board (Board) approved the Permittee's application for this permit, fixed the amount of the financial warranty and directed that this permit be issued upon the filing with the Division of Reclamation, Mining and Safety (Division) of performance warranty and financial warranty (or warranties) in the amount so fixed in form and substance approved by the Division. Said warranties have been filed with the Division.
- C. If the Permittee desires to extract materials other than those listed in (A), a separate permit or a permit modification may be required.
- D. On July 21, 2022 the Board made the following findings:
 1. The application for this permit complies with the requirements of the Colorado Mined Land Reclamation Act for the Extraction of Construction Materials, C.R.S. 34 32.5 101 et seq., as amended, and with all applicable local, state and federal laws;
 2. The operation will not adversely affect the stability of any significant, valuable, and permanent man made structure located within two hundred feet of the Affected Land, except where there is an agreement between the Operator and the persons having an interest in the structure that damage to the structure is to be compensated for by the Permittee or if such an agreement cannot be reached, an engineering analysis establishes no damage will occur to the structure to the satisfaction of the Division; and;
 3. The proposed mining and reclamation operations can be carried out in conformance with the requirements of the Act, and the Construction Material Rules and Regulations.

- E. The Permittee has made a showing satisfactory to the Board that:
1. It will employ, during and after its underground mining and/or surface operations, procedures designed to minimize environmental disturbance from such operation;
 2. It will provide for reclamation of the Affected Lands appropriate to the subsequent beneficial use of such lands; and
 3. In the event of the failure of its proposed reclamation plan, it will take whatever measures may be necessary to assure the success of reclamation of the lands affected by such operations in accordance with the Act.
- F. A copy of the Permittee's application, as amended and supplemented, has been approved by the Board and is, by this reference, incorporated herein.
- G. The issuance of this permit does not relieve the Permittee from having to comply with all applicable Federal, State and County statutes, including State water law.

GRANTS, CONDITIONS AND AGREEMENTS

The Board, in reliance upon the representations and promises made in the permit application, as amended and supplemented, and the performance warranty, hereby issues a life of the mine permit to the Permittee, to engage in the operations described in the application on certain lands lying in the County of El Paso, State of Colorado. These lands are described in the permit application, as amended and supplemented, and are referred to herein as the "Affected Lands".

This permit is issued subject to the following conditions and agreements:

- 1) The Permittee will be bound by all applicable requirements of the Act, and all applicable rules and regulations of the Board, as amended from time to time, the terms of the permit application, the terms of the performance warranty, and the terms of the financial warranty filed with the Division.
- 2) The Permittee will file with the Division its annual report and fees on each anniversary date of this permit.
- 3) If analyses of the mining and reclamation operation and the data collected through monitoring and experimentation by the Permittee or monitoring by the Division indicate that the operation will not be able to comply with the requirements of the Act and applicable rules and regulations of the Board, the Permittee hereby agrees to exercise its best efforts, after consulting with the Division, to modify the plans to correct such deficiencies in the future. Such modifications may require technical revisions or amendments to the permit.
- 4) The Board or its authorized representative may enter upon the lands of the permitted operation at all reasonable times for the purpose of inspection to determine whether the provisions of the Act, Rules and Regulations, and permit have been complied with pursuant to C.R.S. 34-32.5-121.
- 5) This permit may be revoked or suspended for non-compliance with the Act or applicable rules or regulations promulgated by the Board, the permit, or by violation of a Board Order.

- 6) a) Pursuant to 34-32.5-118(5) of the Act, the Board has a right of entry to reclaim the lands affected by the operation or to respond to an emergency as defined by C.R.S. 34-32.5-121(2).
- b) The Board will enter the lands to perform reclamation only if the Board has determined that:
- i. Reclamation required by the permit, statute, or regulations to be performed upon such lands has not been performed, or
 - ii. Financial warranty forfeiture proceedings described in the Act or similar provisions of subsequent laws, if any, have been initiated.
- c) The Division, acting for the Board, will enter lands to respond to an emergency only where the Division determines that any of the conditions of Construction Materials Rule 8.4.2 exist.
- 7) The additional conditions set forth in the attached rider, if any, are incorporated herein by reference.

No Rider Attached

MINED LAND RECLAMATION BOARD
COLORADO DEPARTMENT OF NATURAL RESOURCES



Virginia Brannon
Division Director

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 MATERIAL SPECIAL (111) OPERATION RECLAMATION PERMIT APPLICATION PACKAGE

APPLICABILITY:

The 111 Reclamation Permit application package is for a construction material extraction operation which extracts sand, gravel or quarry aggregate for the sole purpose of obtaining material for highway, road, utility, or similar type construction under a federal, state, county, city, town, or special district contract and where the contract calls for work to be commenced within a specifically short time affecting thirty (30) acres or less. If you plan to conduct a construction material extraction operation which meets these criteria, please follow the instructions provided in this package, in the Rules and Regulations, and in the Colorado Land Reclamation Act for the Extraction of Construction Materials, as required.

RECOMMENDATIONS PRIOR TO FILING:

The Construction material Rules and Regulations (the Colorado land Reclamation Act for the Extraction of Construction Materials, Section 34-32.5-101, et seq., C.R.S., and 2 CCR 407-1) and the Colorado Mined Land Reclamation Board (the "Board") regulate the permitting, operational, and reclamation requirements for all construction material extraction operations in Colorado. It is your obligation to comply with the Act and Regulations. You are encouraged to obtain and review a copy of the Rules, available for \$8.00 from the Division of Reclamation, Mining, and Safety (the "Office"). In order to submit your application properly, it is recommended that you review the Act and:

- | | |
|------------|---|
| Rule 1.1 | Definitions; |
| Rule 1.4 | Application Review and Consideration Process; |
| Rule 1.6 | Public Notice Procedures; |
| Rule 3.1 | Reclamation Performance Standards; |
| Rule 3.3.1 | Operating without a Permit - Penalty; |
| Rule 4 | Performance Warranties and Financial Warranties; |
| Rule 6 | Permit Application Exhibit Requirements; |
| Rule 6.2 | General Requirements of Exhibits; |
| Rule 6.3 | Specific Permit Application Exhibit Requirements; |
| Rule 6.5 | Geotechnical Stability Exhibit (as required). |

It is recommended that you contact the agencies listed under in the application section titled "Compliance With Other Laws" prior to submitting the application to the Office.

FILING REQUIREMENTS:

In order to apply for a Reclamation Permit for a Special 111 Operation, please provide:

- _____ ° One (1) signed and notarized completed **ORIGINAL** and one (1) copy of the completed Special 111 Operation Application Form.
- _____ ° Two (2) copies of all Exhibits (required sections described in Rule 6).
- _____ ° Two (2) copies of Addendum 1 - Notice requirements (described in Rule 1.6.2(1)(b)). An example of this notice is attached for your use.
- _____ ° The Geotechnical Stability Exhibit when required by the Division.
- _____ ° The application fee.
- _____ ° The **FULLY EXECUTED** financial and performance warranty forms.

NOTICE REQUIREMENTS:

- _____ 1. You **MUST** send a notice, on a form approved by the Board, to the local board of county commissioners. A copy of this "Notice of Filing Application" form is attached for your use.
- _____ 2. If the mining operation is within the boundaries of a conservation district, send a notice to the board of supervisors of the conservation district, **PRIOR** to filing the application. A copy of this "Notice of filing Application" form is attached for your use.
- _____ 3. You **MUST** include proof of notice #1 and #2 above with the application at the time the application is submitted to the Office for filing (Rule 1.6.2(1)(g)).
- _____ 4. **Prior** to filing the application, place for public review a copy of the application, less confidential items, with the clerk or recorder of the county or counties in which the affected land is located. You **MUST** provide the office with an affidavit or receipt indicating the date on which the copy of the application was placed with the clerk or recorder at the time the application is submitted to the Office for filing (Rule 1.6.2(1)(c)).
- _____ 5. Any changes or additions made to an application submittal **MUST** be filed with the county clerk or recorder. You **MUST** also provide the Office with an affidavit or receipt demonstrating that the change was filed with the county clerk or recorder no later than the close of business on the day the change was filed with the Office (Rule 1.8.1(2)).

The copy of the application and any changes or additions placed at the office of the county clerk or recorder shall **NOT** be recorded, but shall be retained there for at least sixty (60) days after a decision on the application by the office and be available for inspection during this period. At the end of this period, the application may be reclaimed by the applicant or destroyed (Rule 1.6.2(2)).

APPLICATION REVIEW PROCEDURES:

The Office shall approve or deny the application within fifteen (15) days of filing unless the date for consideration by the Office is extended pursuant to Rule 1.8. If any changes or additions are made to the application after initial submittal, the local board of county commissioners **MUST** be notified. Proof of filing notice of the change with the county **MUST** be provided to the Office. A form approved by the Board for these purposes is enclosed with this application package.

If the requirements of the Act and Rules have been satisfied, the Office will approve the application. The Act also provides for automatic approval if no action is taken by the office by the end of the 15 day review period.

APPLICATION APPROVAL/DENIAL:

If the requirements of the Act and Rules have not been satisfied, the Office will deny the application. If the Office denies the application, you may appeal to the Board for a final determination by submitting a written request for an administrative appeal to the Board within 60 days of the date of the decision (Rule 1.4.7).

PERFORMANCE AND FINANCIAL WARRANTIES:

The application **MUST** include a fully-executed performance warranty (enclosed with this application), and submitted with the application. The application **MUST** also include a fully executed financial warranty in the amount of \$2,500 per acre of affected land (a fraction of an acre is counted as one acre for calculation). The law and regulations allow for several different types of financial warranty. Please review Rule 4 of the Rules to determine what type of financial warranty you desire to use. Appropriate forms are available by request from the Office. If you are a governmental entity, a financial warranty is **NOT** required but a performance warranty is required.

COMPLIANCE WITH OTHER LAWS:

Compliance with the Act and Rules and Regulations of the Mined Land Reclamation Board **DOES NOT** in any way relieve you of the responsibility to comply with all other applicable state and federal laws (Section 115(4)(c), 34-32.5-109(5) C.R.S.). We recommend that you contact the following agencies to determine whether you need to comply with their legal requirements:

- The Colorado State Historical Preservation Office regarding properties of historical significance including the need for an archeological survey, procedures for requesting a file search, and inventory forms to identify structures;
- Colorado Division of Water Resources with regard to water rights;
- Colorado Department of Health, Water Quality Control Division, with regard to the discharge of pollutants into State waters;
- Colorado Department of Health, Air Pollution Control Division, with regard to the need for a fugitive dust permit;
- U.S. Bureau of Land Management **or** U.S. Forest Service for proposed operations on Federal lands;
- U.S. Army Corps of Engineers regarding a dredge and fill (404) permit; and
- The County Planning Department for the county or counties in which the proposed operation is located. Section 34-32.5-109(3), C.R.S., requires a mining operator to be responsible for assuring that the mining operation and the post-mining land use comply with local land use regulations and any master plan for extraction adopted pursuant to Section 34-1-304, C.R.S.

PERMIT APPROVAL:

An applicant will not be issued a reclamation permit until notified by the Office that this application and the required performance and financial warranties have been approved. Alternatively, an automatic approval will occur where the Office fails to notify the applicant/operator that the application has been denied. This decision must be made fifteen (15) calendar days from the date the application was submitted. However, the performance and financial warranties must be submitted and approved by the Office before the permit will be issued even if you receive an automatic approval. NO MINING OPERATIONS SHALL BEGIN UNTIL A PERMIT IS ISSUED (Rule 4.1(2)).

COMPLETION OF MINING:

Upon completion of any phase of reclamation, you should consult Rule 3.1 for reclamation standards and 4.16 for details on how to request a reclamation responsibility release from the Board.

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

Phone: (303) 866-3567

FAX: (303) 832-8106



CONSTRUCTION MATERIALS

SPECIAL (111) OPERATION

RECLAMATION PERMIT APPLICATION FORM

The application for a Construction Materials Special 111 Operation Reclamation Permit contains four major parts: (1) the application form; (2) Exhibits A-L, Addendum 1, and any sections of Exhibit 6.5 (Geotechnical Stability Exhibit), as required by the Office, and outlined in Rules 6.1, 6.2, 6.3, 6.5, and 1.6.2(1)(b); (3) the application fee; (4) the Performance Warranty and if required a Financial Warranty. When you submit your application, be sure to include one (1) **completed, signed and notarized ORIGINAL** and one (1) copy of the completed application form, two (2) copies of Exhibits A-L, Addendum 1, appropriate sections of Exhibit 6.5 (Geotechnical Stability Exhibit), as required, a check for the application fee described under (4) below, and the fully executed Performance Warranty and Financial Warranty, if required. Exhibits should **NOT** be bound or in 3-ring binders; maps should be folded to 8 2" X 11" or 8 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 described below

1. **Applicant/operator or company name (name to be used on the permit):** _____

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

2. **Operation name (pit, mine or site name):** _____

3. **Permitted acreage:** _____ Permitted Acres

4. **New Application:** \$898.00 Application Fee

5. **Primary commodity(ies) to be mined:** _____

6. **Name of owner to the surface of affected land:** _____

7. **Name of owner to the subsurface rights of affected land:** _____

8. **Type of mining operation:** ☐ Surface ☐ Underground ☐ In-situ

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

COUNTY: _____

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

SECTION (write number): S _____

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

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

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) _____ (5 decimal places)

Longitude(W) _____ (5 decimal places)

OR

Universal Tranverse Mercator (UTM)

Example: 201336.3 E NAD27 Zone 13
4398351.2 N

UTM Datum (specify NAD27, NAD83 or WGS 84) _____ Zone _____

Easting _____

Northing _____

11. **Primary Future (Post-mining) Land Use (check only one):**

<input type="checkbox"/> Cropland(CR)	<input type="checkbox"/> Pastureland(PL)	<input type="checkbox"/> General Agriculture(GA)
<input 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)	

12. **Primary Present Land Use (check only one):**

<input type="checkbox"/> Cropland(CR)	<input type="checkbox"/> Pastureland(PL)	<input type="checkbox"/> General Agriculture(GA)
<input 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"/> Mining(MN)	

13. **Estimated Beginning Date of Contract:** _____

13.1 Estimated completion date of contract: _____

15. **Correspondence Information:**

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

Contact's Name: _____ Title: _____
Company Name: _____
Street/P.O. Box: _____ P.O. Box: _____
City: _____
State: _____ Zip Code: _____
Telephone Number: (_____) - _____
Fax Number: (_____) - _____

PERMITTING CONTACT (if different from applicant/operator above)

Contact's Name: _____ Title: _____
Company Name: _____
Street/P.O. Box: _____ P.O. Box: _____
City: _____
State: _____ Zip Code: _____
Telephone Number: (_____) - _____
Fax Number: (_____) - _____

INSPECTION CONTACT

Contact's Name: _____ Title: _____
Company Name: _____
Street/P.O. Box: _____ P.O. Box: _____
City: _____
State: _____ Zip Code: _____
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: (_____) - _____

14. **Maps & Exhibits:** Submit two (2) complete, unbound copies of the following application exhibits:

- 6.3.1 EXHIBIT A - Legal Description and Location Map
- 6.3.2 EXHIBIT B - Site Description
- 6.3.2 EXHIBIT C - Mining Plan
- 6.3.4 EXHIBIT D - Reclamation Plan
- 6.3.5 EXHIBIT E - Maps, to include the location of any recorded easements
- 6.3.6 EXHIBIT F - List of Other Permits and Licenses Required
- 6.3.7 EXHIBIT G - Source of Legal Right-to-Enter
- 6.3.8 EXHIBIT H - Municipalities Within a Two-mile Radius
- 6.3.9 EXHIBIT I - Proof of Filing with County Clerk
- 6.3.10 EXHIBIT J - Proof of Mailing Notices of Permit Application
- 6.3.11 EXHIBIT K - Terms of Governmental Contract
- 6.3.12 EXHIBIT L - Permanent Man-made Structures
- 1.6.2(1)(b) ADDENDUM 1 - Notice Requirements
- 6.5 Geotechnical Stability Exhibit (as required)

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 new permit application 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 Mineral 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 (\$504), 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 an operator, to continue to pay your annual fee to the Office until the Board releases you from your total reclamation responsibility.

NOTE TO COMMENTORS/OBJECTORS:

It is likely there will be additions, changes, and deletions to this document prior to final decision by the Office. Therefore, if you have any comments or concerns you must contact the applicant or the Office prior to the decision date so that you will know what changes may have been made to the application document.

The Office is not allowed to consider comments, unless they are written, and received prior to the end of the public comment period. You should contact the applicant for the final date of the public comment period.

If you have questions about the Mined Land Reclamation Board and Office's review and decision or appeals process, you may contact the Office at (303) 866-3567.

Certification:

As an authorized representative of the applicant, I hereby certify that the operation described has met the minimum requirements of the following terms and conditions:

1. All necessary approvals from local government have been applied for (Section 34-32.5-111(1)(a)(IX));
2. This entire mining operation will not affect more than 30 acres;
3. This mining operation will not adversely affect the stability of any significant, valuable and permanent man-made structure(s) located within two hundred (200) feet of the affected lands. (However, where there is an agreement between the applicant/operator and the persons having an interest in the structure that damage to the structure is to be compensated for by the applicant/operator (Section 34-32.5-115(4)(e), C.R.S. 1984, as amended), then mining may occur within 200 feet. Proof of an agreement must be submitted to the Office prior to the decision date.)
4. No mining operation will be located on lands where such operations are prohibited by law (Section 34-32.5-115(4)(f), C.R.S. 1984, as amended);
5. As the applicant/operator, I do not have any mining/exploration operations in this state of Colorado currently in violation of the provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials (Section 34-32.5-120, C.R.S. 1984, as amended) as determined through a Board finding.
6. I understand that statements in the application are being made under penalty of perjury and that false statements made herein are punishable as a Class 1 misdemeanor pursuant to Section 18-8-503, C.R.S. 1984, as amended.

This form has been approved by the Mined Land Reclamation Board pursuant to section 34-32.5-111, C.R.S., of the Colorado Land Reclamation Act for the Extraction of Construction Materials. Any alteration or modification of this form shall result in voiding any permit issued on the altered or modified form and subject the operator to cease and desist orders and civil penalties for operating without a permit pursuant to section 34-32.5-123, C.R.S.

Signed and dated this _____ day of _____, _____.

Applicant/Operator

If Corporation Attest (Seal)

By: _____

By: _____

Title: _____

Corporate Secretary or Equivalent
Town/City/County Clerk

State of _____)
) ss.
County of _____)

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

,
by _____ as _____ of
.

Notary Public

My Commission expires: _____

SIGNATURES MUST BE IN BLUE INK

EXHIBIT A - Legal Description and Location Map
Rule 6.3.1

1) Legal Description:

- a. County: _____
- b. Principal Meridian (check one): ____ 6th (Colorado) ____ 10th (New Mexico) ____ Ute
- c. Section (write number): _____
- d. Township (write number and check direction): T ____ North ____ South
- e. Range (write number and check direction): R ____ East ____ West
- f. Quarter Section (check one): ____ NE ____ NW ____ SE ____ SW
- g. Quarter/Quarter Section (check one): ____ NE ____ NW ____ SE ____ SW
- h. Approximate elevation (write number): _____ Feet
- i. Direction and miles to nearest town/city _____

Additional location details: _____

Note: Where available, the street address or lot number(s) shall be given.

2) Primary Mine Entrance Location (report in either Latitude/Longitude OR UTM):

Latitude/Longitude:

Degrees Minutes Seconds (DMS):

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

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

OR

Decimal Degrees (DD):

Latitude (N) _____ (5 decimal places)

Longitude (W) - _____ (5 decimal places)

OR

Universal Transverse Mercator (UTM):

UTM Datum (specify NAD27, NAD83 or WGS 84) _____ Zone _____

Easting _____

Northing _____

3) Location Map showing the location of the mine site on a USGS Quad (1:24,000 Scale) or equivalent map.

____ Attached

Orton Pit Vicinity Map

7.5-MINUTE TOPO 2 QUADRANGLE
Custom Extent
7.5-MINUTE TOPO

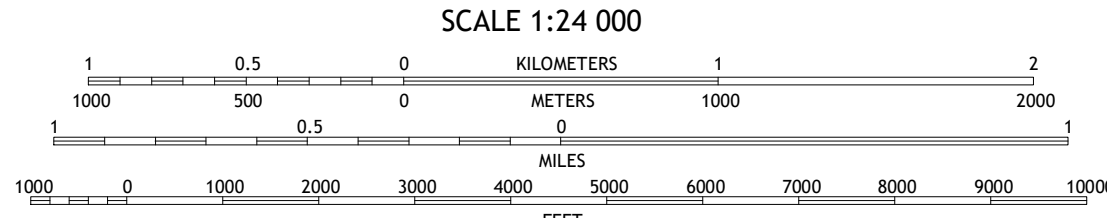
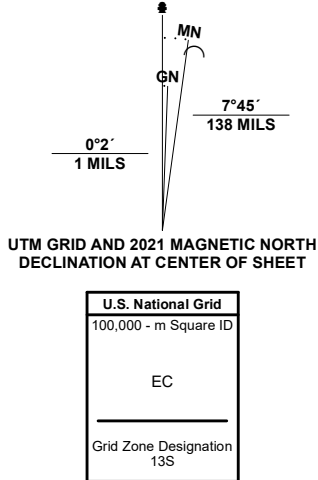


Produced by the United States Geological Survey

North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84). Projection and
1 000-meter grid/Universal Transverse Mercator, Zone 13S.
Data is provided by The National Map (TNM), is the best available at the time of map
generation, and includes data content from supporting themes of Elevation,
Hydrography, Geographic Names, Boundaries, Transportation, Structures, Land Cover,
and Orthoimagery. Refer to associated Federal Geographic Data Committee (FGDC)
Metadata for additional source data information.

This map is not a legal document. Boundaries may be generalized for this map scale.
Private lands within government reservations may not be shown. Obtain permission
before entering private lands. Temporal changes may have occurred since these data
were collected and some data may no longer represent actual surface conditions.

Learn About The National Map: <https://nationalmap.gov>



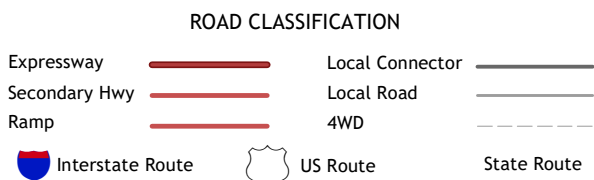
CONTOUR INTERVAL 80 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988
CONTOUR SMOOTHNESS = Medium



QUADRANGLE LOCATION



ADJOINING QUADRANGLES



7.5-MINUTE TOPO 2, CO
2022

EXHIBIT B – Site Description
Rule 6.3.2

1) Primary present land use (check one):

- | | | |
|--|---|---|
| <input type="checkbox"/> Cropland (CR) | <input type="checkbox"/> Pastureland (PL) | <input type="checkbox"/> General Agriculture (GA) |
| <input 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 Resource (WR) | | |

Additional land use information:

2) Current vegetative cover (check all that apply):

- | | | |
|----------------------------------|----------------------------------|--|
| <input type="checkbox"/> Grasses | <input type="checkbox"/> Trees | <input type="checkbox"/> No vegetative cover |
| <input type="checkbox"/> Shrubs | <input type="checkbox"/> Pasture | <input type="checkbox"/> Other: _____ |

3) Current Soil Characteristics:

(This information is publically available and free. It may be obtained through the local office of the Natural Resources Conservation Service or obtained from websoilsurvey.sc.egov.usda.gov)

4) Are there any permanent manmade structures (homes, roads, bridges, power lines, fences, etc.) located within two hundred (200) feet of the permit boundary: () Yes or () No

- | | |
|------------------|--------------|
| Structure: _____ | Owner: _____ |
| Structure: _____ | Owner: _____ |
| Structure: _____ | Owner: _____ |
| Structure: _____ | Owner: _____ |

*Attach separate sheet if there are additional structures

5) Are there any streams, springs, lakes, stock water ponds, ditches, reservoirs, and aquifers that would receive drainage directly from the mine: () Yes or () No

If yes, please describe the water features: _____

6) (Optional) Please attach a Wildlife Statement prepared by the Colorado Parks and Wildlife.

7) (Optional) Additional site description information:

EXHIBIT C - Mining Plan
Rule 6.3.3

The purpose of the mining plan is to describe how mining will affect the permit area for the duration of the operation.

- 1) **Estimated dates of commencement:** _____ **and completion:** _____

Note: Reclamation of all affected lands shall be completed within 12 months after issuance of the permit. An Operator possessing a 111(1)(b) Reclamation Permit must convert to the appropriate regular construction materials permit if extraction and export of materials from the site are not completed within 12 months after the issuance of the permit.

- 2) **Depth of topsoil to be salvaged (check one):**

☒ 4-6 inches _____ 6-8 inches
_____ 8-10 inches _____ 10-12 inches
_____ Other: _____
_____ N/A, explain: _____

- 3) **Description of how topsoil will be stockpiled and stabilized:**

- 4) **Thickness of overburden needed to be moved:** _____ feet or ☒ N/A

- 5) **Thickness of deposit to be mined:** _____ feet

- 6) **How will the mine be accessed:** (☒) existing roads (____) new roads will be created

- a. Please describe the existing roads:

- b. If there will be new roads or road improvements, please describe the new roads and road improvements (note, new roads must be included in permitted acreage):

- 7) **Will water be needed during the mining operation (check one):** (____) Yes or (____) No

- a. If yes, please describe the source of the water and how much water will be used during the operation:

8) Will groundwater be encountered and/or surface water intercepted or disturbed (check one):

() Yes or () No.

a. If yes, please describe:

9) (Optional) Please provide additional information about the Mining Plan:

[illegible]

Exhibit 1: Water Depth near Proposed Orton Pit



Reset table layout

	Receipt	Permit Number	Permit Status	UTM X	UTM Y	Latitude	Longitude	Elev...	Co... Well Depth
view	0024651A	24651-MH	Well Constructed	514066.7	4254598.5	38.439559	-104.838825	5365	24
view	0024653A	24653-MH	Well Constructed	505860.6	4269108.2	38.570415	-104.932734	6210	24

RECEIVED:

MAY 11 '95

**WATER RESOURCES
STATE ENGINEER
COLO.**

1. WELL PERMIT NUMBER 24653 - M H

2. OWNER NAME(S) Fort Carson
Mailing Address HQ, Fort Carson and 4th Infantry Div (Mech)
City, St. Zip ATTN: AFZC-ECM-EC, Fort Carson, CO 80913-5000
Phone (719) 526-1730

3. WELL LOCATION AS DRILLED: NW 1/4 NW 1/4, Sec. 19 Twp. 17 S, Range 67 W
DISTANCES FROM SEC. LINES:
1350 ft. from North Sec. line. and 5 ft. from West Sec. line. OR
(north or south) (east or west)
SUBDIVISION: N/A LOT N/A BLOCK N/A FILING(UNIT) N/A
STREET ADDRESS AT WELL LOCATION: N/A

4. GROUND SURFACE ELEVATION 6210 ft. DRILLING METHOD Auger
DATE COMPLETED 11 Nov 94 . TOTAL DEPTH 24 ft. DEPTH COMPLETED 24 ft.

5. GEOLOGIC LOG:

Depth	Description of Material (Type, Size, Color, Water Location)
0-4.0	Clean red fine to med. gravelly fine to medium sand
4-4.5	Red, sandy silty fine gravel to fine gravelly silt
4.5-8	Orange-red fine sandy silt with fine gravel
8-8.5	Brick red slightly clayey fine sandy silt
8.5-9	Well-cemented coarse pink sandstone layer
9-15	Uniform red silt w/very little sand.
15-16	Fine red silt with fine gravel
16-24	Fine red clayey silt w/sandstone and siltstone layers

Moist at 16 ft

REMARKS:

6. HOLE DIAM. (in.)	From (ft)	To (ft)
6	0	24

7. PLAIN CASING

OD (in)	Kind	Wall Size	From(ft)	To(ft)
2	PVC	schedule 40	0	9
PERF. CASING: Screen Slot Size: 0.010"				
2	PVC	schedule 40	9	24

8. FILTER PACK:

Material	CSS
Size	10-20
Interval	6.9-2

9. PACKER PLACEMENT:

Type N/A
Depth N/A

10. GROUTING RECORD:

Material	Amount	Density	Interval	Placement
Portland Cement	70 lb	N/A	2-3.7	
Type 1				
Bentonite	65 lb	N/A	3.7-6.9	1-2
Concrete	80 lb	N/A	0-1	

11. DISINFECTION: Type N/A

12. WELL TEST DATA: ☐ Check box if Test Data is submitted on Form No. GWS 39 Supplemental Well Test.
TESTING METHOD:

TESTING METHOD Electric Meter

Static Level N/A ft. Date/Time measured N/A, Production Rate N/A gpm.
Pumping level N/A ft. Date/Time measured N/A, Test length (hrs.) N/A
Remarks dry well

Remarks dry well]

13. I have read the statements made herein and know the contents thereof, and that they are true to my knowledge. [Pursuant to Section 24-4-104 (13)(a) C.R.S., the making of false statements herein constitutes perjury in the second degree and is punishable as a class 1 misdemeanor.]

CONTRACTOR USACHPPM, ATTN: MCHB-ME-SG, APG, MD Phone (410) 671-5198 Lic. No. N/A
Mailing Address 21010-5422

Name/Title (Please type or print)
MARY SALAMON, Geologist

Signature

Date:

1-25-95

EXHIBIT D - Reclamation Plan
Rule 6.3.4

The purpose of the Reclamation Plan is to describe the timing, procedures, criteria and materials that will be used to reclaim the affected land to the proposed future land use. This plan must be correlated to Exhibit E - Map.

1) Primary future (Post-mining) land use (check one):

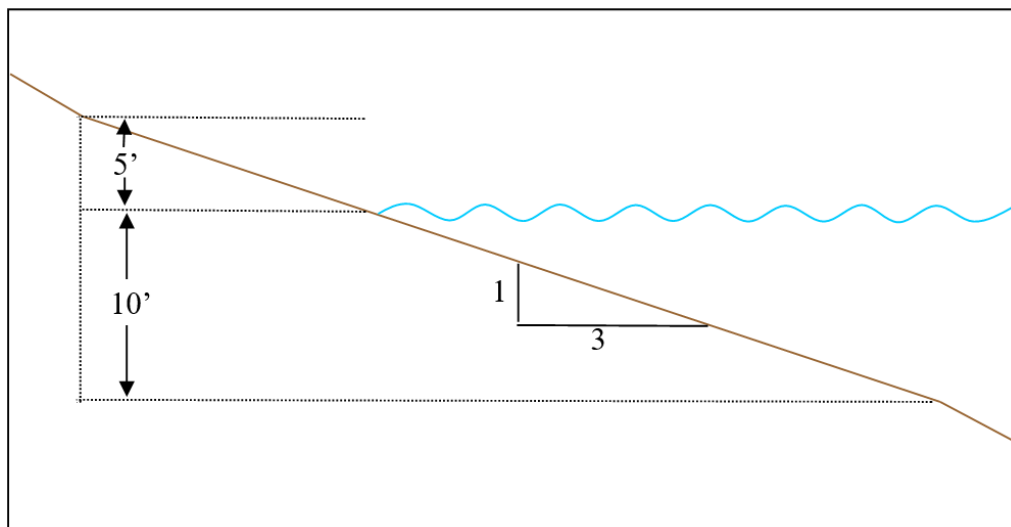
<input type="checkbox"/> Cropland (CR)	<input type="checkbox"/> Pastureland (PL)	<input type="checkbox"/> General Agriculture (GA)
<input type="checkbox"/> Rangeland (RL)	<input type="checkbox"/> Forestry (FR)	<input type="checkbox"/> Wildlife Habitat (WL) **
<input type="checkbox"/> Residential (RS)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

**Note: The Colorado Parks & Wildlife (CPW) must be consulted where wildlife use is the proposed future land use.

2) Please provide a general description of how the mined area will be reclaimed:

3) Specify which ponds, streams, roads and buildings, if any, will remain after reclamation. These features must be shown on the Exhibit E- Map:

Note: if ponds are a part of the Reclamation Plan, slopes from 5 vertical feet above to 10 vertical feet below the expected average water level cannot be steeper than 3H:1V; remaining slope lengths may not be steeper than 2H:1V (see example sketch below).



- 4) What will the final grade of the reclaimed slopes be (horizontal:vertical): _____:_____ (Note: If the Applicant proposes slopes steeper than 3H:1V (example 1H:1V, 2H:1V, etc.), please include a justification and a description on how the slope will be stabilized:

- a. Please provide a general description of the backfilling and grading:

- 5) Depth of topsoil to be replaced (check one):

☐ 4-6 inches ☐ 6-8 inches
☐ 8-10 inches ☐ 10-12 inches
☐ Other: _____
☐ N/A, explain: _____

- 6) Explain how the seedbed will be prepared to eliminate compacted conditions:

- 7) Please provide a seed mix recommendation from the local office of the Natural Resources Conservation Service (specify the quantity of each grass and forb species as pounds of pure live seed [PLS] per acre) or pick a seed mix from the following list that best represents the climate zone at the mine; (check one):

- a. ☐ Dryland Quick Establishment

This general seed mixture is a combination of drought tolerant and adaptable grasses, which can establish quickly to control erosion. This mix is ideal for sites with an elevation less than 8,000 feet and is adapted to arid conditions.

Seed Mix	Species	Scientific Name	PLS Application Rate
Grasses	Intermediate Wheatgrass	<i>Thinopyrum intermedium</i>	2.50
	Slender Wheatgrass	<i>Elymus trachycaulus</i> ,	2.00
	Pubescent Wheatgrass	<i>Thinopyrum intermedium</i>	3.00
	Russian Wildrye	<i>Psathyrostachys juncea</i>	3.00
	Western Wheatgrass	<i>Pascoprum smithii</i>	2.00
	Sand Dropseed	<i>Sporobolus cryptandrus</i>	0.25

b. ____ Zone 1, Eastern Plains

Site Description: The elevation of the plains is 6,000 feet or below. The general region is the Front Range, surrounding Denver Metro area and the Eastern Plains. Annual precipitation generally 12-18 inches per year. The average annual high temperature is 69°F with average annual low temperature of 37°F.

Seed	Common Name	Scientific Name	PLS Application
Grasses	Sideoats Grama	<i>Bouteloua curtipendula</i>	1.80
	Buffalograss	<i>Buchloe dactyloides</i>	6.25
	Western Wheatgrass	<i>Pascoprum smithii</i>	2.76
	Blue Grama	<i>Bouteloua gracilis</i>	0.49
	Green Needlegrass	<i>Stipa viridula</i>	1.44
	Little Bluestem	<i>Schizachyrium scoparium</i>	1.16
Forbs	Upright prairie coneflower	<i>Ratibida columnifera</i>	0.25

c. ____ Zone 2, Foothills (Lower Montane)

Site Description: The elevation of the foothills ranges from 6,000 to 7,500 feet. The general region is the transition zone between the plains and the montane. Annual precipitation ranges from 12 to 18 inches per year. The average annual high temperature is 60°F with average annual low temperature of 29°F.

Seed	Common Name	Scientific Name	PLS Application
Grasses	Blue Grama	<i>Bouteloua gracilis</i>	0.49
	Needle and thread	<i>Hesperostipa comata</i>	2.30
	Western Wheatgrass	<i>Pascorum smithii</i>	2.76
	Little Bluestem	<i>Schizachyrium scoparium</i>	1.54
	Indian Ricegrass	<i>Oryzopsis hymenoides</i>	1.38
Forbs	Palmer's penstemon	<i>Penstemon palmeri</i>	0.20

d. ____ **Zone 3, Pinyon-juniper (Sagebrush Steppe, Western Plateau)**

Site Description: The elevation of the foothills ranges from 6,000 to 7,500 feet. The general region is the transition zone between the plains and the montane. Annual precipitation average is around 9 inches per year. The average annual high temperature is 65°F with average annual low temperature of 40°F.

Seed	Common Name	Scientific Name	PLS Application
Grasses	Indian Ricegrass	<i>Acnatherum hymenoides</i>	1.85
	Western Wheatgrass	<i>Pascopyrum smithii</i>	2.76
	Needle and thread	<i>Hilaria jamesii</i>	3.03
	Galleta	<i>Elymus elymoides</i>	2.19
	Basin wild rye	<i>Leymus cinereus</i>	3.03
Forbs	Scarlett globemallow	<i>Sphaeralcea coccinea</i>	0.25

e. ____ **Zone 4, Montane**

Site Description: The elevation of the Montane zone ranges from 7,500 to 9,300 feet. The general areas include the mountain resort towns and surrounding areas such as Georgetown, Steamboat Springs, Pagosa Springs, Crested Butte, Etc. Annual precipitation ranges from 18 to 60 inches per year. The average annual high temperature is 54°F with an average annual low temperature of 25°F.

Seed Mix	Common Name	Scientific Name	PLS Application Rate
Grasses	Mountain brome	<i>Bromus carinatus</i>	1.93
	Bluebunch wheatgrass	<i>Psuedoroegneria spicata</i>	3.71
	Idaho fescue	<i>Festuca idahoensis</i>	0.79
	Prairie junegrass	<i>Koeleria macrantha</i>	0.15
	Sandberg bluegrass	<i>Poa secunda</i>	0.37
Forbs	Common yarrow	<i>Achillea millefolium</i>	0.25

f. ____ **Zone 5, Sub-Alpine**

Site Description: The elevation of the Sub-Alpine zone ranges from 9,300 to 11,400 feet. The general areas include but are not limited to Lake County, Summit County and areas adjacent to the Continental Divide. Annual precipitation is 40 inches per year and above. Average annual high temperature is 49° with average annual low temperature of 21°F.

Seed	Species	Scientific Name	PLS Application
Grasses	Mountain muhly	<i>Muhlenbergia montana</i>	0.23
	Fringed Bromegrass	<i>Bromus ciliatus</i>	2.00
	Prairie junegrass	<i>Koeleria macrantha</i>	0.15
	Elk sedge	<i>Carex geyeri</i>	2.90
	Idaho fescue	<i>Festuca idahonesis</i>	0.80
Forbs	Silvery Lupine	<i>Lupinus argenteus</i>	0.25

g. ____ **Zone 6, Alpine**

Site Description: The elevation of the Alpine zone range is 11,400 feet and above. The general area includes all areas above timberline. Annual precipitation ranges from 20 to 25 inches per year. Average annual high temperature is 52°F and an average annual low temperature of 18°F.

Seed	Species	Scientific Name	PLS Application
Grasses	Tufted hairgrass	<i>Deschampsia cespitosa</i>	0.40
	Alpine bluegrass	<i>Poa alpine</i>	0.40
	Spike trisetum	<i>Trisetum spicatum</i>	0.17
	Alpine timothy	<i>Phleum alpinum</i>	0.35

8) **How will the selected seed mixture be seeded (check one):**

____ Drilled ____ Broadcast**
____ Other: _____

** - The PLS seeding rates on the seed mixtures provided in Question 7 above and standard drill seeding rates should be doubled if the seed is to be broadcast.

9) **State the type, application rate, and soil incorporation methods of fertilizer, if any:**

10) **State the species, establishment method (type/size), and number of each shrub and/or tree to be established per acre, if any:**

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

CRCC SH-115

Report Date: May 19, 2022

Work Order No.: 22-8535.SoilSampling.0001; ver: 1

Work Order Date: May 16, 2022

Reviewed by: Don Van Devener

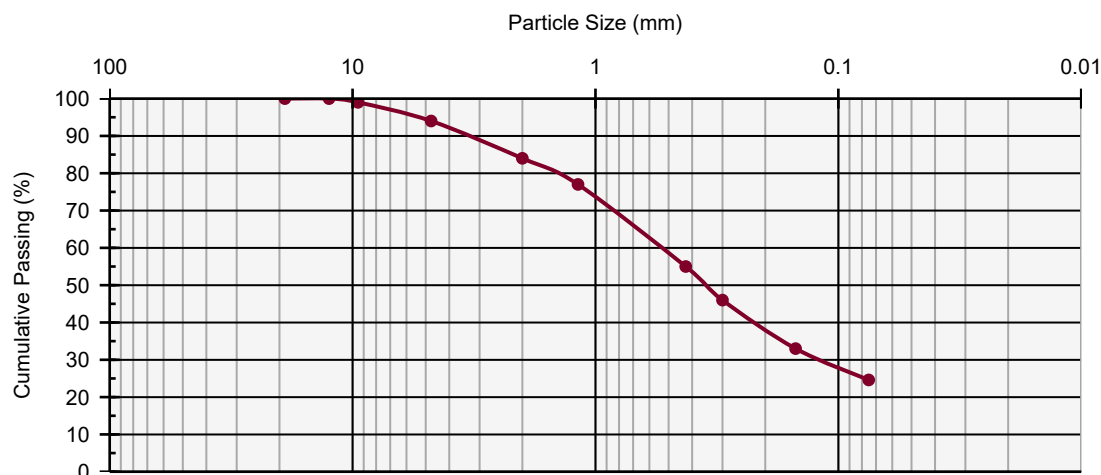
Soil/Aggregate Laboratory Summary

Sample No.: 1
Dropped Off By: CRCC *Sampling may not be in accordance with reported method.
Sampling Method: ASTM D75 / AASHTO T2 / CDOT CP30
Sample Location: Delivered by CRCC
Lab ID: Soil13054

Atterberg Limits (AASHTO T89 & T90) and Classification (ASTM D2487 & AASHTO M145)

Method	Liquid Limit		Plastic Limit		Plasticity Index		Classification	
	Value	Spec.	Value	Spec.	Value	Spec.	USCS	AASHTO
Single Point	-	-	NP	-	NP	-	SM	A-2-4 (0)

Soil Gradation (AASHTO T88)



Coarse Gradation				Fine Gradation			
Sieve Size	Particle Size (mm)	Cumulative Passing (%)	Specified (%)	Sieve Size	Particle Size (mm)	Cumulative Passing (%)	Specified (%)
6 in	150	-	-	No. 4	4.75	94	-
5 in	125	-	-	No. 8	2.36	-	-
4 in	100	-	-	No. 10	2.00	84	-
3 in	75	-	-	No. 16	1.18	77	-
2.5 in	63	-	-	No. 20	0.85	-	-
2 in	50	-	-	No. 30	0.60	-	-
1.5 in	37.5	-	-	No. 40	0.425	55	-
1 in	25.0	-	-	No. 50	0.300	46	-
3/4 in	19.0	100	-	No. 60	0.250	-	-
1/2 in	12.5	100	-	No. 100	0.150	33	-
3/8 in	9.5	99	-	No. 140	0.090	-	-
No. 4	4.75	94	-	No. 200	0.075	24.6	-

Sampling Method: ASTM D75 / AASHTO T2 / CDOT CP30

Sample Location: Delivered by CRCC

CRCC SH-115

Report Date: May 19, 2022

Work Order No.: 22-8535.SoilSampling.0001; ver: 1

Work Order Date: May 16, 2022

Reviewed by: Don Van Devener

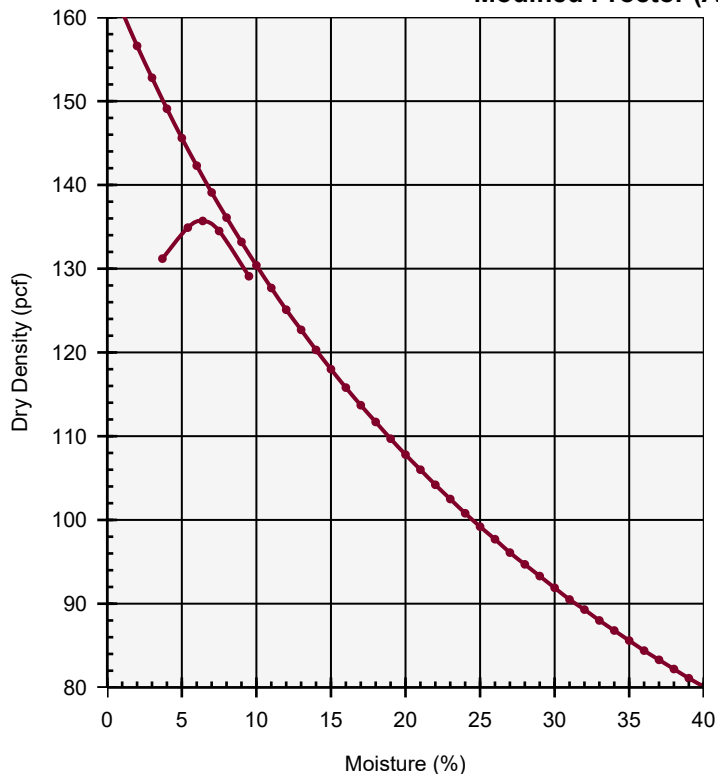
Soil/Aggregate Laboratory Summary

Lab ID: Soil13055

Atterberg Limits (AASHTO T89 & T90) and Classification (ASTM D2487 & AASHTO M145)

Method	Liquid Limit		Plastic Limit		Plasticity Index		Classification	
	Value	Spec.	Value	Spec.	Value	Spec.	USCS	AASHTO
Single Point	-	-	NP	-	NP	-	(SM)g	A-1-b (0)

Modified Proctor (AASHTO T180)



Method	Preparation	Hammer
Method D	Moist Preparation	Manual

Maximum Dry Density (pcf)	Optimum Moisture (%)	Oversize Corrected	
		Maximum Dry Density (pcf)	Optimum Moisture (%)
135.7	6.4	137.0	6.1

Oversize Sieve: 3/4 in
Coarse Fraction (%): 6
Fine Fraction (%): 94
Coarse Specific Gravity: Measured 2.62
Coarse Absorption (%): 1.16
Fine Specific Gravity: Estimated 2.65

CRCC SH-115

Report Date: May 19, 2022

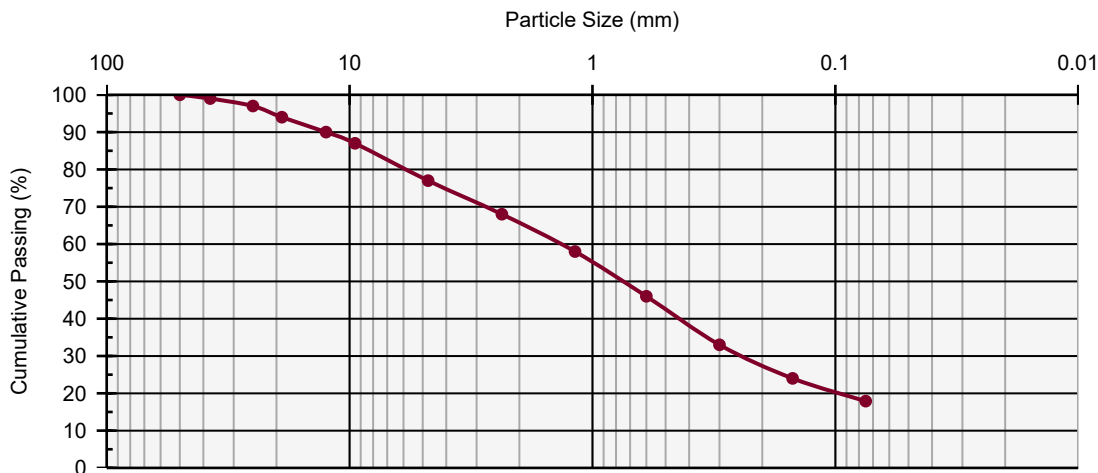
Work Order No.: 22-8535.SoilSampling.0001; ver: 1

Work Order Date: May 16, 2022

Reviewed by: Don Van Devener

Soil/Aggregate Laboratory Summary

Soil Gradation (AASHTO T88)



Coarse Gradation				Fine Gradation			
Sieve Size	Particle Size (mm)	Cumulative Passing (%)	Specified (%)	Sieve Size	Particle Size (mm)	Cumulative Passing (%)	Specified (%)
6 in	150	-	-	No. 4	4.75	77	-
5 in	125	-	-	No. 8	2.36	68	-
4 in	100	-	-	No. 10	2.00	-	-
3 in	75	-	-	No. 16	1.18	58	-
2.5 in	63	-	-	No. 20	0.85	-	-
2 in	50	100	-	No. 30	0.60	46	-
1.5 in	37.5	99	-	No. 40	0.425	-	-
1 in	25.0	97	-	No. 50	0.300	33	-
3/4 in	19.0	94	-	No. 60	0.250	-	-
1/2 in	12.5	90	-	No. 100	0.150	24	-
3/8 in	9.5	87	-	No. 140	0.090	-	-
No. 4	4.75	77	-	No. 200	0.075	17.9	-

EXHIBIT E - Maps

Rule 6.3.5

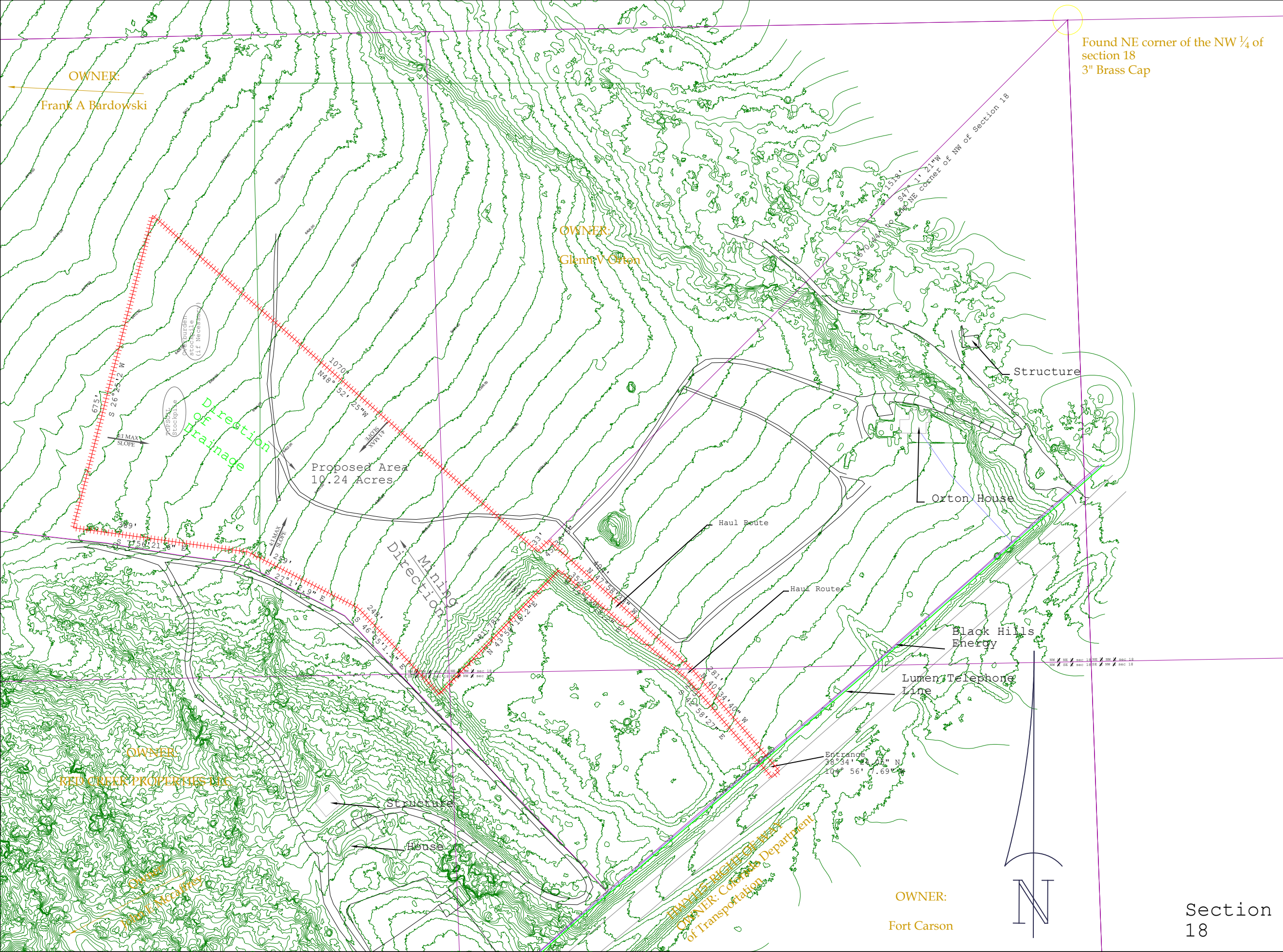
The Operator/Applicant must provide at least two maps which clearly describes the features associated with the Mining Plan and the components of the Reclamation Plan. The Mining Plan Map and the Reclamation Plan Map must satisfy the general map requirements of Rule 6.2.1(2), and illustrate the information specified under Rules 6.3.2(b), 6.3.3, 6.3.4, and 6.3.5. The maps must show the name of the Applicant, signed and dated, an appropriate scale not larger than 1 inch = 50 feet nor smaller than 1 inch = 660 feet, legend, title, and a north arrow. Multiple maps may be used to depict the required information below. It may be helpful to include an aerial photo and label the required information on the aerial photo. The Applicant may choose to use the following two optional templates for the Mining Plan Map and Reclamation Plan Map or attach separate maps.

1) Mining Plan Map Checklist:

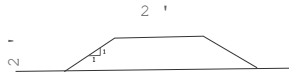
- a. ____ Outline and label the permit boundaries;
- b. ____ Label the surface and subsurface owner(s) of the permit area;
- c. ____ Label all surface owners within 200 feet of the permit boundary;
- d. ____ Show all permanent man-made structures within the permit boundary and within two hundred (200) feet of the permit boundary and label the owners of the structures;
- e. ____ Outline and label all major surface features to be used in the project (existing and proposed roads, pit boundary, and topsoil, overburden, and product stockpiles);
- f. ____ Indicate the direction that the construction material extraction will proceed; and
- g. ____ Show the existing topography (contour lines of sufficient detail are required to portray the direction and rate of slope of the affected land).

2) Reclamation Plan Map Checklist:

- a. ____ Show the proposed gradient of all reclaimed slopes (horizontal:vertical) sufficient to describe the post mine topography;
- b. ____ If ponds are a part of the Reclamation Plan, outline the final shore configuration of the ponds and shallow areas if the future land use is for wildlife;
- c. ____ State the average thickness of replaced overburden;
- d. ____ State the average thickness of replaced topsoil;
- e. ____ Depict any features which will remain after mining is completed, if applicable; and
- f. ____ Outline areas where seeding will occur or different seed mixtures will be used.



Legend

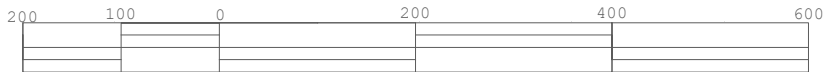


- Berm
- Highwall Fence
- Existing Dirt Road
- Edge of Highway 115
- CDOT ROW Fence
- Structures
(Houses, buildings, and
Shops)
- Existing Contours
- Cattle Fence
- Overhead Power Line
- Section Lines
- Pit Limits
- Underground Telephone
Line

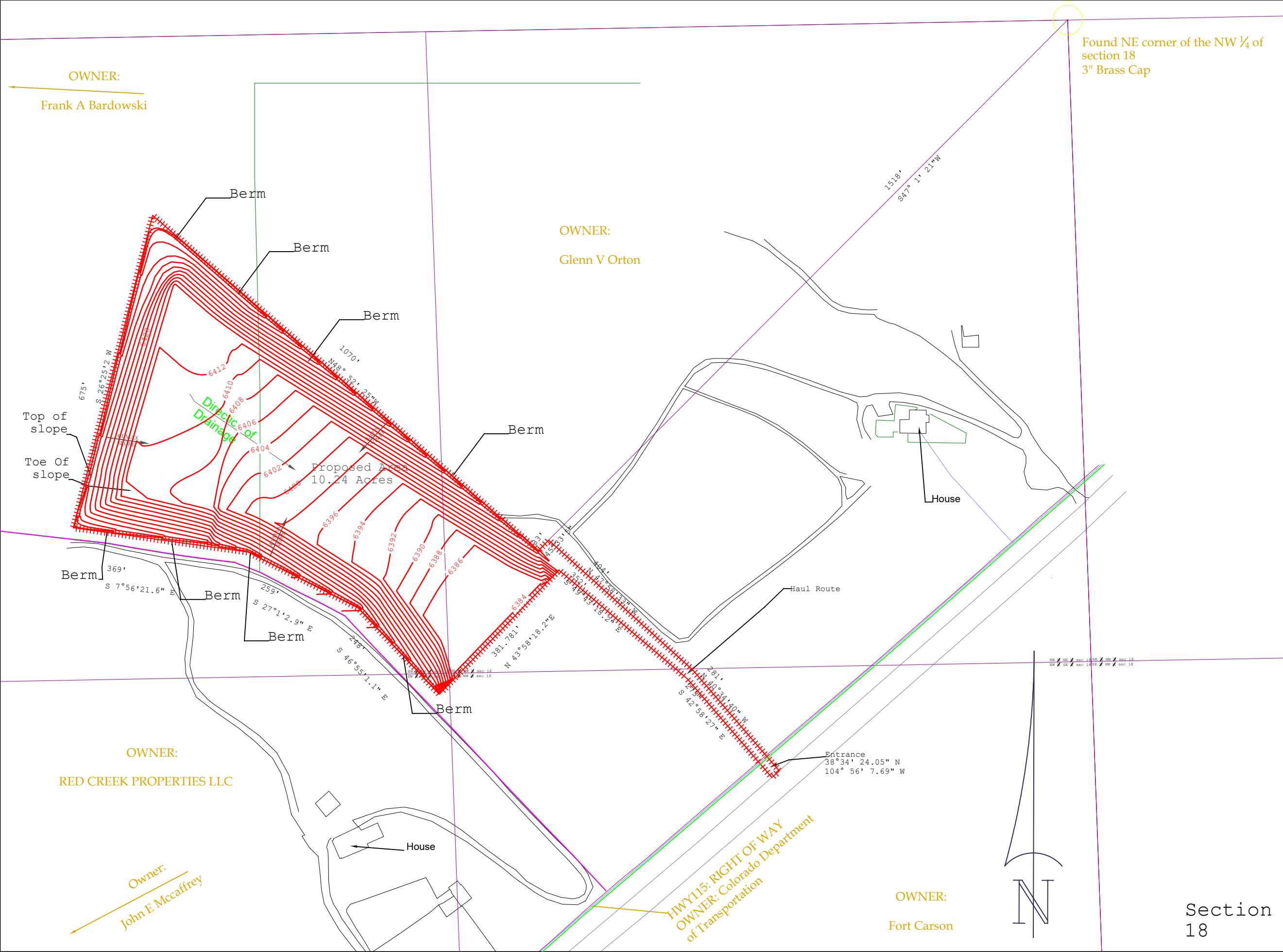
Legal Description

Lies in the Northwest 1/4 of the
Northwest 1/4 of section 18
Beginning at a Found 3" Brass Cap
Marked Northeast of Northwest
quarter corner of section 18
Thence S 41°1'21" W 1518.67'
Thence S 45°33'5" W 33.07'
Thence N 48°52'25" W 1070.76'
Thence S 26°25'2" W 675.64'
Thence S 7°56'21.6" E 369.47'
Thence S 27°1'2.9" E 259.01'
Thence S 46°55'1.1" E 248.12'
Thence N 43°58'18.2" E 381.84'
Thence S 49°43'14" E 352.10'
Thence S 42°58'27" E 272.78'
Thence N 48°22'17" E 20'
Thence N 40°34'40" W 280.53'
Thence N 47°58'33" W 404.68'
Which is the point of beginning

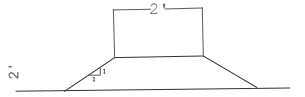
Castle Rock Construction
Of Colorado, LLC Orton Pit
Mining Plan
Fountain, Co
June 10, 2022
Harold D Stewart



Signature_____



Legend



- Berm
- Highwall Fence
- Existing Dirt Road
- Edge of Highway 115
- CDOT ROW Fence
- Structures (Houses and Shops)
- Cattle Fence
- Overhead Power Line
- Section Lines
- Pit Limits
- Minor Contours (2')
- Major Contours (20')
- Underground Telephone Line

Notes

- No overburden by reclamation area
- Average thickness of replaced Topsoil to be at 6 inches
- Soil to be made into pasture land following reclamation
- All 10.24 acres will be seeded using Dry Land Quick Establishment Seed
- Berm to remain after mining is complete

Legal Description

Lies in the Northwest 1/4 of the Northwest 1/4 of section 18

Beginning at a Found 3" Brass Cap Marked Northeast of Northwest quarter corner of section 18

Thence S 41°1'21" W 1518.67'

Thence S 45°33'5" W 33.07'

Thence N 48°52'25" W 1070.76'

Thence S 26°25'2" W 675.64'

Thence S 7°56'21.6" E 369.47'

Thence S 27°1'2.9" E 259.01'

Thence S 46°55'1.1" E 248.12'

Thence N 43°58'18.2" E 381.84'

Thence S 49°43'14" E 352.10'

Thence S 42°58'27" E 272.78'

Thence N 48°22'17" E 20'

Thence N 40°34'40" W 280.53'

Thence N 47°58'33" W 404.68'

Which is the point of beginning

Castle Rock Construction Of Colorado, LLC
Orton Pit
Reclamation Pit
Fountain, Co
June 10, 2022
Harold D Stewart

EXHIBIT F - Other Permits and Licenses
Rule 6.3.6

- 1) Please identify which of the following permits, licenses and approvals which are held or will be sought in order to conduct the proposed mining and reclamation operations (check all that apply):**

_____ County zoning and land use permits	_____ City zoning and land use permits
_____ Effluent discharge permits	_____ Air quality emissions permits
_____ Radioactive source materials licenses	_____ Explosives permits
_____ Permit to construct a dam	_____ Well permits
_____ Highway access permits	_____ State Historic Preservation Office
_____ U.S. Forest Service permits	_____ Bureau of Land Management permits
_____ Disposal of dredge and fill material (404) permits	
_____ Other: _____	

- a. (Optional) If available, please enclose with this application copies of the permits, licenses and approvals identified above or provide proof of filing.**

**EXHIBIT G - Source of Legal Right to Enter
Rule 6.3.7**

1) Name of owner(s) to the surface of affected land:

2) Name of owner(s) to the subsurface rights of affected land:

- 3)** Provide a description of the basis for legal right of entry to the site and to conduct mining and reclamation for Owners of Record described in Rule 1.6.2(1)(e)(i). This may be a copy of access lease, deed, abstract of title, or a current tax receipt. A signed statement by the Landowner(s) and acknowledged by a Notary Public stating that the Operator/Applicant has legal right to enter and is also acceptable.

EXHIBIT H - Municipalities Within a Two Mile Radius
Rule 6.3.8

- 1) Please list all municipalities (mailing address and telephone of the governing body) located within a two mile radius of the mine:**

Municipality: _____

Address: _____

Telephone: _____

Municipality: _____

Address: _____

Telephone: _____

EXHIBIT I - Proof of Filing with County Clerk
Rule 6.3.9

- 1) Please provide an affidavit or receipt indicating the date on which the mine application was placed with the local County Clerk and Recorder for public review, pursuant to Subparagraph 1.6.2(1)(c).**

Note: There is a template below for proof of filing with the local County Clerk and Recorder. The Division will accept the completed template OR proof of delivery in the form of a signed certified mail return receipt.

7019 0700 0000 0215 7887

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT 6/16 <i>Domestic Mail Only</i>	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$ _____	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$ _____	
<input type="checkbox"/> Return Receipt (electronic) \$ _____	
<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____	
<input type="checkbox"/> Adult Signature Required \$ _____	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ _____	
Total Postage and Fees \$ _____	
Sent To Board of El Paso Co. Commissioners Street and Apt. No., or PO Box No. 200 South Cascade Ave Ste 100 City, State, ZIP+4® Colorado Springs, CO 80903	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

7019 0700 0000 0215 7894

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT 6/16 <i>Domestic Mail Only</i>	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$ _____	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$ _____	
<input type="checkbox"/> Return Receipt (electronic) \$ _____	
<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____	
<input type="checkbox"/> Adult Signature Required \$ _____	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ _____	
Total Postage and Fees \$ _____	
Sent To El Paso County Clerk & Recorder Street and Apt. No., or PO Box No. PO Box 2007 City, State, ZIP+4® Colorado Springs, CO 80901	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Proof of Filing with County Clerk

I, _____ the County Clerk for _____ County;
have received the application package for a 111(1)(b) Reclamation Permit under provisions of the
Colorado Land Reclamation Act for the Extraction of Construction Materials and have made the
materials available for public review. The proposed mine is known as the (Name of the Mine)
_____, and is located at or near Section _____,
Township _____, Range _____, _____ Principal Meridian.

Signature

Date

**EXHIBIT J - Proof of Mailing of Notices to Board of County
Commissioners and Soil Conservation District
Rule 6.3.10**

- 1) Please provide proof that notices of the permit application were sent to the Board of County Commissioners and, if the mining operation is within the boundaries of a Soil Conservation District, to the Board of Supervisors of the Soil Conservation District, pursuant to Subparagraph 1.6.2(1)(a)(ii).

Note: There are two templates below for the proof of notice for the County Commissioners and Soil Conservation District. The Division will accept copies of the completed templates OR proof of delivery in the form of a signed certified mail return receipts.

Note:

The Orton Pit is out side the limits of any soil conservation district, this was confirmed with the land owner Glenn Orton. Thus no notice to a conservation district was provided.

NOTICE OF FILING APPLICATION
FOR COLORADO MINED LAND RECLAMATION PERMIT
FOR CONSTRUCTION MATERIALS SPECIAL OPERATION 111(1)(b)

NOTICE TO THE BOARD OF COUNTY COMMISSIONERS
_____ COUNTY

_____ (the "Applicant/Operator") has applied for a Construction Materials Special Operation 111(1)(b) Reclamation Permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct mining operations in _____ 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 _____ 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 five (5) working days after the application was filed with the Division.

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 St., Room 215, Denver, Colorado 80203, (303) 866-3567.

NOTE TO APPLICANT/OPERATOR: You **must** attach a copy of the application form (pages 1-5) 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.

Received by: _____

Signature

Date

EXHIBIT K – Terms of Government Contract
Rule 6.3.11

This exhibit is not applicable to the 111(1)(b) permit. If your project involves a government contract, please refer to the 111(1)(a) reclamation permit.

EXHIBIT L - Permanent Man-Made Structures
Rule 6.3.12

- 1) Where the mining operation will adversely affect the stability of any significant, valuable and permanent man-made structures 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.

The enclosed example Structure Agreement which meets the requirements of the Statute is shown below

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. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, _____ (print applicant/company name),
by _____ (print representative's name), as _____ (print
representative's title), does hereby certify that _____ (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 _____ (operation name),
File Number M-____-_____.

***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 _____ Representative 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: _____

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 _____.

_____ My Commission Expires: _____

Notary Public

ADDENDUM 1 – Required On-Site Notice
Rule 1.6.2(1)(b)

The enclosed notice below is an example you may wish to use for the required on-site notice in accordance with Rule 1.6.2(1)(b).

NOTICE

This site is the location of a proposed mining operation. _____
(Name of the Applicant/Operator), whose address and phone number is _____
_____ (Address and Phone Number of the
Applicant/Operator), has applied for a Reclamation Permit with the Colorado Mined Land Reclamation
Board. Anyone wishing to comment on the application may view the application at the _____
County Clerk and Recorder's Office, _____
(Clerk and Recorder's Office Address), and should send comments prior to the end of the public comment
period to the Division of Reclamation, Mining, and Safety, 1313 Sherman St., Room 215, Denver,
Colorado 80203.

Certification:

I, _____, hereby certify that I posted a sign containing the above
notice for the proposed permit area known as the (Name of Operation) _____,
on (Date Posted) _____.

SIGNATURE

DATE

NOTICE

Application of a proposed mining operation. Castle Rock Construction Company of Colorado, LLC
(Applicant/Operator), whose address and phone number is 6374 South Racine Circle, Centennial, CO 80109
(Address and Phone Number)
has applied for a Reclamation Permit with the Colorado Mined Land Reclamation
Department. Any person wishing to comment on the application may view the application at the El Paso County
Recorder's Office, 1675 W. Garden of the Gods Road, Suite 2201, 80907
(Recorder's Office Address), and should send comments prior to the end of the public comment
period to the Division of Reclamation, Mining, and Safety, 1313 Sherman St., Room 215, Denver, CO 80202.

PERFORMANCE WARRANTY

The enclosed performance warranty below is required to be fully executed and filed with the 111(1)(b) application packet.



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

PERFORMANCE WARRANTY

Permittee/Operator: _____

Operation known as: _____

Permit Number: _____

This form is approved by the Colorado Mined Land Reclamation Board (“Board”) pursuant to C.R.S. 34-32-117 of the Colorado Mined Land Reclamation Act and C.R.S. 34-32.5-117 of the Colorado Land Reclamation Act for the Extraction of Construction Materials.

All parties are on Notice from this Document that:

The above listed Operator provides this warranty to the Board in conjunction with a reclamation Permit to conduct the above described mining operation on certain lands in Colorado. The “Affected Lands” are described in the above listed reclamation Permit, and include any Permit Amendment(s) approved by the Division of Reclamation Mining and Safety (“Division”).

The Colorado Mined Land Reclamation Act, C.R.S. 34-32-101 *et seq.* (“Hard Rock Act”), and the Colorado Land Reclamation Act for the Extraction of Construction Materials, C.R.S. 34-32.5-101 *et seq.* (“Construction Materials Act”), both require a permit issued by the Board to include a written promise by the Operator to comply with all requirements of the Hard Rock and Construction Materials Acts (referred to herein together as “Acts”).

Through the terms and conditions of this performance warranty and Permit, the Operator agrees to be bound by all requirements of the Acts and all Mineral Rules and Regulations of the Board for Hard Rock, Metal, and Designated Mining Operations (2 C.C.R. 407-1) and all Mineral Rules and Regulations of the Board for the Extraction of Construction Materials (2 C.C.R. 407-4) (referred to herein together as “Rules”).

The Operator hereby provides the Board warranties of performance pursuant to C.R.S. 34-32-117(2), (3), and (4)/C.R.S. 34-32.5-117(2), (3), and (4), and promises the Board it will comply with all applicable requirements of the Acts and Rules.

The Operator hereby promises the Board it will comply with all of the terms of the reclamation Permit, including any Permit Amendment(s) approved by the Division. This performance warranty obligation of the Operator shall continue until the Operator’s liability is released by the Board.

The Operator promises to be responsible for reclamation costs up to the amount established by the Board and incorporates its financial warranty to this performance warranty. The Operator agrees to maintain a financial warranty (or warranties) in good standing for the reclamation costs for the entire life of the



Permit. The amount of the financial warranty shall be sufficient to assure the completion of reclamation of affected lands if the Division has to complete such reclamation due to forfeiture. If the Board determines the Operator is in default under this performance warranty and the Operator fails to cure such default, the Operator's financial warranty shall be subject to forfeiture pursuant to C.R.S. 34-32-118/34-32.5-118.

This performance warranty by the Operator is perpetual and shall remain in full force and effect until all obligations have been met and all associated financial warranty is released by the Board. Any release of liability in a succession of Operators shall comply with C.R.S. 34-32-119/34-32.5-119.

The provisions hereof shall bind and inure to the benefit of the parties hereto and their successors and assigns.

SIGNED, SEALED AND DATED this _____ day of _____, 20_____.

Operator: _____

Signature: _____

Name: _____

Title: _____

NOTARIZATION OF OPERATOR'S ACKNOWLEDGEMENT

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 20_____
(Day) (Month) (Year)
by _____ as _____
(Name) (Title)
of _____.
(Operator)

NOTARY PUBLIC

My Commission expires: _____

APPROVED:
State of Colorado
Mined Land Reclamation Board
Division of Reclamation, Mining and Safety

By: _____ Date: _____
Division Director

Affidavit of Authority

The enclosed affidavit of authority below is required to be fully executed with any type of financial warranty form and filed with the 111(1)(b) application packet.



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

Documentation of Legal Authority to Execute Financial Warranty Documents

The Colorado Mined Land Reclamation Board (“Board”) has adopted the attached Affidavit of Authority to Execute Financial Warranty Documents pursuant to the Mined Land Reclamation Act (C.R.S. § 34-32-101 et. seq.) and the Land Reclamation Act for the Extraction of Construction Materials (C.R.S. § 34-32.5-101 et. seq.). The Board and the Division of Reclamation Mining and Safety (“Division”) have determined that, in order to carry out the financial warranty requirements set forth in C.R.S. §§ 34-32-117 and 34-32.5-117 with reasonable diligence, it is prudent to verify the legal authority of the individual signing all necessary documents.

Accordingly, you must provide confirmation of the legal authority of the individual signing all Financial Warranty Documents to the Division. You may do so either by submitting a resolution of the decision-making body of your company that authorizes an individual to sign the Financial Warranty Documents on the company’s behalf, or by completing and notarizing the attached affidavit. The Division reserves the right to require the attached affidavit in all circumstances. Please note that if you are a sole proprietor who is executing documents on your own behalf, documentation of legal authority is unnecessary.



Affidavit of Authority to Execute Financial Warranty Documents

Before me this day, the undersigned _____ [name of authorized person], in his/her capacity as _____ [title of authorized person] ("Affiant"), personally appeared and, being first duly sworn upon oath said:

1. This affidavit is being executed and submitted on behalf of _____ [name of business organization], a(n) _____ [legal form of business organization, *e.g.*, corporation, partnership, limited liability company, etc.], in good standing in the State of Colorado (the "Company").
2. It is in the interest of the Company to execute certain financial warranty documents associated with file number _____ (DRMS file number), which are required by the Colorado Mined Land Reclamation Board and Division of Reclamation Mining and Safety pursuant to Colorado law ("Financial Warranty Documents").
3. Affiant is duly authorized to sign such Financial Warranty Documents on behalf of the Company and to bind the Company to the same.
4. Affiant is not prohibited or limited by the Company's governing documents or by any applicable law from executing the Financial Warranty Documents.
5. Affiant will inform the Division of Reclamation Mining and Safety within thirty (30) days in the event that his/her authorization to execute Financial Warranty Documents on the Company's behalf is terminated.

Further, Affiant sayeth not.

Affiant's Name

Signature

STATE OF _____)
_____) ss.:
COUNTY OF _____)

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

Notary Public _____

My Commission Expires _____



Office (303) 688-6611
Fax (303) 688-6685

6374 S. Racine Circle • Centennial, Colorado 80111

www.castlerockconstructionco.com

Tim Cazier
1313 Sherman Street St., Suite 215
Denver, CO 80203
July 11, 2022

RE: Orton Borrow Pit
CDOT Highway 115 Project

Mr. Cazier,

Enclosed are revisions to the previously submitted 111(1)(a) Construction Materials Special Operations Reclamation Permit Application (File No M2022031), for the taking of borrow dirt from the Orton property outside of Penrose, CO. Let me know if additional information is required.

If you have any questions, please call.

Best Regards,

Travis Bell
General Superintendent

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

SPECIAL (111) OPERATION

RECLAMATION PERMIT APPLICATION FORM

The application for a Construction Materials Special 111 Operation Reclamation Permit contains four major parts: (1) the application form; (2) Exhibits A-L, Addendum 1, and any sections of Exhibit 6.5 (Geotechnical Stability Exhibit), as required by the Office, and outlined in Rules 6.1, 6.2, 6.3, 6.5, and 1.6.2(1)(b); (3) the application fee; (4) the Performance Warranty and if required a Financial Warranty. When you submit your application, be sure to include one (1) **completed, signed and notarized ORIGINAL** and one (1) copy of the completed application form, two (2) copies of Exhibits A-L, Addendum 1, appropriate sections of Exhibit 6.5 (Geotechnical Stability Exhibit), as required, a check for the application fee described under (4) below, and the fully executed Performance Warranty and Financial Warranty, if required. Exhibits should **NOT** be bound or in 3-ring binders; maps should be folded to 8 2" X 11" or 8 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 described below

1. **Applicant/operator or company name (name to be used on the permit):** _____

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

2. **Operation name (pit, mine or site name):** _____

3. **Permitted acreage:** _____ Permitted Acres

4. **New Application:** \$898.00 Application Fee

5. **Primary commodity(ies) to be mined:** _____

6. **Name of owner to the surface of affected land:** _____

7. **Name of owner to the subsurface rights of affected land:** _____

8. **Type of mining operation:** ☐ Surface ☐ Underground ☐ In-situ

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

COUNTY: _____

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

SECTION (write number): S _____

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

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

Approximate Elevation 6340 feet.

EXHIBIT B – Site Description
Rule 6.3.2

1) Primary present land use (check one):

- | | | |
|--|---|---|
| <input type="checkbox"/> Cropland (CR) | <input type="checkbox"/> Pastureland (PL) | <input type="checkbox"/> General Agriculture (GA) |
| <input 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 Resource (WR) | | |

Additional land use information:

2) Current vegetative cover (check all that apply):

- | | | |
|----------------------------------|----------------------------------|--|
| <input type="checkbox"/> Grasses | <input type="checkbox"/> Trees | <input type="checkbox"/> No vegetative cover |
| <input type="checkbox"/> Shrubs | <input type="checkbox"/> Pasture | <input type="checkbox"/> Other: _____ |

3) Current Soil Characteristics:

(This information is publically available and free. It may be obtained through the local office of the Natural Resources Conservation Service or obtained from websoilsurvey.sc.egov.usda.gov)

4) Are there any permanent manmade structures (homes, roads, bridges, power lines, fences, etc.) located within two hundred (200) feet of the permit boundary: () Yes or () No

Structure: _____	Owner: _____
Structure: _____	Owner: _____
Structure: _____	Owner: _____
Structure: _____	Owner: _____

*Attach separate sheet if there are additional structures

See attached plan sheet with project limits highlighted.

5) Are there any streams, springs, lakes, stock water ponds, ditches, reservoirs, and aquifers that would receive drainage directly from the mine: () Yes or () No

If yes, please describe the water features: _____

6) (Optional) Please attach a Wildlife Statement prepared by the Colorado Parks and Wildlife.

7) (Optional) Additional site description information:

parks 3:33:36 PM pw:\wsp-us-pw.bentley.com\wsp-us-pw-02\Documents\CO - Denver Projects\30900721A_SHI15\DGNS\Design Sheets\22903RDWY_TITLE_SHEET

PoDI / NHS

FHWA PROJECT OF DIVISION INTEREST (PoDI)?

☐ NO ☐ YES

NATIONAL HIGHWAY SYSTEM?

☐ NO ☐ YES

DEPARTMENT OF TRANSPORTATION

STATE OF COLORADO

HIGHWAY CONSTRUCTION BID PLANS OF PROPOSED

FEDERAL AID PROJECT NO. STM 1151-038

STATE HIGHWAY NO. 115

EL PASO COUNTY

CONSTRUCTION PROJECT CODE NO. 22903

AWARD SET

Related Projects:

P. E. UNDER PROJECT:

Project Number: STM 1151-038

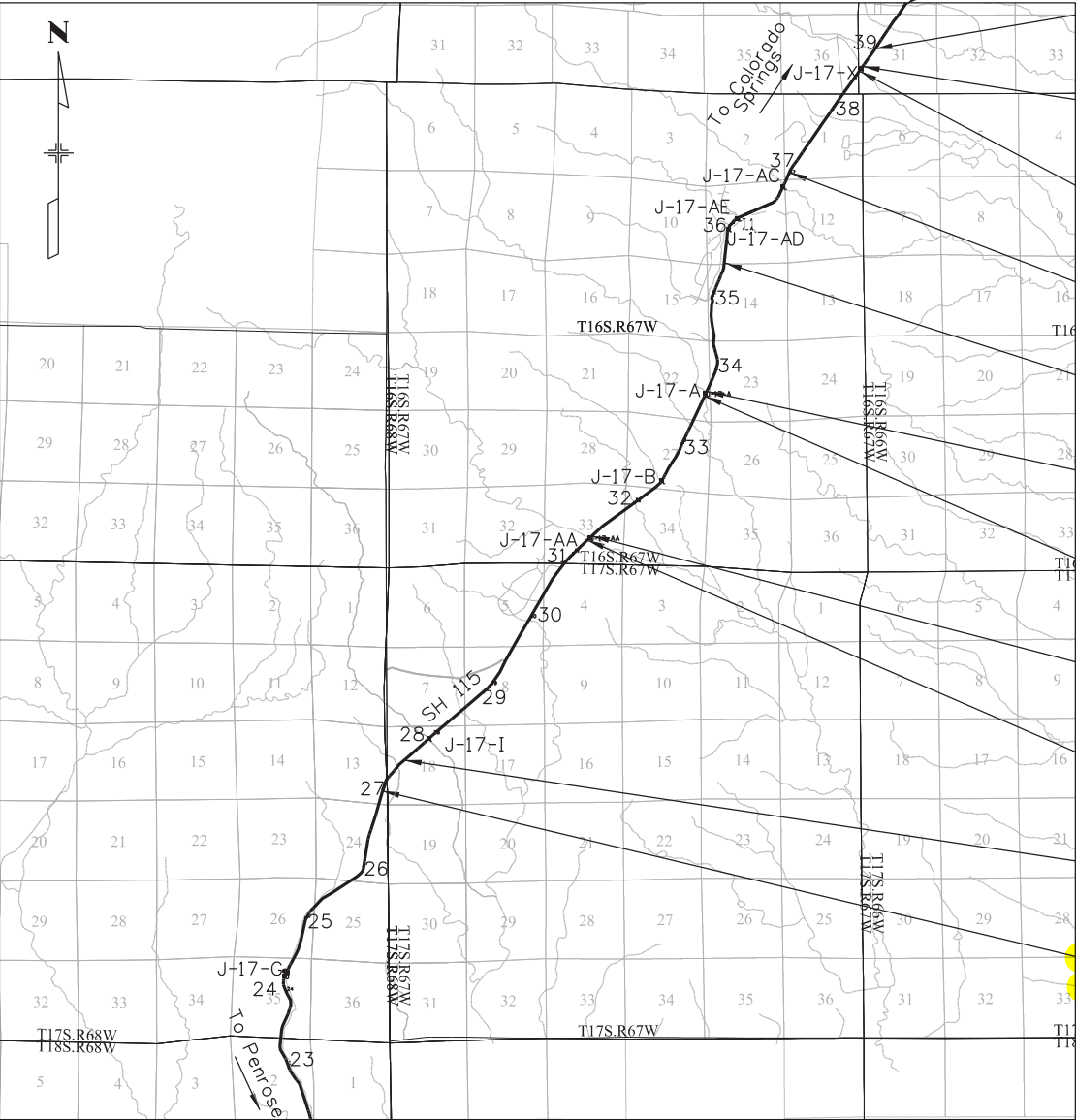
Project Code: 22903

R.O.W. Projects:

R.O.W. Project Description

STATION	FEET	
	ROADWAY SH 115	MAJOR STR.
APPROACH TO PROJECT MP 26.71		
BEGIN STM 1151-038 = STA. 201+00.00 ON SH 115, M.P. 27.71	18,826.72	
STA. 389+26.72 BEGIN STRUCTURE NO. J-17-AA		178.53
STA. 391+05.25 END STRUCTURE NO. J-17-AA	12,734.26	
STA. 518+39.51 BEGIN STRUCTURE NO. J-17-A		93.35
STA. 519+32.86 END STRUCTURE NO. J-17-A	16,227.00	
STA. 681+59.86 BEGIN STRUCTURE NO. J-17-AC		164.83
STA. 683+24.69 END STRUCTURE NO. J-17-AC	1,093.00	
BACK STA. 694+17.69 = AHEAD STA. 100+00.00	8,288.50	
STA. 182+88.50 BEGIN STRUCTURE NO. J-17-XA		111.00
STA. 183+99.50 END STRUCTURE NO. J-17-XA	1,330.50	
END STM 1151-038 = STA. 197+30.00 ON SH 115, M.P. 38.94		
APPROACH TO PROJECT MP 39.94		
TOTAL	58,499.98	547.71
SUMMARY OF PROJECT LENGTH	FEET	MILES
ROADWAY (NET LENGTH)	58,499.98	11.08
MAJOR STRUCTURE	547.71	0.10
PROJECT GROSS LENGTH	59,047.69	11.18

DESIGN DATA	S.H. 115
MINIMUM RADIUS OF CURVE	1440 FT.
MAXIMUM GRADE	6.00%
MINIMUM S.S.D. HORIZONTAL	645' FT.
MINIMUM S.S.D. VERTICAL	407.43' FT.
MAXIMUM DESIGN SPEED	65 MPH
2021 DESIGN TRAFFIC	DHV = 1,680 ADT = 14,000
DHV TRUCK %	11.30%
CLEAR ZONE DISTANCE (TANGENT)	30 FT.
CONSTRUCTION CLEAR ZONE (MIN 18')	30 FT.



M.P. 39.94
BEGIN APPROACH TO PROJECT

STA 197+30.00 = M.P. 38.94
END PROJECT STM 1151-038
END ROADWAY CONSTRUCTION

STA 183+99.50 = M.P. 38.63
END BRIDGE REPLACEMENT
BEGIN ROADWAY CONSTRUCTION

STA 182+88.50 = M.P. 38.61
END ROADWAY CONSTRUCTION
BEGIN BRIDGE REPLACEMENT

M.P. 37.04
BACK STATION = 694+17.69
AHEAD STATION = 100+00.00

STA 615+00.00 = M.P. 35.47
END FDR AND HMA OVERLAY
BEGIN CONCRETE PAVEMENT

STA 519+32.86 = M.P. 33.66
END BRIDGE REHABILITATION
BEGIN ROADWAY CONSTRUCTION

STA 518+39.51 = M.P. 33.65
END ROADWAY CONSTRUCTION
BEGIN BRIDGE REHABILITATION

STA 391+05.25 = M.P. 31.30
END BRIDGE REHABILITATION
BEGIN ROADWAY CONSTRUCTION

STA 389+26.72 = M.P. 31.27
END ROADWAY CONSTRUCTION
BEGIN BRIDGE REHABILITATION

STA 201+00.00 = M.P. 27.71
BEGIN PROJECT STM 1151-038
BEGIN ROADWAY CONSTRUCTION

M.P. 26.71
BEGIN APPROACH TO PROJECT

SHEET NO.	INDEX OF SHEETS
1	TITLE SHEET (R-1) (R-2)
2	PE STAMPS COVER SHEET
3	STANDARD PLANS LIST (R-1)
4-22	SH 115 TYPICAL SECTIONS (R-1)
23-24	GENERAL NOTES (R-1) (R-2)
25-35	SUMMARY OF APPROXIMATE QUANTITIES
36	SUMMARY OF EARTHWORK
37-39	TABULATION OF GUARDRAIL (R-2)
40-42	TABULATION OF SURFACING (R-1)
43	TABULATION OF DRAINAGE STRUCTURES
44	TABULATION OF EMBANKMENT PROTECTION AND GUTTERS (R-1)
45-48	TABULATION OF REMOVALS (R-1) (R-2)
49-148	SH 115 ROADWAY PLAN / PROFILE SHEETS (R-2)
149	STANDARD ACCESS DETAILS
150	TABULATION OF ACCESSES (R-1)
151-155	ACCESS PLAN AND PROFILE SHEETS
156-162	BOREHOLES TABLE
163-184	BOREHOLE PLANS
185-186	DRAINAGE GENERAL NOTES AND DETAILS (R-2)
187-213	DRAINAGE PLAN AND PROFILE SHEETS (R-2)
BRIDGE PLANS (214-251)	
214	GENERAL INFORMATION AND SUMMARY OF QUANTITIES (STR. J-17-XA)
215-243	BRIDGE PLANS (STR. J-17-XA)
244	GENERAL INFORMATION AND SUMMARY OF QUANTITIES (STR. J-17-A & J-17-AA)
245-251	BRIDGE PLANS (STR. J-17-A & J-17-AA)
252	CULVERT GENERAL NOTES AND SUMMARY OF QUANTITIES (R-1)
253-257	CULVERT PLANS
258-278	UTILITY PLANS
279	LIGHTING AND ELECTRICAL GENERAL NOTES AND TABULATION (R-1)
280-283	LIGHTING AND ELECTRICAL PLANS
284-285	ITS NOTES (R-1)
286	TABULATION OF ITS (R-1)
287-336	ITS PLAN SHEETS (R-1)
337-343	STORMWATER MANAGEMENT PLAN (R-1) (R-2)
344-365	INITIAL SWMP SITE MAPS (R-2)
366-387	INTERIM SWMP SITE MAPS (R-2)
388-409	PERMANENT STABILIZATION SWMP SITE MAPS (R-2)
410-418	CONSTRUCTION PHASING TABULATIONS (R-1)
419-439	CONSTRUCTION PHASING PLANS
440-447	TABULATION OF SIGNS
448	TABULATIONS OF PREFORMED THERMOPLASTIC PAVEMENT MARKINGS AND DELINEATORS (R-1)
449	TABULATION OF PAVEMENT MARKING (R-1)
450-471	SIGNING AND MARKING PLANS
472-476	SIGN SHEETS
477	SURVEY TABULATION
3.01-3.23	PROJECT CONTROL DIAGRAM
4.01-4.17	SURVEY CONTROL DIAGRAM MP 27.71-37.04
8.01-8.14	OWNERSHIP MAP
	SURVEY CONTROL DIAGRAM MP 37.04-39.94
501-812	CROSS SECTION SHEETS

CONSTRUCTION
PLAN
PACKAGE

3-21-2022

All seals for this set of drawings are applied to the cover page(s)

Print Date: 4/8/2022

File Name: 22903RDWY_TITLE_SHEET.dgn

Horiz. Scale: As Shown Vert. Scale: N/A

Unit Information Unit Leader: SSchnake

Sheet Revisions

Date: 4/1/22

Comments: Revised Index of Sheets

Init.: RP

Date: 4/8/22

Comments: Revised Index of Sheets

Init.: RP

Colorado Department of Transportation

1480 Quail Lake Loop, Suite A
Colorado Springs, CO 80906
Phone: 719-527-5807
Fax: 719-227-3298

Region 2 SES

As Constructed

No Revisions:

Revised:

Void:

Cover Page

Contractor:

Resident Engineer: S. SCHNAKE

Project Engineer:

PROJECT STARTED: / / ACCEPTED: / /

Comments:

Project No./Code

STM 1151-038

22903

Cover Page 1B

EXHIBIT C - Mining Plan
Rule 6.3.3

The purpose of the mining plan is to describe how mining will affect the permit area for the duration of the operation.

- 1) **Estimated dates of commencement:** _____ **and completion:** _____

Note: Reclamation of all affected lands shall be completed within 12 months after issuance of the permit. An Operator possessing a 111(1)(b) Reclamation Permit must convert to the appropriate regular construction materials permit if extraction and export of materials from the site are not completed within 12 months after the issuance of the permit.

- 2) **Depth of topsoil to be salvaged (check one):**

☒ 4-6 inches _____ 6-8 inches
_____ 8-10 inches _____ 10-12 inches
_____ Other: _____
_____ N/A, explain: _____


- 3) **Description of how topsoil will be stockpiled and stabilized:**

- 4) **Thickness of overburden needed to be moved:** _____ feet or ☒ N/A

- 5) **Thickness of deposit to be mined:** _____ feet

- 6) **How will the mine be accessed:** (☒) existing roads (____) new roads will be created

- a. Please describe the existing roads:



- b. If there will be new roads or road improvements, please describe the new roads and road improvements (note, new roads must be included in permitted acreage):

- 7) **Will water be needed during the mining operation (check one):** (____) Yes or (____) No

- a. If yes, please describe the source of the water and how much water will be used during the operation:



() Yes or () No.

[illegible]

Mining: Mining will be conducted at a 4:1 active face and no backfill grading will be required

EXHIBIT D - Reclamation Plan
Rule 6.3.4

The purpose of the Reclamation Plan is to describe the timing, procedures, criteria and materials that will be used to reclaim the affected land to the proposed future land use. This plan must be correlated to Exhibit E - Map.

1) Primary future (Post-mining) land use (check one):

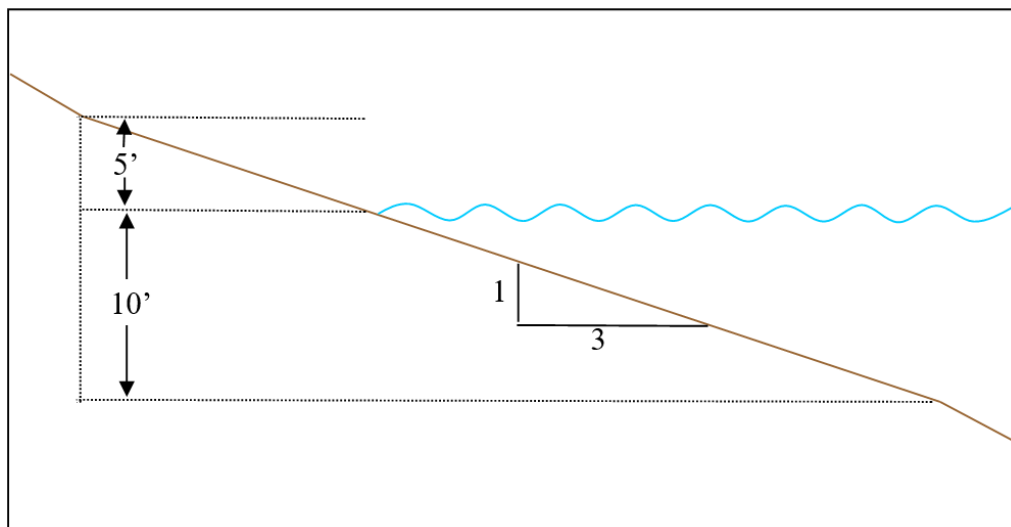
<input type="checkbox"/> Cropland (CR)	<input type="checkbox"/> Pastureland (PL)	<input type="checkbox"/> General Agriculture (GA)
<input type="checkbox"/> Rangeland (RL)	<input type="checkbox"/> Forestry (FR)	<input type="checkbox"/> Wildlife Habitat (WL) **
<input type="checkbox"/> Residential (RS)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

**Note: The Colorado Parks & Wildlife (CPW) must be consulted where wildlife use is the proposed future land use.

2) Please provide a general description of how the mined area will be reclaimed:

3) Specify which ponds, streams, roads and buildings, if any, will remain after reclamation. These features must be shown on the Exhibit E- Map:

Note: if ponds are a part of the Reclamation Plan, slopes from 5 vertical feet above to 10 vertical feet below the expected average water level cannot be steeper than 3H:1V; remaining slope lengths may not be steeper than 2H:1V (see example sketch below).



[illegible]

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.



Office (303) 688-6611
Fax (303) 688-6685

6374 S. Racine Circle, Centennial, Colorado 80111

www.castlerockconstructionco.com

Noxious Weed Management Plan

Sites: Orton Borrow Pit and Golden Eagle Ranch Batch Plant

Duration of Disturbance: 2 years

Total Area of Disturbance: Approximately 20 Acres

Purpose of Plan: To prevent the spread or development of noxious weeds during mining operations and following the restoration of the site.

Planned Actions:

1. An inspection will be conducted prior to topsoil stripping to verify the absence of noxious weeds. If present the site shall be sprayed for weeds prior to stripping.
2. Following final seeding an inspection will be conducted alongside the required quarterly storm water inspection to check for any noxious weeds, if noxious weeds are present the pit will be sprayed for weeds in the next 30 calendar days.

Prepared By:

Travis Bell
General Superintendent, Castle Rock Construction Company

EXHIBIT E - Maps

Rule 6.3.5

The Operator/Applicant must provide at least two maps which clearly describes the features associated with the Mining Plan and the components of the Reclamation Plan. The Mining Plan Map and the Reclamation Plan Map must satisfy the general map requirements of Rule 6.2.1(2), and illustrate the information specified under Rules 6.3.2(b), 6.3.3, 6.3.4, and 6.3.5. The maps must show the name of the Applicant, signed and dated, an appropriate scale not larger than 1 inch = 50 feet nor smaller than 1 inch = 660 feet, legend, title, and a north arrow. Multiple maps may be used to depict the required information below. It may be helpful to include an aerial photo and label the required information on the aerial photo. The Applicant may choose to use the following two optional templates for the Mining Plan Map and Reclamation Plan Map or attach separate maps.

1) Mining Plan Map Checklist:

- a. ____ Outline and label the permit boundaries;
- b. ____ Label the surface and subsurface owner(s) of the permit area;
- c. ____ Label all surface owners within 200 feet of the permit boundary;
- d. ____ Show all permanent man-made structures within the permit boundary and within two hundred (200) feet of the permit boundary and label the owners of the structures;
- e. ____ Outline and label all major surface features to be used in the project (existing and proposed roads, pit boundary, and topsoil, overburden, and product stockpiles);
- f. ____ Indicate the direction that the construction material extraction will proceed; and
- g. ____ Show the existing topography (contour lines of sufficient detail are required to portray the direction and rate of slope of the affected land).

2) Reclamation Plan Map Checklist:

- a. ____ Show the proposed gradient of all reclaimed slopes (horizontal:vertical) sufficient to describe the post mine topography;
- b. ____ If ponds are a part of the Reclamation Plan, outline the final shore configuration of the ponds and shallow areas if the future land use is for wildlife;
- c. ____ State the average thickness of replaced overburden;
- d. ____ State the average thickness of replaced topsoil;
- e. ____ Depict any features which will remain after mining is completed, if applicable; and
- f. ____ Outline areas where seeding will occur or different seed mixtures will be used.

EXHIBIT H - Municipalities Within a Two Mile Radius
Rule 6.3.8

- 1) Please list all municipalities (mailing address and telephone of the governing body) located within a two mile radius of the mine:**

Municipality: _____

Address: _____

Telephone: _____

Municipality: _____

Address: _____

Telephone: _____

**EXHIBIT I - Proof of Filing with County Clerk
Rule 6.3.9**

- 1) Please provide an affidavit or receipt indicating the date on which the mine application was placed with the local County Clerk and Recorder for public review, pursuant to Subparagraph 1.6.2(1)(c).**

Note: There is a template below for proof of filing with the local County Clerk and Recorder. The Division will accept the completed template OR proof of delivery in the form of a signed certified mail return receipt.

Proof of Filing with County Clerk

I, _____ the County Clerk for _____ County;
have received the application package for a 111(1)(b) Reclamation Permit under provisions of the
Colorado Land Reclamation Act for the Extraction of Construction Materials and have made the
materials available for public review. The proposed mine is known as the (Name of the Mine)
_____, and is located at or near Section _____,
Township _____, Range _____, _____ Principal Meridian.

Signature

Date

**EXHIBIT J - Proof of Mailing of Notices to Board of County
Commissioners and Soil Conservation District
Rule 6.3.10**

- 1) Please provide proof that notices of the permit application were sent to the Board of County Commissioners and, if the mining operation is within the boundaries of a Soil Conservation District, to the Board of Supervisors of the Soil Conservation District, pursuant to Subparagraph 1.6.2(1)(a)(ii).

Note: There are two templates below for the proof of notice for the County Commissioners and Soil Conservation District. The Division will accept copies of the completed templates OR proof of delivery in the form of a signed certified mail return receipts.

Note:

The Orton Pit is out side the limits of any soil conservation district, this was confirmed with the land owner Glenn Orton. Thus no notice to a conservation district was provided.

NOTICE OF FILING APPLICATION
FOR COLORADO MINED LAND RECLAMATION PERMIT
FOR CONSTRUCTION MATERIALS SPECIAL OPERATION 111(1)(b)

NOTICE TO THE BOARD OF COUNTY COMMISSIONERS
_____ COUNTY

_____ (the "Applicant/Operator") has applied for a Construction Materials Special Operation 111(1)(b) Reclamation Permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct mining operations in _____ 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 _____ 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 five (5) working days after the application was filed with the Division.

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 St., Room 215, Denver, Colorado 80203, (303) 866-3567.

NOTE TO APPLICANT/OPERATOR: You **must** attach a copy of the application form (pages 1-5) 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.

Received by: _____

Signature

Date

EXHIBIT L - Permanent Man-Made Structures
Rule 6.3.12

- 1) Where the mining operation will adversely affect the stability of any significant, valuable and permanent man-made structures 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.

The enclosed example Structure Agreement which meets the requirements of the Statute is shown below

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. _____
- 2. _____
- 3. _____
- 4.  _____
- 5. _____

(Please list additional structures on a separate page)



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Orton Pit Engineering Analysis **of Lumen Telephone Line Crossing**

General Project Information:

Castle Rock Construction Company is pursuing a borrow pit on the southern edge of El Paso County, located at mile post 27.7 on State Highway 115, to provide earthen fill for CDOT Project 22903 on SH115. The proposed pit would expand a historic pit from the original construction of SH115 and only be permitted/used for this one Project (less than 2 years). Access for this operation will be through an existing field access driveway. Near the right of way fence line for State Highway 115 there is an underground copper telephone line owned by Lumen which crosses the existing drive access.

Basis of Analysis:

Soil borings were conducted 200 feet away within the limits of the Proposed Orton Pit, the results of the soil testing from those boring conducted by Ground Engineering concluded that the soils were all A-2-4 or better.

Findings and Conclusions:

Based off the soil data collected the following findings and conclusions can be made:

1. If 2 feet of cover are maintained above the existing copper telephone line owed by Lumen, there will be no risk of damage to the existing Lumen line.
2. CRCC shall verify the existing depth of the Lumen line which was assumed to be a standard 30 inch bury depth to confirm that there is a minimum of 2 feet of cover above the line.
3. Under no circumstance shall CRCC cut below existing grade above this line, fill may be placed as part of the roadway improvements.
4. CRCC shall maintain a minimum of 2 feet of cover over the existing Lumen line, if there is less than 2 feet of cover existing, fill shall be placed prior to any haul operations out of the Orton Pit.

In all there will be no impact to the existing Lumen line from operations at the proposed Orton pit if 2 feet of cover is maintained above the existing line. CRCC shall maintain 2 feet of cover above the line until operations in this proposed pit are complete.

Prepared By:

Travis Bell, EI
General Superintendent, Castle Rock Construction Company

Supervised By:



Bart Dela Cruz, PE
Project Sponsor, Castle Rock Construction Company