



STATE OF COLORADO 999 RICHARD L. LEE, Governor  
DEPARTMENT OF NATURAL RESOURCES  
D. Monte Pascoe, Executive Director

RECEIVED

**MINED LAND RECLAMATION**

AUG - 6 1981

423 Centennial Building, 1313 Sherman Street  
Denver, Colorado 80203 Tel. (303) 839-3567

MINED LAND RECLAMATION  
Colo. Dept. of Natural Resources

**David C. Shelton**  
Director

MINING PERMIT - MINERALS OTHER THAN COAL

Permit date July 23rd, 1981  
(Anniversary date for Annual  
Report and Fee purposes)

Permit No. 81-121

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

RECITALS

A. EARL L. HALE ("operator") desires  
to conduct a mining operation known as Hale Pit  
for the purpose of extracting sand & gravel.

B. On June 25th, 1981, the Mined Land Reclamation  
Board ("the board") approved operator's application for this  
permit, fixed the amount of bond and directed that this permit  
be issued upon the filing with the Mined Land Reclamation Division  
("the division") of bond in the amount so fixed in form and substance  
approved by the division, and such bond has been so furnished.

C. On June 25th, 1981, the board made the following  
findings:

1. the application for this permit complies with the  
requirements of the Colorado Mined Land Reclamation  
Act, C.R.S. 1973, 34-32-101 et seq. as amended ("the  
Act") 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 oper-  
ator and the persons having an interest in the struc-  
ture that damage to the structure is to be compensated  
for by operator; and
3. the proposed mining and reclamation operations can be  
carried out in conformance with the requirements of  
the Act.

D. Operator has made a showing satisfactory to the board:  
(1) that it will employ, during and after its underground  
mining and surface operations, procedures reasonably designed  
to minimize, as much as practicable, environmental disturb-  
ance from such operation; (2) that it will provide for  
reclamation of the affected lands appropriate to the subse-  
quent beneficial use of such lands; and (3) that, 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 opera-  
tions in accordance with C.R.S. 1973, 34-32-101 et seq.

E. A copy of the operator's application, as amended and supplemented, has been approved by the board and is by this reference incorporated herein.

#### GRANT, CONDITIONS AND AGREEMENTS

The board, in reliance upon the representations and promises made in such application, as amended and supplemented, hereby issues a life of the mine permit to operator, to engage in the operations described in the application on the following lands lying in the County of EL PASO, State of Colorado:

Part of the SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> of Section 24, T. 12S, R. 63W of the 6th P.M.

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

1. Operator agrees to be bound by all lawful requirements of the Act and all lawful rules and regulations of the Mined Land Reclamation Board, as amended from time to time.
2. Operator will file with the division its annual report and fees on each anniversary date of this permit. Other pertinent details as to the contents of such reports will be submitted by the operator if requested by the division.
3. If analyses of the mining and reclamation operation and the data collected through monitoring and experimentation by the operator or monitoring by the division indicate that the operation will not be able to comply with the requirements of the Act and lawful rules and regulations of the board, operator hereby agrees to exercise its best efforts, after consulting with the division, to modify the plans prospectively to correct such deficiencies. Such modifications may require technical revisions or amendments to the permit.
4. This permit may be revoked or suspended for noncompliance with the Act or lawful rules or regulations promulgated by the board.
5. a. Operator hereby bargains, sells and conveys unto the State of Colorado the right to enter upon the lands above described and to accomplish thereon the reclamation of such lands as required by this permit and by applicable law.

- b. Such right to enter shall be exercisable only if the board shall have lawfully determined:
- i. that reclamation required by law to have been performed upon such lands has not been performed and that
  - ii. the surety forfeiture proceedings described in the Act or similar provisions of subsequent laws, if any, have been initiated.
- c. Such right to enter shall be exercisable only within the period of time expiring twenty-one (21) years after the death of all the individuals whose names appear on this permit on the date of its issuance. Such right shall automatically expire when reclamation has been completed and sureties released.
- d. Such right to enter is in addition to other lawful rights of the state to enter upon such lands.
6. the additional stipulations set forth in the attached rider, if any, are incorporated herein by reference.
- /    /     a) Rider is attached.
- / xx /    b) No rider is attached.

ACCEPTED AND AGREED:

MINED LAND RECLAMATION BOARD  
COLORADO DEPARTMENT OF  
NATURAL RESOURCES

By Earl L. Hale  
Operator

David C. Still  
Division Director

Title

STATE OF COLORADO )  
COUNTY OF EL PASO ) ss.

The foregoing instrument was acknowledged before me this  
5TH day of AUGUST, 1981 by EARL L. HALE  
as \_\_\_\_\_  
of \_\_\_\_\_, operator.

John D. Cobb  
Notary Public

My Commission expires:

11-1-83

AG Alpha No. NR LR TYB  
AG File No. CNR/2025/ED