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

LIMITED IMPACT (110) OPERATION

RECLAMATION PERMIT APPLICATION FORM

CHECK ONE: There is a File Number Already Assigned to this Operation		
Permit # N2015 (Please reference the file number currently assigned to this operation)		
	New Application (Rule 1.4.5)	Amendment Application (Rule 1.10)
	Conversion Application (Rule 1.11)	
	Permit # M - 2015 (provide for Amenda	ents and Conversions of existing permits)
The app	e application for a Construction Materials Limited Impact (110) Operation form; (2) Exhibits A-J, Exhibit L, Addendum 1, any sections of I	ion Reclamation Permit contains three major parts: (1) the
the	Office, and outlined in Rules 6.1, 6.2, 6.3, 6.5, and 1.6.2(1)(b); and (3) the	e application fee. When you submit your application, be sure
to i Exh	nclude one (1) <u>complete signed and notarized ORIGINAL</u> and one (1 nibits A-J, Exhibit L, Addendum 1, and appropriate sections of 6.5 (Geo	copy of the completed application form, two (2) copies of
app	lication fee described under (4) below. Exhibits should NOT be bound o	in a 3-ring binder; maps should be folded to 8 1/2" X 11" or 8
1/2	" X 14" size. To expedite processing, please provide the information in	the format and order described in this form.
	GENERAL OPERATION IN	FORMATION
	Type or print clearly, in the space provided, Al	L information described below.
1.	Applicant/operator or company name (name to be used on permi	Ready Mixed Concrete Company
	1.1 Type of organization (corporation, partnership, etc.): Corpo	pration
2.	Operation name (pit, mine or site name): Bromley Lakes, C	ell1
3.	Permitted acreage (new or existing site):	9.708 permitted acres
	3.1 Change in acreage (+)	acres
	3.2 Total Acreage in Permit Area	9.708 acres
4.	Fees:	
	4.1 New Application: Amendment Fee (C.R.S. 34-32.5-125(II)):	\$1258.00 application fee
	Amendment ree (C.R.S. 34-32.3-123(11)):	<u>\$827.00</u> application fee
5.	Primary commoditie(s) to be mined: Sand Gravel	
	5.1 Incidental commoditie(s) to be mined: 1. NA / lbs/Tons/yr	2. / lbs/Tons/yr 3. / lbs/Tons/yr
	4/ <u>lbs/Tons/yr</u>	5/ lbs/Tons/yr
	5.2 Anticipated end use of primary commoditie(s) to be mined:	Construction Aggregate, Ready Mix Concrete
	Anticipated end use of incidental commoditie(s) to be mined:	NA
		·

11. Correspondence Information:

APPLICANT/OPERATOR	(name, address, and phone of name to be used on permit)	
Contact's Name:	Bill Timmons	_ _{Title:} General Manager
Company Name:	Ready Mixed Concrete Company	
Street/P.O. Box:	14585 Brighton Road	P.O. Box:
City:	Brighton	
State:	Colorado	Zip Code: 80641
Telephone Number:	202 660 0620	
Fax Number:	(303-)- 659-7353	
PERMITTING CONTACT	(if different from applicant/operator above)	
Contact's Name:	Same as Above	Title:
Company Name:		
Street/P.O. Box:		_ P.O. Box:
City:		
State:		_ Zip Code:
Telephone Number:	(
Fax Number:	(
INSPECTION CONTACT		
Contact's Name:	Nathan Merkison	Title: Plant Manager
Company Name:	Ready Mixed Concrete Company	
Street/P.O. Box:	Same as above	_ P.O. Box:
City:	·	
State:		_ Zip Code:
Telephone Number:	()-	
Fax Number:	()-	
CC: STATE OR FEDERAL		
Agency:		
Street:		
City:		
State:		Zip Code:
Telephone Number:	()-	
CC: STATE OR FEDERAL	LANDOWNER (if any)	
Agency:		
Street:		
City:		
State:		Zip Code:
Telephone Number:	()	

7.	Name of owner of the subsurface rights of affected land:
8.	Name of owner of the surface of affected land: City of Brighton, Colorado
9.	Type of mining operation: Surface Underground In-situ
10.	<u>Location information</u> : The <u>center</u> of the area where the majority of mining will occur:
	COUNTY: Adams
	PRINCIPAL MERIDIAN (check one): 6th (Colorado) 10th (New Mexico) Ute
	SECTION (write number): S 14
	TOWNSHIP (write number and check direction): T 1.0 North South
	RANGE (write number and check direction): R 67.0 East West
	QUARTER SECTION (check one): V 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): Site is located on the southwest side of the City of Brighton
11.	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)
	Longitude(W) -104 .837,281.00000 (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) NAD83 Zone 13
	Easting
	Northing

12.	Primary futu	re (Post-mining) land use (che	ck one):			
	Cro	pland(CR)	Pastureland(PL)	General Agriculture(GA)		
	Rar	ngeland(RL)	Forestry(FR)	Wildlife Habitat(WL)		
	Res	sidential(RS)	Recreation(RC)	Industrial/Commercial(IC)		
	✓ Dev	veloped Water Resources(WR)		Solid Waste Disposal(WD)		
13.	Primary pres	ent land use (check one):	_	_		
		pland(CR)	Pastureland(PL)	General Agriculture(GA)		
	Ran	ngeland(RL)	Forestry(FR)	Wildlife Habitat(WL)		
		idential(RS)	Recreation(RC)	Industrial/Commercial(IC)		
		veloped Water Resources (WR)		Mining (MN)		
	form. You must submit either a 110d or 112d application form for Designated Mining Operations. In either case, you must lis any acidic or toxic-forming materials, exposed or disturbed as a result of the mining operation, and whether the operation wiresult in or presently has acid mine drainage: NA					
15.	Description of	f Amendment or Conversion:				
	If you are amending or converting an existing operation, provide a brief narrative describing the proposed change(s):					
	ę <u></u>					
Maj	os & Exhibits:					
Subi	nit two (2) cor	nplete, unbound copies of the	e following application exhibit	ts:		
	6.3.1	EXHIBIT A - Legal Desc	rintion and Location Man			
	6.3.2	EXHIBIT B - Site Descrip	•			
	6.3.3 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 L	•			
	6.3.8		ies Within a Two-mile Radius	3		
	6.3.9	EXHIBIT I - Proof of Fili				
	6.3.10		iling Notices of Permit Applic	ation		
	6.3.12	EXHIBIT L - Permanent I				
	0.5.12		viaii-iviauc Siructures			
	1.6.2(1)(b)		Nan-Made Su uctures Requirements (sample enclose	ed)		

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. <u>Please read and initial each requirement</u>, in the space provided, to acknowledge that you understand your obligations. If you do not understand these obligations then please contact this Office for a full explanation.

- 1. Your obligation to reclaim the site is not limited to the amount of the financial warranty. You assume legal liability for all reasonable expenses which the Board or the Office may incur to reclaim the affected lands associated with your mining operation in the event your permit is revoked and financial warranty is forfeited;
- 2. The Board may suspend or revoke this permit, or assess a civil penalty, upon a finding that the permittee violated the terms or conditions of this permit, the Act, the Mineral Rules and Regulations, or that information contained in the application or your permit misrepresent important material facts;
- 3. If your mining and reclamation operations affect areas beyond the boundaries of an approved permit boundary, substantial civil penalties, to you as permittee can result;
- 4. Any modification to the approved mining and reclamation plan from those described in your approved application requires you to submit a permit modification and obtain approval from the Board or Office;
- 5. It is your responsibility to notify the Office of any changes in your address or phone number;
- 6. Upon permit issuance and prior to beginning on-site mining activity, you must post a sign at the entrance of the mine site, which shall be clearly visible from the access road, with the following information (Rule 3.1.12):
 - a. the name of the operator;
 - b. a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and,
 - c. the permit number.
- 7. The boundaries of the permit boundary area must be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries prior to site disturbance;
- 8. It is a provision of this permit that the operations will be conducted in accordance with the terms and conditions listed in your application, as well as with the provisions of the Act and the 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 as specified by Statute, and an annual report which includes a map describing the acreage affected and the acreage reclaimed to date (if there are changes from the previous year), any monitoring required by the Reclamation Plan to be submitted annually on the anniversary date of the permit approval. Annual fees are for the previous year a permit is held. For example, a permit with the anniversary date of July 1, 1995, the annual fee is for the period of July 1, 1994 through June 30, 1995. Failure to submit your annual fee and report by the permit anniversary date may result in a civil penalty, revocation of your permit, and forfeiture of your financial warranty. It is your responsibility, as the permittee, to continue to pay your annual fee to the Office until the Board releases you from your total reclamation responsibility.
- 10. <u>For joint venture/partnership permittee</u>: the signing representative is authorized to sign when document and a power of attorney (provided by the partner(s)) authorizing the signature of the representative is attached to this application.

<u>BT</u> <u>BT</u>

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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 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 34-32.5-110(1)(a)(VIII).
- 2. To the best of my knowledge, all significant, valuable and permanent man-made structure(s) in existence at the time this application is filed, and located within 200 feet of the proposed affected area have been identified in this application (Section 34-32.5-115(4)(e), C.R.S.). (NOTE: For 110 operations, the affected area includes all lands delineated by the permit boundary.)
- 3. 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.).
- 4. As the applicant/operator, I do not have any mining/exploration operations in the State of Colorado currently in violation of the provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials (Section 34-32.5-120, C.R.S.).
- 5. 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.

This form has been approved by the Mined Land Reclamation Board pursuant to section 34-32.5-110, 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 operalli without a permit pursuant to section 34-32.5-123, C.R.S. 2015 Signed and dated this day of September Bill Timmons If Corporation Attest (Seal) Applicant/Operator Signed: Corporate Secretary or Equivalent-Title: General Manager Town/City/County Clerk State of Colorado) ss. County of Denver The foregoing instrument was acknowledged before me this GINA MARIE GARCIA Notary Public NOTARY PUBLIC - STATE OF COLORADO Notary Identification #20154002664 My Commission expires: My Commission Expires 1/21/2019

SIGNATURES MUST BE IN BLUE INK

The following is an example that you may wish to use for the Notice required for Rule 1.6.2(1)(b).

NOTICE

This site is the location of a proposed mining operation whose address and phone number is (Address and Phone has applied for a Reclamation Permit with the Colora comment on the application may view the application Clerk and Recorder's Office, (Clerk and Recorder's Comments prior to the end of the public comment per 1313 Sherman St., Room 215, Denver, Colorado 8020.	one Number of the Applicant/Ope ado Mined Land Reclamation Bo at the (County Name) Office Address) eriod to the Division of Reclama	rator), pard. Anyone wishing to 2 County, and should send
Certification: I,, hereby the proposed permit area known as the (Name of Oper	certify that I posted a sign containation)	ning the above notice for
(Date Posted)		
SIGNATURE	DATE	NATIONAL AND ASSESSMENT OF THE SECOND OF THE

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NOTICE OF FILING APPLICATION FOR COLORADO MINED LAND RECLAMATION PERMIT

FOR CONSTRUCTION MATERIALS LIMITED IMPACT (110) OPERATION

NOTICE TO THE BOARD OF COUNTY COMMISSIONERS

Adams	COUNTY

Ready Mixed Concrete Company (the "Applicant/Operator") has applied for a Construction Materials Limited Impact (110) Reclamation permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct the extraction of construction materials in Adams 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 Municipal Water Storage 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 ten (10) days after the date of the applicant's newspaper publication.
If you would like to discuss the proposed post-mining land use, or any other issue regarding this application, please contact the Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567.
NOTE TO APPLICANT/OPERATOR: You MUST attach a copy of the application form to this notice. If this is a notice of a change to a previously filed application you must either attach a copy of the changes, or attach a complete and accurate

description of the change.

NOTICE OF FILING APPLICATION FOR COLORADO MINED LAND RECLAMATION PERMIT

FOR CONSTRUCTION MATERIALS LIMITED IMPACT (110) OPERATION

NOTICE TO THE BOARD OF SUPERVISORS OF THE LOCAL CONSERVATION DISTRICT

Platte Valley Conservation DISTRICT

Ready Mixed Concrete Company (the "Applicant/Operator") has applied for a Construction Materials Limited Impact
(110) Reclamation permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct the extraction of construction materials in Adams 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 Municipal Water Storage use. Pursuant to Section 34-32.5-116(4)(m), C.R.S., the Board may confer with the local Conservation Districts before approving of the post-mining land use. Accordingly, the Board would appreciate your comments on the proposed operation. Please note that, in order to preserve your right to a hearing before the Board on this application, you must submit written comments on the application within ten (10) days after the date of the applicant's newspaper publication.
If you would like to discuss the proposed post-mining land use, or any other issue regarding this application, please contact the Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567.

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

description of the change.

An example Public Notice which meets the requirements of the Statutes is shown below. The blanks, which require dates, will need to be filled in according to the following instructions. **PLEASE READ CAREFULLY.**

Publication Instructions:

Date of commencement and date of completion should represent the dates which you feel most accurately describe the life of the operation.

For all Limited Impact (110) types of operations, this notice must be published once within ten (10) days of the date the application is considered submitted to the Division of Reclamation, Mining, and Safety (the "Division"). The final date for receiving comments is ten (10) days after the date of publication or the next regular business day.

All notices must be published in a newspaper of general circulation in the locality of the proposed mining operation and mailed to the landowners as set forth in the Construction Materials Rules and Regulations. Since the date for consideration of your application may change, <u>DO NOT</u> include it in this notice.

**

For a complete discussion of the notice procedures and objections, please refer to C.R.S. 34-32.3-110(7)(c), 114 and 113.

<u>PUBLIC NOTICE</u>
(Operator Name) Ready Mixed Concrete Company, 14585 Brighton Road, Brighton, CO 303-659-0630; (Address and Phone Number), has filed an application for a Construction Materials Limited Impact (110) Reclamation Permit with the Colorado Mined Land Reclamation Board under provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials. The proposed mine is known as the (Name of the Mine) Bromley Lakes, Cell , and is located at or near Section 14, Township 1.0, Range 67.0, 6th P.M. Prime Meridian.
The proposed date of commencement is October 1st . 2015 , and the proposed date of completion is February 1st . 2016 . The proposed future use of the land is (Future Landuse) . Water Storage
Additional information and tentative decision date may be obtained from the Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567, or at the (County Name) Adams County Clerk and Recorder's office; (Clerk and Recorder's Address) 4430 S. Adams County Pkwy. Brighton, CO, or the abovenamed applicant. A complete copy of the application is available at the above-named County Clerk and Recorder's office and at the Division's office.
Comments concerning the application and exhibits must be in writing and must be received by the Division of Reclamation,

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

Mining, and Safety by 4:00 p.m. on (Final Date for Comments) September

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

CERTIFICATION

The Applicant, Reac	dy Mixed Concrete Company	(print applicant/company name),
by Bill Timmons	(print representative's name), as Gene	eral Manager (print
representative's title),	does hereby certify that Texas Tea of Color	ado, LLC (structure owner) shall
be compensated for an	ny damage from the proposed mining operation t	to the above listed structure(s)
located on or within 2	200 feet of the proposed affected area described v	vithin Exhibit A, of the Reclamation
Permit Application for	r Corporation	(operation name),
File Number M- 2015	5	
authority under the C the Colorado Mined I	been approved by the Colorado Mined Land Re Colorado Land Reclamation Act for the Extracti Land Reclamation Act for Hard Rock, Metal, and dification to this form shall result in voiding this NOTARY FOR PERMIT APPLICA	ion of Construction Materials and nd Designated Mining Operations. is form.
ACKNOWLEGED B	Y:	
Applicant	Representative Name	
Date	Title	
STATE OF)) ss.	
The foregoing was ack	knowledged before me this day of of	, 20, by
Natara Dal II	My Commission Expires:	
Notary Public		

NOTARY FOR STRUCTURE OWNER

