

BENNETT SAND AND GRAVEL PIT #2

Application for 5-Year Extension and
Modifications to Existing Conditional
Use Permit

Case # EXG-2005-00006

Adams County, CO

December 1, 2015

Prepared for:

**Bennett Sand and Gravel
c/o David Lincoln
50500 E 72nd Avenue
Bennett, CO 80102-9302
303-644-3030**

Prepared by:

**Molen & Associates, LLC
2090 E 104th Ave, Unit 205
Thornton, CO 80023
303-450-1600**

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AMENDED CONDITIONAL USE REQUEST

This request is to extend the time for a gravel mining operation under a Conditional Use Permit and add the importation of inert fill to supplement the backfilling in the mined areas. The site is located approximately 4 miles northeast of Bennett and $\frac{3}{4}$ miles east of State Highway 79 (SH-79) and $\frac{1}{2}$ mile south of 72nd Avenue (County Road 72). Access to the site is off of 72nd Avenue approximately $\frac{3}{4}$ miles east of SH-79. The legal description is primarily in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 2, T3S, R63W of the 6th P.M., Adams County, Colorado and is part of Parcel #018150000401. The site is along the west bank of Kiowa Creek and is dry and out of the floodplain with an elevation change of greater than 50 feet in some areas. There is little to no visibility from county roads or most of the immediate adjacent properties.

Mining has been a permitted operation at this site since the original application Case EXG2001-00004 in 2001 and reapproved for an additional 10 years in 2006 under Case EXG2005-00006. The mining permit expires March 13, 2016. This is an application to extend the mining permit for an additional 5 years and supplement it with an inert filling in accordance with Section 2-02-08-07-04 of the Adams County Zoning Regulations. The 47+ acre site is parcel of a larger 385 parcel property owned by David and Joyce Lincoln. Dave Lincoln operates the mining facility and has received many requests for customers to deliver inert fill from their jobs when they pick up mined aggregate. The inert fill is needed on-site to bring grades up to pre-mining elevations.

Previous mining on Pit 1 (11± acres) has been reclaimed and closed as approved by the Division of Reclamation Mining and Safety (DRMS). Current mining operations (Pit #2) are encompass 47+ acres on the western portion of the 385+ acres owned by David and Joyce Lincoln, to the southwest of the original Pit 1 (11± acres). An extension of the Conditional Use Permit for Pit #2 was granted in December 2005. Mining is not complete in Pit #2, and this Conditional Use Permit extension is being applied for in order to further complete the mine. The mined aggregate from Pit #2 is exported for use in utility trenches, foundation backfill, and County and Colorado Department of Transportation (CDOT) projects in the area. This is a dry alluvial mining operation with no exposure of groundwater. The mining operation conforms to all requirements of Section 11.340 of the Zoning Regulations.

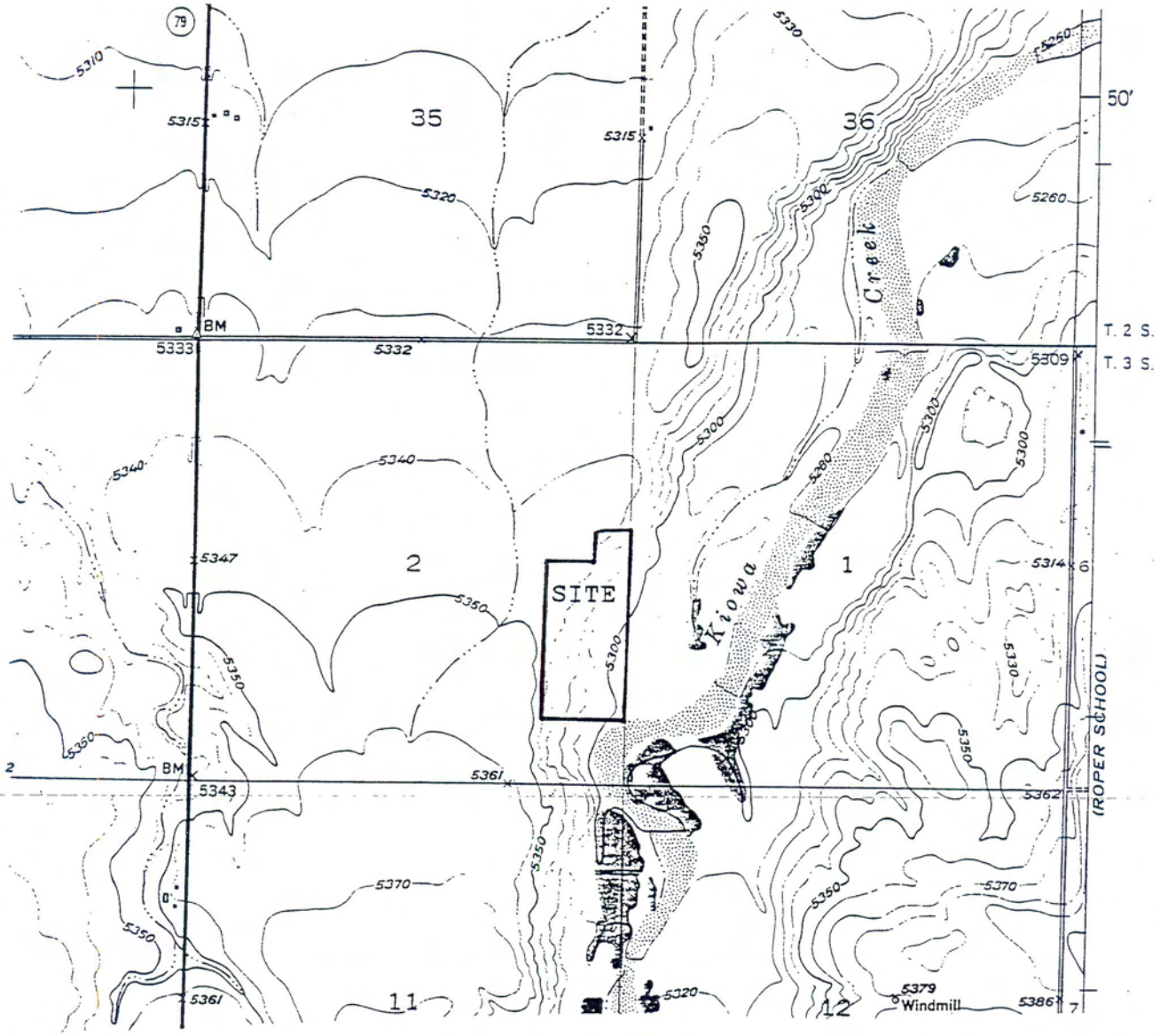
As the site is being mined, it has moved into the Phase 4 area; however, mining is still being conducted in Phases 2 and 3 at lower depths. The lower depths provide different materials. Topsoil is removed and stockpiled when it is disturbed. So far approximately half of the mine has been mined and approximately 27 acres has been disturbed.

As part of this Conditional Use Permit extension application, the applicant is requesting that inert fill be allowed to backfill much of the mined area to reach pre-mining elevations. The inert fill will consist of dirt, soil, rock, concrete, asphalt, and daylighting and directional drilling muds. The most common type of delivery will be a backhaul of the inert fill when picking up mined aggregate. No additional traffic is contemplated with the exception of the small number of daylighting or directional drilling mud deliveries. Backfilling of the dry mine with the inert fill provides a benefit to the contractors and is needed fill in areas that do not have sufficient

overburden to bring the site to the pre-mining grades. The only inert materials that will be received are those that can be received in accordance with Section 2-02-08-07-04 of the Adams County Zoning Regulations for Conditional Use Permits. No solid waste will be accepted.

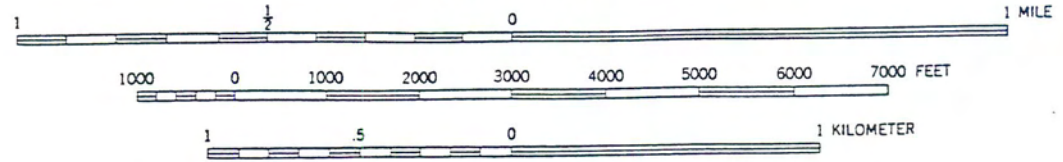
A Technical Revision of the DRMS Permit M-2001-038 for Bennett Sand & Gravel allowing the placement of inert fill was approved by DRMS on October 9, 2015. A Design and Operations Plan (DOP) is submitted with this application to address management of the inert materials received. The DOP includes information about the site, screening for suspected contaminants, load rejection procedures, environmental responsibilities, recordkeeping, and closure and post-closure care. The site has an air permit and a stormwater permit. The site is located outside the MS4 Permit area so an Adams County Stormwater Quality Permit is not required. The drainage is retained on site in the mining pit. All applicable fees to the County and State will be paid. A survey of neighborhood comments or concerns was made by the applicant in January 2015. The request for comments was also sent to Emily Collins with Adams County Planning and Development. No concerns were noted by the neighbors. Traffic from SH79 and 72nd Avenue is estimated to be less than 20 trips per day. The haul roads in Adams County will primarily consist of Interstate 70 and SH79.

EXHIBIT B - INDEX MAP



BENNETT QUADRANGLE
 COLORADO-ADAMS CO.
 7.5 MINUTE SERIES (TOPOGRAPHIC)

SCALE 1:24000



CONTOUR INTERVAL 10 FEET
 DATUM IS MEAN SEA LEVEL

LEGAL DESCRIPTION:

THAT PART OF THE EAST ONE-HALF OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 63 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 2; THENCE N89°33'35"E ALONG THE SOUTH LINE OF SAID SECTION 2, A DISTANCE OF 4,276.78 FEET TO THE TRUE POINT OF BEGINNING; THENCE ALONG THE LINE PROLONGED OF N89°33'35"E ALONG SAID SOUTH LINE, A DISTANCE OF 982.41 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 2; THENCE N00°31'00"E ALONG THE EAST LINE OF SAID SECTION 2, A DISTANCE OF 2,642.78 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 2; THENCE N00°13'07"E ALONG THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 2, A DISTANCE OF 449.18 FEET; THENCE S89°31'50"W PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 2, A DISTANCE OF 495.55 FEET; THENCE S00°02'00"E A DISTANCE OF 449.18 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 2; THENCE S89°31'50"W ALONG SAID NORTH LINE, A DISTANCE OF 514.21 FEET; THENCE S00°02'00"E A DISTANCE OF 2,642.78 FEET TO THE TRUE POINT OF BEGINNING, SUBJECT TO COUNTY ROAD RIGHT-OF-WAY, CONTAINS 65.478 ACRES MORE OR LESS.

LEGAL DESCRIPTION: AREA FOR MINING & RECLAMATION

A PART OF THE EAST ONE-HALF OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 63 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS: BEGINNING AT THE SOUTH ONE-QUARTER OF SAID SECTION 2; THENCE N89°33'35"E ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 2, A DISTANCE OF 1,648.03 FEET; THENCE N89°33'35"E ALONG SAID SOUTH LINE, A DISTANCE OF 982.41 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 2; THENCE N00°31'00"E ALONG THE EAST LINE OF THE SOUTHWEST ONE-QUARTER, A DISTANCE OF 783.58 FEET TO THE TRUE POINT OF BEGINNING; THENCE N00°03'00"E ALONG SAID EAST LINE, A DISTANCE OF 1860.00 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 2; THENCE N00°13'07"E ALONG THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 2, A DISTANCE OF 449.18 FEET; THENCE S89°31'50"W, A DISTANCE OF 495.55 FEET; THENCE S00°02'00"E, A DISTANCE OF 449.18 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 2; THENCE S89°31'50"W ALONG SAID NORTH LINE, A DISTANCE OF 514.21 FEET; THENCE S00°02'00"E, A DISTANCE OF 1860.00 FEET, THENCE N89°31'06"E, A DISTANCE OF 899.93 FEET TO THE TRUE POINT OF BEGINNING, CONTAINS 47.75 ACRES MORE OR LESS

BASIS FOR BEARINGS:

THE SOUTH LINE OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 63 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, IS ASSUMED TO BEAR N89°33'35"E.

NOTICE:

ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

THE LINEAL UNITS USED AND SHOWN HEREON IS U. S. SURVEY FOOT. THE FENCE DIMENSION(S) INDICATE ON WHICH SIDE OF THE LINE THE FENCE IS ON.

THERE MAY BE BURIED UTILITIES ON OR ADJACENT TO THIS SITE NOT SHOWN DUE TO INSUFFICIENT SURFACE EVIDENCE. NO STATEMENT IS MADE CONCERNING SUBSURFACE CONDITIONS, OR THE EXISTENCE OF OVERHEAD OR UNDERGROUND CONTAINERS OR FACILITIES WHICH MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT OF LAND.

THIS TOPOGRAPHIC MAP CAN BE USED IN ITS ELECTRONIC FORM AS THERE ARE ADDITIONAL SPOT ELEVATIONS (AS POINTS) IN THE DRAWING.

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY R.W. BAYER & ASSOCIATES, INC. OF THE PROPERTY SHOWN AND DESCRIBED HEREON TO DETERMINE OWNERSHIP, COMPATIBILITY OF THIS DESCRIPTION WITH THOSE OF ADJACENT TRACTS OF LAND OR RIGHTS-OF-WAY, EASEMENTS OR ENCUMBRANCES OF RECORD AFFECTING THIS TRACT OF LAND.

EXCEPT AS SHOWN OR SPECIFICALLY STATED, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF MAKING THIS SURVEY; COMPATIBILITY OF THIS DESCRIPTION WITH THOSE OF ADJACENT TRACTS OF LAND OR RIGHTS-OF-WAY, BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND USE REGULATIONS, ANY OTHER FACTS.

BENCHMARK: PER EAST ADAMS COUNTY DENIFICATION DATA SHEET FOR: STATION NAME BRYBEC, STATION NUMBER 1009, A 3-1/2" BRASS DISK IN 12" CONCRETE POST STAMPED "HORIZONTAL CONTROL MARK BRYBEC 1965", elevation: 5341.68 NAVD 29 DATUM

TEMPORARY BENCHMARK: THE TOP OF THE 2-1/2" ALUMINUM CAP, P.L.S. 25629, BEING THE EAST ONE-QUARTER OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 63 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO. ELEVATION 5315.38

CERTIFICATE OF SURVEY:

I HEREBY CERTIFY THAT THE MAP SHOWN HEREON WAS MADE BY ME OR UNDER MY DIRECTION AND IS SHOWN TO THE BEST OF MY KNOWLEDGE AND BELIEF.

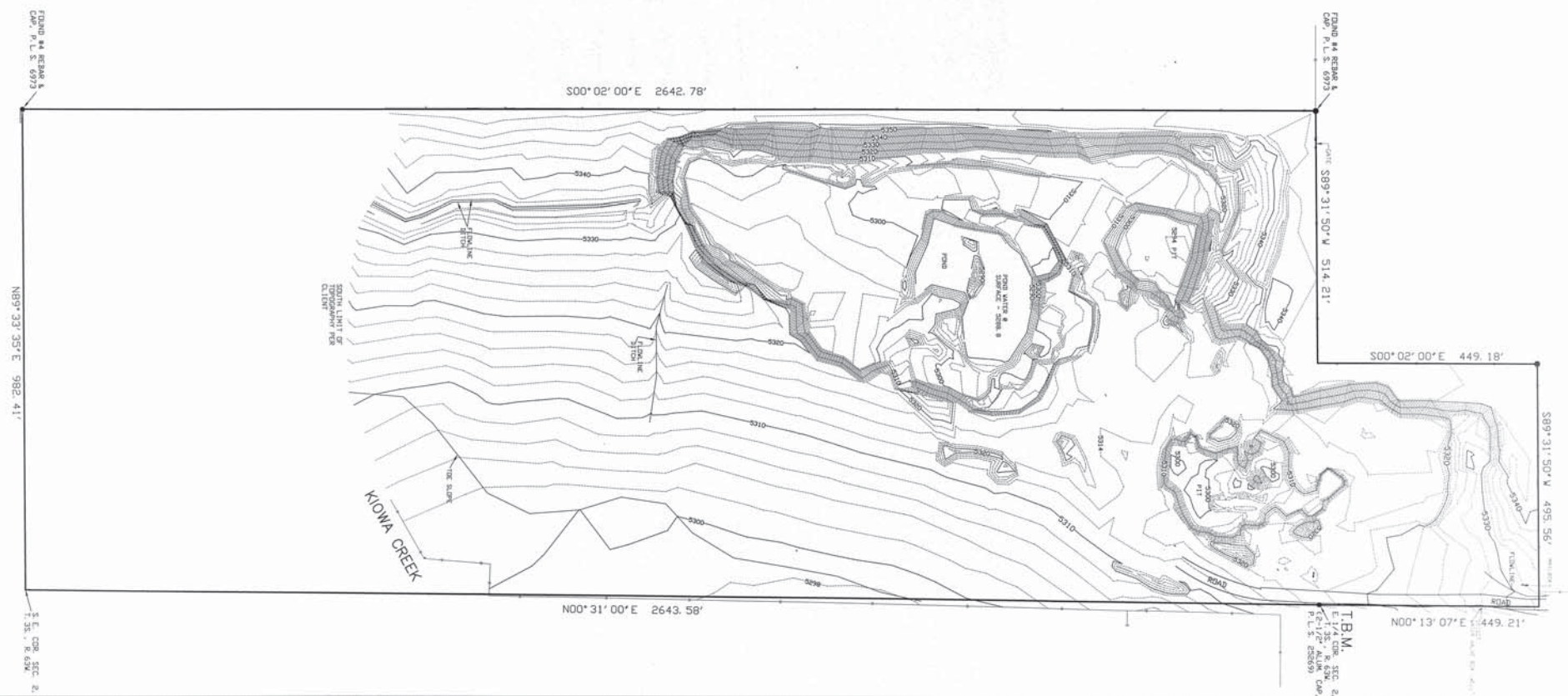
Raymond W. Bayer
RAYMOND W. BAYER
REG. P.L.S.#. NO. 6973
DATE: July 6, 2015



SCALE: 1" = 100'

LEGEND

- DENOTES: EXISTING #4 REBAR AND CAP, BAYER, P.L.S. 6973
- DENOTES: FENCE LINE



R.W. BAYER & ASSOCIATES, INC.
2090 EAST 104TH AVENUE, SUITE 200
THORNTON, COLORADO 80233-4316
(303) 452-4433 FAX: (303) 452-4515

CAD FILE: B15117/B15117.DWG REVISIONS:

TOPOGRAPHIC MAP

PARCEL OF LAND IN THE EAST ONE-HALF OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 63 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.

SCALE: 1" = 100'	DATE: JULY 01, 2015	DRW BY: J.E.B.	CHK BY: R.B.	PROJ. NO.: 2015-117
BOOK: 684	PAGE: 34	FILE NO: 2-35.63-00L	SHEET: 1	OF 1

Attachment 4
Pre-Mining and Mining Plan Map

EXHIBIT C - PRE - MINING & MINING PLAN MAP



LEGEND:

- DENOTES: EXISTING #4 REBAR & CAP, O.A.B.A. L.S. NO. 6973
- DENOTES: EXISTING #4 REBAR & CAP BAYER, L.S. NO. 6973

— DENOTES: FENCE
 OWNER - JAMES HARVEY & MINDY MEDINA
 NOW OWNED BY DAVID AND JOYCE LINCOLN
 North line S.E. 1/4 Sec. 2

Existing Vegetation -
 Non-Irrigated Grasses and Weeds, Such as Cheatgrass & Pepper Weed dominate the site. Only in the southeast corner of the site, are desirable grass stands prevalent.

PLANT SITE AREA 2± ACRES

Soils:
 AcC - Adena - Colby Association, Gently Sloping
 Lw - Loamy Alluvial Land, Moderately Wet.
 ShD - Stoneham Loam, 3 to 9% Slopes.
 Tc - Terrace Escarpments.
 WmB. - Weld Loam, 1 to 3% Slopes.

- 47.75 ACRES - AFFECTED LAND (PERMIT BOUNDARY)
- PHASE LINES
- SOILS
- - - TOPOGRAPHIC

MINING PLAT NOTES:

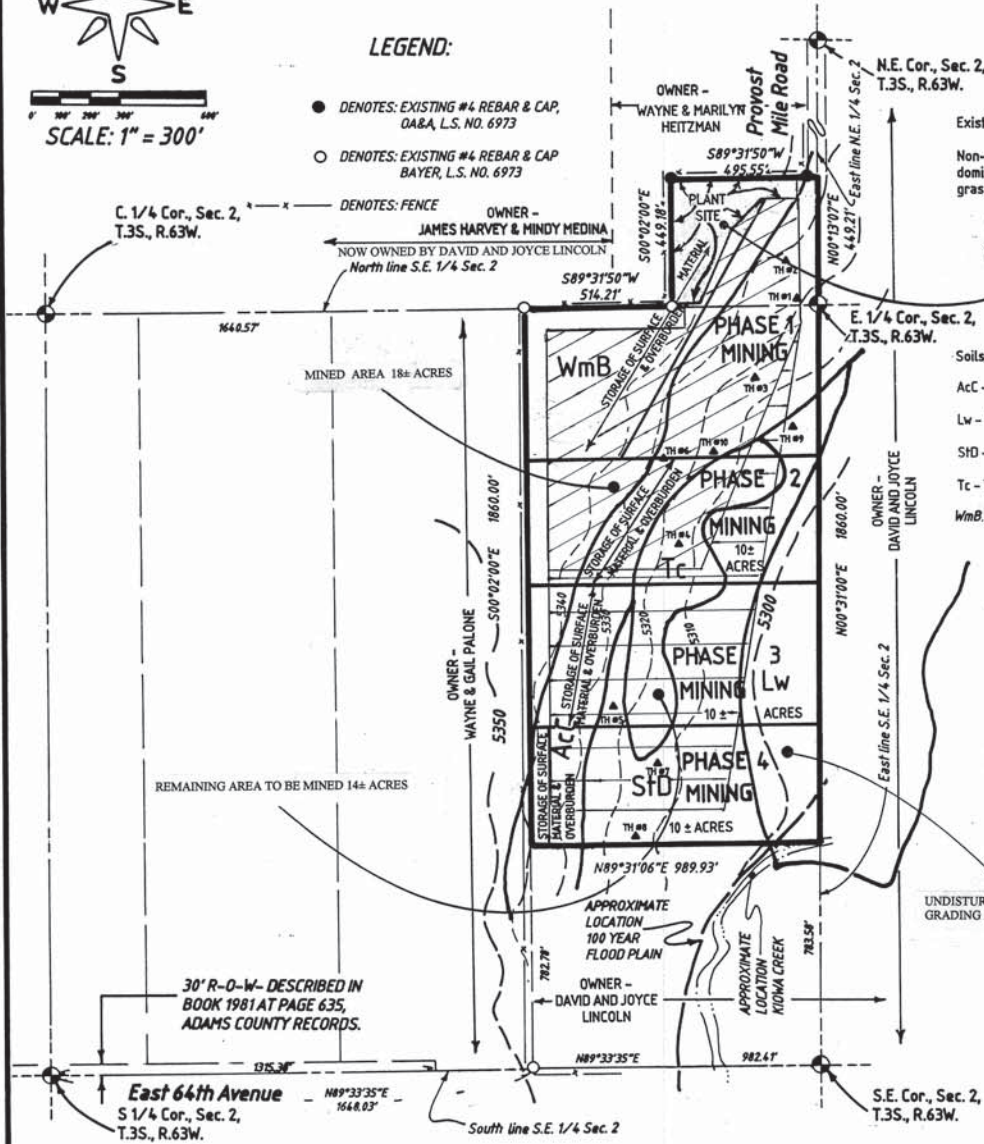
1. OPERATION IS EXPECTED TO BE A "DRY-ALLUVIAL" OPERATION WITH NO EXPOSURE OF GROUND WATER.
2. WHERE AVAILABLE, UP TO 1' ± OF SURFACE MATERIAL WILL BE STRIPPED FOR LATER RECLAMATION. STORAGE OF THIS MATERIAL WILL BE UNDERTAKEN ALONG WESTERN PORTION OF EACH PHASE. 1' TO 5' ± OF OVERBURDEN MAY ALSO BE STORED IN THE SAME AREA FOR USE IN CONSTRUCTION OF FINAL GRADES.
3. THERE ARE NO PERMANENT OR MAN MADE STRUCTURES WITHIN 200' OF THE PERMIT BOUNDARY.
4. DIRECTION OF MINING IS NORTH TO SOUTH.
5. MINING SETBACKS ALONG NORTH AND WEST BOUNDARIES - 25', MINIMUM SETBACKS ALONG SOUTH AND EAST BOUNDARIES - 0'
6. SEE EXHIBIT F - RECLAMATION PLAN MAP FOR THE TYPICAL TEMPORARY EXCAVATION AND FINAL RECLAMATION SLOPES

TEST HOLE DATA LINCOLN PROPERTY- SEC. 2, T3S, R63W ADAMS COUNTY COLORADO

TEST HOLE #	DEPTH	SOILS
TEST HOLE #1	0-12'	SAND, COARSE SAND, SMALL ROCK
TEST HOLE #2	0-7'	SAND, COARSE SAND
TEST HOLE #3	0-14'+	SAND, COARSE SAND
TEST HOLE #4	0-3' 3'-12'	TOP SOIL SAND, COARSE SAND
TEST HOLE #5	0-7 1/2'	SAND, COARSE SAND SMALL ROCK
TEST HOLE #6	0-7'	TOP SOIL
TEST HOLE #7	0-7'	SANDY LOAM
TEST HOLE #8	0-8'	CALCAREOUS DEPOSIT LIGHT & DARK BROWN CLAY
TEST HOLE #9	0-5' 5-8' 8-10'	SANDY LOAM LOAM & CLAY CLAY
TEST HOLE #10	0-2' 2-14'+	TOP SOIL SAND, COARSE SAND, ROCK

NOTES:

1. TEST HOLES UNDERTAKEN ON 02/13/01.
2. NONE OF THE TEST HOLES ENCOUNTERED GROUND WATER.
3. PREVIOUS MINING OPERATION TO EAST, GROUND WATER ENCOUNTERED AT 5280'±.



REVISIONS: DEC. 7, 2005 PER ADCO

ADCO CONSULTING, INC.
 2090 EAST 104TH AVENUE, SUITE 305, THORNTON, COLORADO, 80233
 (303) 450-2204

BENNETT SAND & GRAVEL PIT #2
 A PARCEL OF LAND LOCATED IN THE EAST ONE-HALF OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 63 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.

SCALE: 1" = 300'	DATE: March 4, 2001	DRWN. BY: J.B.	CKD. BY: B.F.	PROJ. NO.: 200145
BOOK NO.: 508	PAGE NO.: 73 - 78	FILE NO.: 2 - 35 - 63 - 68L	SHEET 1 OF 1	

Attachment 5
Mining Plan

MINING PLAN

The permit area is 47.75 acres in size and will be excavated to provide sand, gravel and borrow material for the area. The excavation will proceed from north to south in four phases, and be a "dry alluvial" operation. The Plant Site will be located in the northwest corner of the permit area on a $2 \pm$ acre portion of the $17 \pm$ acre Phase 1 mining area. The other three mining phases will be $10 \pm$ acres each.

There is limited surface material that would qualify as topsoil. When the surface layer has some topsoil material in it, the top $1 \pm$ foot this surface material will be stripped from areas proposed for excavation, and stored for later use in later revegetation. For each phase, excavation will proceed from north to south. After stripping and storing $1 \pm$ foot of any usable surface material in each phase area, any unusable overburden material area will also be stripped and stored for later use in building slopes for revegetation. Both surface material and unusable overburden will be stored along the western portion of each phase area, over areas that have insufficient sand and gravel aggregate material to justify excavation. Surface material, overburden, and sand and gravel aggregate material will be excavated using scrapers, backhoes and other equipment. The excavated material may be loaded directly into trucks, stockpiled, and/or transported to the plant area for processing. All slopes will be left in a reasonably smooth condition, and be a minimum of 2 % and a maximum of 3 horizontal to 1 vertical for final reclamation.

Since this is a dry pit operation, there will be no affect or injury to any water rights. Water for washing and dust control will come from the existing Upper Arapahoe well that was permitted for this existing operation (M-83-085), or the operator may also obtain another deep well permit for another well to provide water for these purposes. An Air Emissions Permit for approval of fugitive dust controls, and an NPDES permit for storm water discharge will also be obtained. The haul route for transport of material from the site will utilize the same access that the previous 11+ acre operation utilized under permit M-83-085 utilized - 72nd Avenue to SH79, via an existing private road on other property owned by the applicant to 72nd Avenue. 72nd Avenue is gravel road maintained by Adams County; SH79 is maintained by CDOT and is paved.

This will be a 4 phase mining operation of 1 to 2 years/phase, that is expected to last from 5 to 10 years total and extract $1/2+$ million cubic yards of material. As mining is being completed in the Phase 1 area, mining will be undertaken in Phase 2. Prior to mining being undertaken in Phase 3, reclamation will be completed on $15 \pm$ acres of Phase 1. Prior to mining being undertaken in Phase 4, reclamation will be completed on $9.5 \pm$ acres of Phase 2. As mining is being undertaken in Phase 4, reclamation activities will also be undertaken on $9.5 \pm$ acres of Phase 3. Finally, after mining is completed in Phase 4, reclamation will be completed on $9.5 \pm$ acres of Phase 4 and the $2 \pm$ acre Plant Site area of Phase 1, and revegetation will be repeated on any previously reclaimed areas where revegetation was unsuccessful. Thus, excluding revegetation as needed for areas where the initial revegetation activities are unsuccessful, the maximum disturbed area at any one time will be 30 acres.

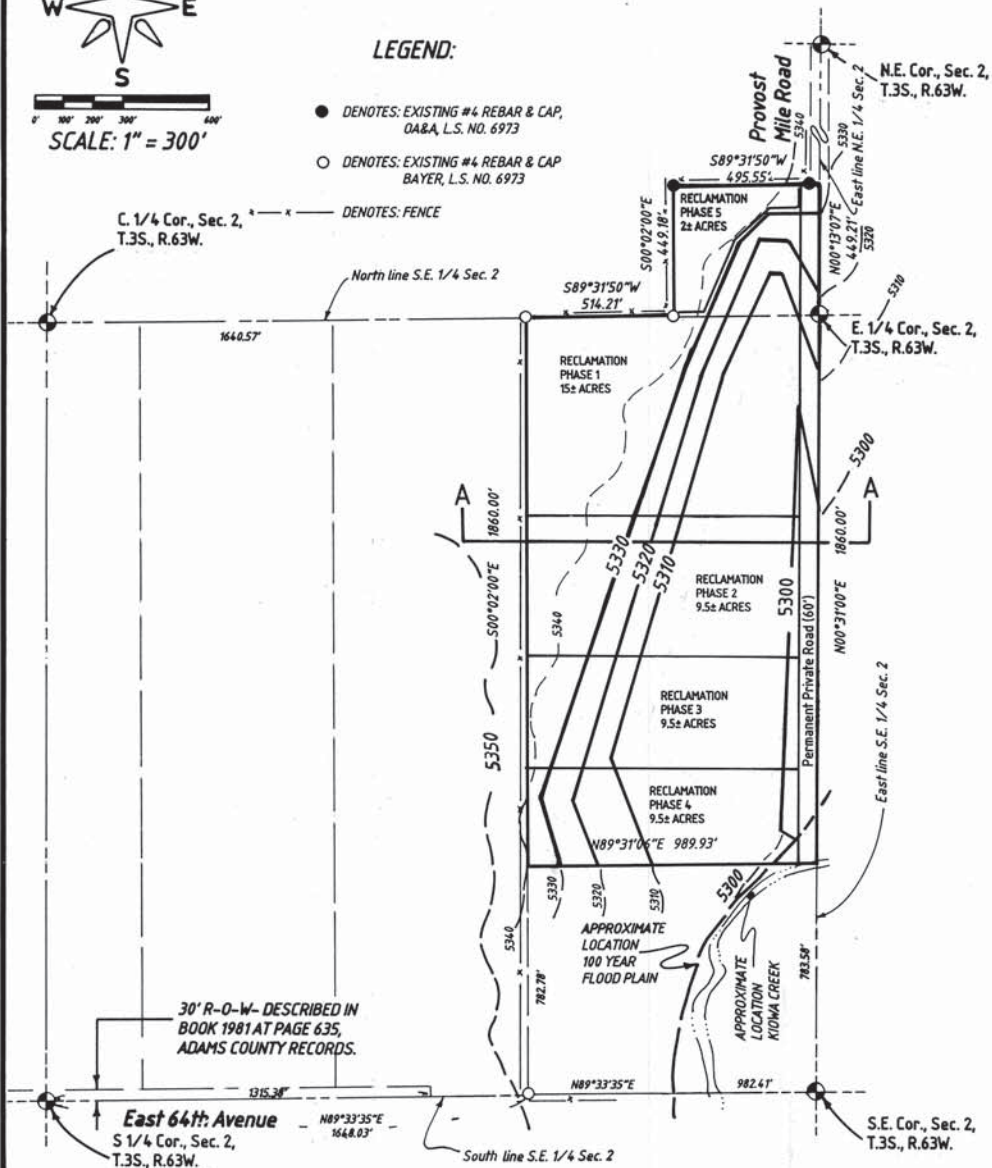
Attachment 6
Reclamation Plan Map

EXHIBIT F - RECLAMATION PLAN MAP



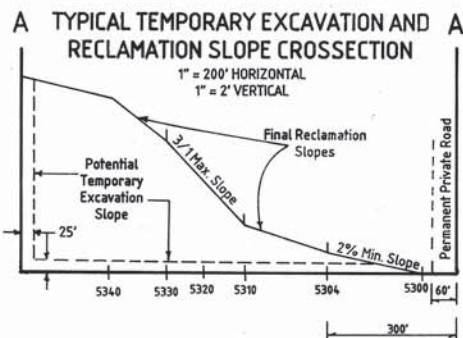
LEGEND:

- DENOTES: EXISTING #4 REBAR & CAP, O&A, L.S. NO. 6973
- DENOTES: EXISTING #4 REBAR & CAP BAYER, L.S. NO. 6973



RECLAMATION PLAN NOTES:

1. AFTER USE WILL BE RANGELAND.
2. MAXIMUM STEEPNESS OF RECLAIMED SLOPES TO BE 3' HORIZONTAL TO 1' VERTICAL.
3. MINIMUM STEEPNESS OF RECLAIMED SLOPES TO BE 2%.
4. MAXIMUM DISTURBED AREA AT ANY ONE TIME TO BE 26.5 ACRES (PHASE 1, 2 & 5)



(1) VARIETY	(2) SPECIES	(3) PLS/ACRE @ 100%	(4) % OF MIXTURE	(5) PLS RATE PER ACRE	(6) PLANS PLANNED ACRES	(7) TOTAL PLS REQUIRED FOR SEEDING
Eldo	Sand Bluestem	8.0	30	2.40	0.0	0.0
Gosben	Prairie Sandreed	3.5	25	0.88	0.0	0.0
Gronville	Switchgrass	2.5	20	0.50	0.0	0.0
Llano	Yellow Indiangrass	5.5	15	0.83	0.0	0.0
Pastero	Little Bluestem	3.5	10	0.35	0.0	0.0
				100	4.95	0.0

Remarks: Above rates are for drilling only, if broadcasted, double the seeding rates in column 5. If seed mixture is preblended, calibrate the drill based on the dominant grass seed on the mix. Alternative varieties include the following for Western Wheatgrass, Barton: Little Bluestem, Pasture; Sand Bluestem, Woodward; Switchgrass, Nebraska 28; Yellow Indiangrass, Holt; and Sideoats Grama, Butte. Native grass seed species shall not originate more than 150 miles North, 250 miles South, or 200 miles East or West of the field that you are planting. Do not graze until the grass is established. Contact your local NRCS representative for the local NRCS representative for changes to the above mix.

ADCO CONSULTING, INC.
2090 EAST 104TH AVENUE, SUITE 305, THORNTON, COLORADO, 80233
(303) 450-2204

BENNETT SAND & GRAVEL PIT #2
A PARCEL OF LAND LOCATED IN THE EAST ONE-HALF OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 63 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.

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BOOK NO.: 508	PAGE NO.: 73 - 78	FILE NO.: 2 - 35 - 63 - 68L	SHEET 1 OF 1	

Attachment 7
Reclamation Plan

RECLAMATION PLAN

Reclamation will consist of revegetation with non-irrigated grasses of 45+ acres and construction of a permanent private road of 2 + acres. This will involve the following reclamation phases.

Phase 1 – 15 ± acres of the Phase 1 Mining area, excluding the Plant Site area and the permanent future private road area along the east boundary of the permit area.

Phase 2 – 9.5 ± acres of the Phase 2 Mining area, excluding the permanent future private road area along the east boundary of the permit area.

Phase 3 – 9.5 ± acres of the Phase 3 Mining area, excluding the permanent future private road area along the east boundary of the permit area.

Phase 4 – 9.5 ± acres of the Phase 4 Mining area, excluding the permanent future private road area along the east boundary of the permit area.

Phase 5 – 2 ± acre Plant Site area, which will be located in the northwest corner of permit area in the Phase 1 Mining area.

Reclamation will be undertaken in the following manner for each phase:

1. Except for the area of the permanent private road areas, utilize any stored overburden material and sand spoils from the plant's operation to level and regrade disturbed areas, including areas where surface material and overburden may have been stored, to minimum 2 % and maximum of 3H (horizontal) to 1V (vertical) slopes.
2. Rip and scarify any compacted areas, except the area of the permanent private road.
3. Re-spread available surface material for revegetation.
4. Revegetate per the accompanying recommendations in Attachment 12.

With Phase 5 revegetation, the operator shall also revegetate all areas of Phases 1 thru 4 where revegetation was not previously successful. The operator shall to revegetate one other time, 1 year after Phase 5 revegetation, any areas where revegetation is still not successful. However, given the sparseness of existing vegetation and the unsuitability of soil conditions for revegetation, proof of this final revegetation activity will be deemed completion of reclamation activities.

Attachment 6 -Reclamation Map shows the reclamation plan graphically.

Attachment 8
DRMS Permit No. M-2001-038
Technical Revision No 1 Approval: Notice of Inert Fill



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

October 9, 2015

Mr. David A. Lincoln
Bennett Sand and Gravel, Inc.
50500 E. 72nd Ave.
Bennett, CO 80102

**Re: Bennett Sand & Gravel Pit #2, DRMS Permit No. M-2001-038,
Technical Revision, Revision No. 1 (TR-01),
Approval**

Dear Mr. Lincoln:

On October 9, 2015 the Division of Reclamation, Mining and Safety (Division) approved the Technical Revision application No.1 (TR-01) submitted to the Division on September 25, 2015, addressing the following:

Notice of Inert Fill

The terms of the TR-01 approved by the Division are hereby incorporated into Permit No. M-2001-038. All other conditions and requirements of Permit No. M-2001-038 remain in full force and effect.

The estimated liability amount of \$70,000.00 does not exceeds the \$70,000.00 performance bond currently held.

If you need additional information please contact me at the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203, by telephone at 303-866-3567, extension 8131, or by email at Tyler.ODonnell@state.co.us.

Sincerely,

Tyler O'Donnell
Environmental Protection Specialist

cc: Wally Erickson, DRMS



Attachment 9
Design and Operations Plan for Inert Fill

**DESIGN AND OPERATIONS PLAN
INERT FILL
FOR
BENNETT SAND & GRAVEL**

**BENNETT SAND & GRAVEL PIT #2
FOR ADAMS COUNTY REVIEW OF ACCEPTANCE PLAN
NOVEMBER 23, 2015**

Prepared for:

**David Lincoln
50500 E 72nd Avenue
Bennett, CO 80102**

Prepared by:

**Molen & Associates, LLC
2090 E 104th Ave #205
Thornton, CO 80233**

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1 INTRODUCTION

Bennett Sand & Gravel, Inc. (BSG) is planning to fill approximately 47 acres of property with imported non-contaminated inert fill. The name of the Inert Fill “Site” is the Bennett Sand & Gravel Pit #2, and it is located at 50500 72nd Avenue, Bennett, Colorado. The Site is owned by David and Joyce Lincoln. The Site is currently an aggregate mine and is operated by BSG under an 112c mining reclamation permit (M-2001-038), approved (08/06/2001) by the Colorado Division of Reclamation, Mining, and Safety (DRMS). The Site also operates under an Adams County Conditional Use Permit (CASE #EXG2005-00006) for sand and gravel mining in the A-3 Zone District.

Mining excavations at the Site are currently being backfilled with spoils from the mining and aggregate processing operations. However, a material deficit exists at the Site, without import of fill material, to allow for reclamation at grades consistent with surrounding properties. Following mining operations at the Site, filling of the Site by incorporating inert fill, will provide approximately 47 acres of usable property at an elevation consistent with the surrounding properties.

BSG has a history of aggregate mining and has the ability to accept and place imported fill material in a safe and appropriate manner. The Colorado Division of Minerals and Geology (now known as DRMS – Division of Reclamation, Mining and Safety), sent a letter to BGE dated March 20, 2004, commending them on BGS previous operations (Pit #1). The letter from Environmental Protection Specialist, James Dillie, gives notice that the State releases “in their entirety” the reclamation bond for the previous Pit #1 BSG site. The following is quoted from the release document, “The Mined Land Reclamation Board and the Division staff wish to commend Bennett Sand and Gravel, Inc. for your reclamation efforts and the resulting success.” The letter demonstrates the Lincoln’s commitment to compliance and to providing a useful service to the local community.

Current mining operations at the Site include the necessary equipment for placing imported fill, and BSG has the financial resources required to complete the project successfully. The mining pit is a dry pit, no groundwater will be exposed. Site filling with imported inert fill is expected to start soon after approval of Adams County, and other necessary approvals or permits.

A Conceptual Review Meeting with Adams County was held to determine any potential County concerns with filling the Site. This Design and Operations Plan (DOP) is being submitted to satisfy Adams County’s and the CDPHE Hazardous Materials and Waste Management Division (CDPHE) requirements for inert fill approval. Other County and State approval requirements have also been initiated, and are being submitted to the appropriate agencies for approvals.

This DOP includes the relevant information in compliance with portions of the Regulations Pertaining to Solid Waste Disposal Sites and Facilities (6 CCR 1007-2) referred to herein as the Solid Waste Regulations (SWR). The following sections of the regulations are addressed in this operations plan:

Bennett Sand & Gravel Pit #2 Inert Fill DOP

- Property legal description and maps
- Surrounding property uses and location restrictions
- Material types and sources
- Placement methods
- Hours of operation
- Duration of activities

Portions of the Property are prepared and ready for filling. Placement of the inert materials in lifts will be completed according to this DOP. The filling operations at the Site will begin as soon as permissible under the conditional use permit and as excavation/mining activities are completed in specific Site areas included in the DOP. BSG will be in control of all the materials imported to the Site.

2 GENERAL INFORMATION

Using inert fill materials to fill the Site will modify the current grading and conditions of the Site to allow for potential future rangeland use on the property. The Site contours are shown on the attached July 1, 2015 Topographic Map. The Topographic Map shows that the Site is currently being mined, with some backfilling being completed. Using on-site materials derived during mining operations and imported inert fill materials, the Site will be returned to grades generally consistent with pre-development grades. The final grades will allow future use of the Site for rangeland use.

The benefits for the inert fill materials are:

- Creating usable property for rangeland use.
- Increasing the visual attractiveness of the Site and surrounding area.
- Providing private entities with inert fill alternatives.
- Revenue to Adams County, and the State in disposal fees and future taxes from potential commercial establishments that could be located on the Site after filling.
- Increased employment opportunities created by the development of the inert filling operations.

BSG will comply with all the requirements, and applicable written laws and regulations in the Regulations Pertaining to Solid Waste Sites and Facilities (the “Solid Waste Regulations”). The rules and regulations for the State of Colorado that apply to the inert fill operations as well as local ordinances and regulations will also be followed.

The inert fill Site has convenient access to State Highway 79 and East 72nd Avenue.

2.1 RESPONSIBLE PARTY CONTACTS

RESPONSIBLE PARTIES	
OWNERS: David and Joyce Lincoln	OPERATOR: Bennett Sand and Gravel, Inc.
CONTACT: Mr. David Lincoln Bennett Sand & Gravel 50500 East 72 nd Avenue Bennett, CO 80102 303-644-3030 (office)	CONTACT: Mr. David Lincoln Bennett Sand & Gravel 50500 East 72 nd Avenue Bennett, CO 80102 303-644-3030 (office) 303-902-2396 (cell)

2.2 FACILITY LEGAL DESCRIPTION

The Property address is 50500 E. 72nd Avenue, Bennett, CO 80102 in Adams County, Colorado. The Site is part of a 66.41 acre parcel number 0181500000401, with “Producing Mine” listed as the land type in Adams County Assessor’s office records. The property owners of record are David and Joyce Lincoln. The legal description for the Site is listed in the DRMS permit (M-2001-038) and is reproduced as follows:

A PART OF THE EAST ONE-HALF OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 63 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS:

BEGINNING AT THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 2; THENCE N89°33’35”E ALONG THE SOUTHLINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 2, A DISTANCE OF 1648.03 FEET; THENCE N89°33’35”E ALONG SAID SOUTH LINE, A DISTANCE OF 982.41 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 2; THENCE N00°31’00” ALONG THE EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 2, A DISTANCE OF 783.58 FEET TO THE TRUE POINT OF BEGINNING; THENCE N00°31’00”E ALONG SAID EAST LINE, A DISTANCE OF 1860.00 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 2; THENCE N00°13’07”E ALONG THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 2, A DISTANCE OF 449.21 FEET; THENCE S89°31’50”W, A DISTANCE OF 495.55 FEET; THENCE S00°02’00”E, A DISTANCE OF 449.18 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 2; THENCE S89°31’50”W ALONG SAID NORTH LINE, A DISTANCE OF 514.21 FEET; THENCE S00°02’00”E, A DISTANCE OF 1860.00 FEET; THENCE N89°31’06”E, A DISTANCE OF 989.93 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS 47.75 ACRES MORE OR LESS.

2.3 ADJOINING PROPERTIES

Adjoining properties to the Site are all agricultural property; with one exception, a residential property located to the north. The Adams County parcel numbers of the surrounding properties are listed below.

Name	Direction from Site	Parcel No.	Land Type
Wayne & Gail Palone	West	0181500000318	Agricultural
David & Joyce Lincoln	North	0181502100002	Agricultural
Wayne Heitzman	North	0181500000337	Residential
David & Joyce Lincoln	East	0181500000451	Agricultural
David & Joyce Lincoln	East	0181500000399	Agricultural
Maloney Patrick Martin Living Trust	South	0181500000181	Agricultural

It should be understood that the adjoining property owners are not adverse to proposed Site activities. The adjoining properties will not be adversely impacted by the inert fill other than the vehicle and truck traffic along the access roads.

2.4 VICINITY PROPERTIES

Other properties that are in the vicinity of the Site are generally agricultural and/or residential. The applicant has communicated with many of the vicinity property owners about the proposed inert fill Site. Responses from the parties contacted indicate that they are not opposed to the inert filling of the Site.

2.5 SITE ACCESS AND HAULING ROUTE

The entrance to the Property is on the northeastern portion of the Property off of Provost Mile Road, approximately 2375 feet south of East 72nd Avenue. The entrance road is at least 30 feet wide and will be improved with asphalt aggregate, crushed concrete, rock, road base or other suitable products, and will be maintained with this material as needed during the operation of the facility. The entire Site is fenced at the perimeter. The access road has a locked gate prohibiting unauthorized entry to the fill area.

The majority of the hauling will be done on state highways. Trucks will primarily travel from interstate I-70 to County Road 133 through the town of Bennett, then north on State Highway 79 to 72nd Avenue. A minor amount of hauling will travel from 88th Avenue to Hwy 79 then south to 72nd Avenue.

2.6 USE AND ZONING

The Property is currently zoned agricultural A-3, which allows for filling with inert materials. The zoning may be changed in the future after filling, if there is potential for commercial or other development.

2.7 FEES

Applicable fees to CDPHE and Adams County will be paid as required by regulations and/or permit conditions.

3 SITE DESCRIPTION

3.1 PROPERTY DESCRIPTION

The Site is located approximately five miles north and one mile east of the Town of Bennett. The Property elevation is approximately 5300 feet above mean sea level (amsl) and slopes moderately to the east. The southeastern tip of the Property is within the 100-year floodplain of Kiowa Creek, and Kiowa Creek borders the property near its southeast corner.

The Site is currently being mined for aggregate, and therefore northern portions of the Site contain excavation areas related to mining activities as well as an area that has been partially reclaimed.

Site features are shown on the July 1, 2015 Topographic Map.

3.2 SITE LOCATION

The Site is located approximately five miles north and one mile east of the Town of Bennett. The Site's entrance address is listed as 50500 E 72nd Avenue, Bennett, Colorado, and is approximately one mile east and ½ mile south of the intersection of State Highway 79 and East 72nd Avenue, along Provost Mile Road. The Site's fill areas are located immediately south of the Site entrance.

3.3 SURROUNDING PROPERTIES

Property immediately to the east is owned by David and Joyce Lincoln (Site owners) and used for rangeland.

Property immediately to the south is part of the same parcel that includes the Site owned by David and Joyce Lincoln and used for rangeland.

Property immediately to the west is owned by Wayne and Gail Palone and used for agricultural purposes. This property also includes a residential structure.

There are two properties that bound the Site on the north. One of these properties is owned by Wayne and Marilyn Heitzman and is used as agricultural property and a residence. The other property is owned by David and Joyce Lincoln (Site owners) and is used for rangeland.

3.4 LOCATION RESTRICTIONS

3.4.1 Airports

Restrictions for airports are not required for the inert fill operations. Only non-putrescible materials are to be placed on the Site and there are not any concerns with birds, but regardless, the Site is located approximately 6 miles from the Front Range airport, the nearest airport.

3.4.2 Flood Plain

A small portion of the Site (less than one acre) at the southeast tip of the property is within the Kiowa Creek floodplain. Consistent with stipulations of Adams County Conditional Use Permit (CASE #EXG2005-00006) for Site aggregate mining operations, filling with inert material will not take place within 100 feet of the Kiowa Creek floodplain.

3.4.3 Wetlands

There are no wetlands located within Site boundaries.

3.4.4 Seismic Impact Zones

The United States Geologic Survey (USGS) Open-file Report was reviewed to determine if the Site is in a seismic impact zone as defined in the current State and Federal Regulations. The report indicates that the Site is not defined as a seismic impact zone. Placement of inert materials does not require a barrier layer of liner material either (clay or synthetic) and is not subject to seismic impact zone requirement.

3.4.5 Fault Zones

The Site boundary is not located within 200 feet of any fault experiencing displacement in the Holocene time. The nearest reported fault is the Rocky Mountain Arsenal Fault located greater than 20 miles west of the Site. Placement of inert materials does not typically require a barrier layer of liner material, and this Site is not subject to the fault zone requirement.

3.4.6 Unstable Areas

There are no unstable geologic areas on the Site. Man-made features on Site will be maintained to be stable. Permanent constructed slopes will be a no steeper than 3:1.

3.5 SITE TOPOGRAPHY

The Site is located in an area along the Kiowa Creek basin. Prior to aggregate mining at the Site, the Site was characterized by moderately sloping topography, from the west to east towards Kiowa Creek. A recent topographic map shows the current topography and features at the Site.

The final Site grading is planned to generally return the property to topographic conditions consistent with pre-development conditions, as shown on the final reclamation map.

3.6 SURFACE WATER DRAINAGE

All Site operations will be completed below pre-development grades, therefore a drainage study should not be necessary. However, a Site Drainage Study will be submitted to the Adams County Department of Public Works, if required. All the drainage from operations is retained on Site in the lower elevations and the water is collected and used for dust suppression or allowed to evaporate.

3.7 CLIMATOLOGY

Climatology information for the Denver Metropolitan area is most representative of the area the Site is located. The climate is characterized by low relative humidity, light to moderate winds,

mild temperatures and light precipitation. The average annual mean temperature is 50 degrees, the monthly mean temperatures range from 30 degrees in January to 73 degrees Fahrenheit in July. The average annual precipitation is 15 inches. The wettest month is May and the driest month is January. Average annual wind speed of 8-9 miles per hour and monthly averages range from a high in April of 9-10 mph to 7-8 mph in October.

3.8 GEOLOGY AND HYDROGEOLOGY

The Site is located along Kiowa Creek, with the surficial geology characterized by the Quaternary age modern alluvial deposits, associated with the Kiowa Creek drainage, and Piney Creek alluvial deposits. The sand and gravel alluvial deposits are the result of fluvial deposition of materials derived from erosion of the front range of the Rocky Mountains. The surficial alluvial deposits are separated from the underlying Upper Cretaceous or Lower Tertiary age, eastward dipping Denver Formation or Lower Part of the Dawson Arkose bedrock by an angular unconformity. The Denver Formation or Lower Part of the Dawson Arkose consists of arkosic sandstone, shale, mudstone, conglomerate, and local coal beds. The Denver Formation is typically hundreds of feet in thickness and typically does not serve as an aquifer.

The uppermost groundwater bearing zone at the Site occurs under unconfined conditions and generally occurs in the alluvial deposits, perched above the bedrock, with bedrock exhibiting relatively low-permeability. Groundwater occurs at depths of greater than 50 feet below ground surface across the Site. The groundwater gradient is likely to east, trending towards nearby Kiowa Creek.

4 FACILITY DESCRIPTION

4.1 DESIGN CONCEPTS

Portions of the Site have been mined for aggregate, and in its current condition the Site is not conducive to using the land for future development. BSG has been in the aggregate mining and construction business for over 38 years and has the experience to safely and efficiently mine and fill the Site. Existing Site materials and imported inert materials will be used to fill the Site. The fill area has an estimated fill volume of 1.1 million cubic yards and the facility is expected to be in operations for, at least, 23 years. The Site will be reclaimed to elevations that will be usable in the future for rangeland or other uses and will conform to the previously approved reclamation plan. An advantage to this Site is that the much of the currently disturbed portion of the Site land will be reclaimed and the inert fill materials and the inert fill will not use valuable airspace at, a typical municipal solid waste disposal facility.

The Bennett Sand & Gravel Pit #2 Fill Site has the following characteristics:

- No putrescible waste will be placed
- No typical municipal solid waste will be placed
- No methane generation from decaying organic matter
- No construction demolition debris will be placed
- Inert fill materials placement, exclusively
- All filling above the groundwater table

4.2 EXCAVATION PLAN

Excavation/aggregate mining at the Site is currently taking place in a general north to south sequence. Excavating/mining activities are being advanced to approximately 50 feet below ground surface (bgs). This is a dry pit operation and no excavations will be advanced below the water table, which is approximately 60 feet bgs.

Prior to mining related excavating activities, surficial material (approximately 1 foot) and any overburden material, not conducive to use as aggregate, is stripped and stockpiled on-site for future Site reclamation use. Reclamation material stockpiles will be located in areas outside of the excavation areas. These stockpiles may be seeded, as required, to minimize erosion prior to use in Site reclamation.

The excavation set-back related to the Kiowa Creek floodplain (Section 3.4.2) will be maintained, and this set-back area may be used for reclamation materials stockpiles.

4.3 FILL PHASING

The Site is divided into five separate areas (labeled Phases A through E) and will be filled with inert material in four distinct fill phases (see Mining and Reclamation Phase Plan map).

The Phase A area, a 5.11 acres area, has been previously mined and has been partially reclaimed. It provides access for all future phase areas.

The Phase B area, a 6.93 acre area, is the first fill phase area. Based on an estimated annual fill rate of 46,800 cubic yards/year and an estimated 167,706 cubic yards of available fill volume, the Phase B area will be completely filled in approximately 3.5 years. The area will be filled and graded consistent with reclamation plan contours. Both Phase A and Phase B areas will be seeded with native grasses concurrently while moving fill operations to Phase area C.

The Phase C area, a 5.2 acre area, will be the second fill phase area. Based on an estimated annual fill rate of 46,800 cubic yards/year and an estimated 251,680 cubic yards of available fill volume, the Phase C area will be completely filled in approximately 5.5 years. The area will be filled and graded consistent with reclamation plan contours and seeded with native grasses prior to commencement of fill operations in the Phase D area.

The Phase D area, a 13.84 acre area, will be the third fill phase area. Based on an estimated annual fill rate of 46,800 cubic yards/year and an estimated 558,213 cubic yards of available fill volume, the Phase D area will be completely filled in approximately 11.9 years. The area will be filled and graded consistent with reclamation plan contours and seeded with native grasses prior to commencement of fill operations in the Phase E area.

The Phase E area, a 7.17 acre area, will be the fourth and final fill phase area. Based on an estimated annual fill rate of 46,800 cubic yards/year and an estimated 115,676 cubic yards of available fill volume, the Phase E area will be completely filled in approximately 2.5 years. Only the western portion of the depicted Phase E area (Mining and Reclamation Phase Plan map) will be excavated/ filled to maintain the required set-back from Kiowa Creek, located south and east of the area. The disturbed portion of the Phase E area will be filled and graded consistent with reclamation plan contours and seeded with native grasses.

4.4 FINAL GRADES

As indicated in Section 2, Site final grades will be generally consistent with pre-development grades. A final cover thickness of approximately twelve inches (12") will be placed on top of any imported inert fill. Final cover will be derived from stockpiled Site surficial and overburden materials.

The final grades outlined in the DRMS mining reclamation permit #M2001-038 will generally be consistent surrounding property grades. Final grades will allow for Site drainage to flow gently as sheet flow to east, consistent with pre-development drainage.

4.5 SLOPE STABILITY

Permanent slopes at the Site fill areas will be no steeper than 3:1. Temporary excavation slopes and temporary stockpiled material slopes may be steeper, as they are temporary. All slopes will be maintained for Site safety and to minimize material erosion.

4.6 RECLAMATION PLAN

The mining and reclamation of the Site will be completed consistent with DRMS mining reclamation permit #M2001-038. The mining permit and this DOP will allow the reclamation of the Site into usable property, including filling portions of the Site mined areas with inert fill.

The Site reclamation plan calls for phased reclamation, with reclamation phases progressing from north to south. Reclamation phase areas will generally be less than 10 acres, but will not exceed 15 acres.

Reclamation will include the placement and seeding of cover material over fill areas, with the exception of permanent private road areas. Permanent private roads will be maintained to allow Site access.

Additional reclamation plan information is included in the r

4.7 SITE GEOLOGY

Site specific investigation of Site geology can be found in the Mining Plan Map. Site test hole data indicates the presence of surficial alluvial sediments, greater than 14 feet across the Site. Site test holes indicate the alluvial sediments are generally composed of sand with some overlying topsoil and also some interbedded clay material. The site specific investigation provides data consistent with the geologic description presented in Section 3.8.

4.8 NEARBY WELLS

A listing of all the recorded wells within a one-half mile radius of the Site was reviewed. Wells outside of the Site should not be impacted by mining/excavation at the Site, because excavations will not be advanced below the water table.

4.9 SURFACE WATER CONTROL

Operational plans call for no discharge of water derived from aggregate material processing, unless done so under a NPDES permit. During Site operations, all stormwater will be collected on Site and typically used for dust suppression or treated before being released, if the stormwater comes in contact with disturbed areas, as required.

During Site reclamation, final grades will be established to direct drainage to the east, consistent with pre-development drainage.

4.10 LIFE EXPECTANCY

The useable air space for filling of approved inert materials is \pm 1.1 million cubic yards. Based upon an estimated annual volume of 46,800 cubic yards per year, the life of the filling operation is expected to be approximately 23 years but may take up to 30 years for completion depending on local economic conditions. The filling operations will begin within a few months of obtaining all approvals.

5 SITE MANAGEMENT

5.1 HOURS OF OPERATION

The typical hours of operation will be between 6:00 AM and 6:00 PM Monday thru Friday. There may occasionally be time periods when the Site may be open less hours and on weekends.

5.2 OPERATIONS PERSONNEL

The Site will be manned with at least one BSG employee on Site at all times. All deliveries will be inspected by BSG personnel prior to acceptance at the Site.

5.3 SITE ACCESS AND HAUL ROUTE

Primary access to the Site is from the entrance road on Provost Mile Road. The entire Site is fenced, with a locking gate prohibiting unauthorized entry to the fill area when the facility is unattended or is closed.

Traffic to the Site will primarily be from State Highway 79, east on East 72 Avenue one mile, then south approximately ½ mile on Provost Mile Road. The anticipated number of deliveries range from zero to 20 deliveries per day.

5.4 EQUIPMENT

The following equipment is available and will either be kept on the Site or located at an alternative location near the Site.

- Komatsu WA 380
- Komatsu WA 500 Loader
- Cat 235 Excavator
- Cat 936 Loader
- International Tractor and 15-ft Bush Hog
- 3 Pickup trucks
- 500 gallon poly tank

Other equipment may be retained on a contract basis for use in applying water or magnesium chloride, as needed. Existing equipment will be utilized for the proper placement and grading of the inert materials being received. The equipment will also be used to maintain Site grounds and move other material as necessary at the Site.

5.5 TYPES OF ACCEPTABLE MATERIALS

5.5.1 Inert Materials

The types of inert materials received are listed below and only non-contaminated materials are acceptable. A more complete description of the inert materials is listed as follows.

- soil
- earth
- dirt
- gravel
- sand
- rock
- asphalt paving fragments
- concrete and concrete pieces
- day-lighting mud (water and earthen inert material)
- directional drilling mud (water and earth only)
- top soil
- masonry

Any concrete received will be hardened for at least 60 days prior to acceptance, with most all concrete being types that have been in place for many years prior to removal and acceptance at the Site. Only hardened asphalt fragments, typically from portions of asphalt parking lots or street replacement, will be received.

The definition of inert material in Adams County and the Solid Waste Regulations is as follows:

“Inert material” means non-water-soluble and non-putrescible solids together with such minor amounts and types of other materials as will not significantly affect the inert nature of such solids. The term includes, but is not limited to, earth, sand, gravel rock, concrete which has been in a hardened state for at least sixty days, masonry, asphalt paving fragments, and other inert solids.

The only material received at the Site will be inert.

Daylighting mud and directional drilling mud delivered to the Site must originate from locations where the source of the material is native or natural materials and only clean water is used in the process. The daylighting mud and directional drilling mud should be included as “other inert solids” in the definition. Both the daylighting and directional drilling mud allowed at the Site have been moved from the subsurface with high pressure water and a pneumatic air induction vacuum. The vacuum places the mixture of subsurface earthen inert material into a containment vessel. The containment vessel is a mixture of the earthen inert material and water. Drilling mud and directional drilling mud that is a specialty mixture designed for a specific drilling application are not considered inert materials and will not be received at the Site.

5.6 MATERIAL PLACEMENT

As indicated previously (Section 4.3), the Site will be filled in phases, progressing from north to south.

Regular deliveries of imported inert materials will be delivered to the Site and unloaded on level ground near the areas being filled. Imported inert material, will be placed in one lift across the area being filled. Fill material will be placed by pushing material into the excavation from the top of the excavated slope with a front end loader. Compaction will take place during the filling process, as heavy trucks and equipment traverse over the fill.

5.6.1 Daylighting and Directional Drilling Mud Handling

Daylighting and directional drilling mud that is not from the oil and gas industry, and meets the description of inert materials will be placed as follows:

A shallow pit will be excavated in the disposal area for daylighting and directional drilling muds. The muds will be allowed to evaporate and dry out. Once dry, the daylighting and directional drilling muds will be covered or moved to the disposal pit. Only dry materials will be disposed of in the disposal pit.

The daylighting and directional drilling mud will be screened for contaminants using the methods described in Section 6.1.

5.7 DAILY COVER

The inert materials placed at the facility will not require daily cover because they are not putrescible and are essentially the same type of materials used for daily cover at a municipal solid waste landfill.

5.8 LEACHATE MANAGEMENT

The facility will not receive putrescible materials, and leachate is not typically generated from inert filling. Run-off from precipitation events will be captured by temporary berms and containment areas and used for dust suppression or allowed to evaporate.

5.9 NUISANCE CONTROLS

The following controls will be maintained for nuisance conditions at the Site.

5.9.1 Dust Control

Dust will be controlled at the Site by the application of water on the natural roadways and roadways across placed inert materials. The pickup truck with a 250 gallon poly tank will be used and a water truck will be available at the Site, when needed and if required. The poly tank on a pickup truck or a separate water truck will be used on this Site as necessary to water the roads and working areas.

5.9.2 Litter Control

Litter is not expected to be a significant concern due to the types of materials brought on Site. Litter found in the inert materials will be removed and placed into waste containers on Site. If litter from drivers or operators needs to be contained, waste cans (empty clean drum or similar) and/or a dumpster will be placed on Site. Employees will be instructed to place waste into the containers.

A commercial disposal operator will supply the dumpster located on Site for filling with small amounts of debris that is incidental to the inert material delivery. The contents of the dumpster will be removed by a commercial hauler on a regular schedule for disposal at a solid waste disposal facility designed/permitted for waste, other than inert fill.

5.9.3 Fire Safety

The materials imported to the Site will be inert material and will not be combustible. If a fire were to start on Site, on-site soils would be used to smother the fire.

Each piece of equipment on Site will have a fire extinguisher on board to use in the event of equipment or small fire.

5.9.4 Mosquito Control

The activities that will be used for preventing mosquito breeding conditions area as follows:

Measures taken to prevent water accumulation in areas around the site. Water that accumulates in the pit will be managed within 4 to 14 days (the average time for mosquitos to germinate). One of the following methods will be used:

- a) Evaporation
- b) Covering with recently received inert materials or with mining spoils from the pit
- c) Spreading of the water in and around the pit to increase the evaporation rate
- d) Pumping the water and spraying on to dry ground in a fashion that does not create additional puddles

In the event that water becomes infested by mosquitos a chemical spray approved by the Colorado Department of Agriculture, will be used to prevent further germination.

5.10 NOISE

The noise at the Site should be limited to the use of the equipment and trucks on the property. All equipment will be maintained and have appropriate muffling devices. There is little population in the immediate area, and compliance will be maintained with noise standards associated with Adams County zoning.

5.11 OFFSITE TRACKING CONTROLS

Trucks will travel along internal roads from the fill area to the facility entrance. These internal roads should provide adequate tracking control. A vehicle tracking control (VTC) system may be installed at the exit from the facility, if required. The VTC will be maintained to function adequately. The VTC system is typically constructed of recycled concrete (1-6 inches in size), gravel or rock and will be installed and maintained at the exit to minimize tracking of mud or dirt off site.

5.12 RECORDKEEPING

A Site operating plan will be developed and a copy may be kept on Site depending on whether a building is available. The official operations plan will be kept at the BSG office less than one mile away from the Site. The operating plan will include the following:

- The Design and Operations Plan (DOP)
- Incoming inert material volumes
- Inspection records and agency approvals and correspondences
- Notifications, demonstrations, waivers, certifications and other plans required by regulations
- Construction as-built detail as necessary
- Financial assurance documentation

5.13 OTHER PLANS

An air permit has been obtained from CDPHE for the Site. A Use by Special Review permit for the filling operation will be obtained from Adams County prior to commencing fill operations. Because the Site is operated exclusively below grade and drainage plan and/or stormwater discharge permit will not be necessary. A NPDES permit will be obtained, as necessary, for discharge of water from the mine/excavation areas if it is needed.

The Site has a reclamation mining permit from the Colorado Mined Land Reclamation Board (MLRB) and the Colorado Division of Reclamation Mining and Safety (DRMS), permit number M-2001-038. The DRMS permit will remain in effect for the Site until it is filled and reclamation completed. A closure bond in the amount of \$70,000.00 has been posted for closure of the Site.

6 INERT MATERIAL ACCEPTANCE

6.1 SCREENING FOR SUSPECTED CONTAMINANTS

The types of acceptable materials are described in Section 5.5. When the fill materials are considered for acceptance at the Site the methods described in sections 6.1, 6.2 and 6.3 will be followed. In addition to the methods described in 6.1, 6.2 and 6.3, optional screening methods may be used to supplement the information obtained.

It is very important to BSG that only acceptable non-contaminated, inert materials are delivered to the Site, because BSG desires to ensure that the Site remains clean and that there will never be any detectable concentrations of contaminants. BSG has a vested interest in not having any environmental issues of any kind at the Site. The owners' of BSG also own several surrounding properties and have every interest in clean and unadulterated conditions at the Site. With this in mind, BSG will only work with reputable contractors that will follow Site permit rules and guidelines. BSG will work through the contractors to obtain assurances that the inert materials are free of contaminants and are native or natural materials. BSG will exercise every effort to learn as much as reasonably possible about the inert materials received at the Site to determine that those materials are free of contaminants.

All inert materials are delivered by pre-approved contractors that have had a history of working with BSG. At no times are inert materials accepted from private parties. The contractors have contracts that should prohibit or disclose areas of environmental concern at the job site. BSG will demand that the contractor notify them if the inert materials would not be considered native or natural soils. Generators will be responsible to notify the contractor of potentially impacted inert materials. Additional screening methods described in this Section will be used to verify that only clean inert materials are delivered to the BSG site.

6.2 PROACTIVE SCREENING

To carefully evaluate the approval of inert solid fill materials for the Site, a verbal and/or contractual agreement will be made with the contractor, and/or the owner of the materials (generator) prior to removal. The agreement will include an interview with a knowledgeable representative of the generator and/or owner, asking questions to determine the following information:

- What activity is generating the inert materials?
- The location of the inert materials?
- What is the prior and current land use of that location?
- Have contaminants been generated at the source location?
- The approximate quantity of inert materials being generated?

Bennett Sand & Gravel Pit #2 Inert Fill DOP

- Is the generating location a Brownfield site?
- Do the inert materials have unusual odors, color or staining?
- Is the location in an area known to have high naturally occurring concentrations of minerals (i.e. metals or radionuclides)?
- Is there any information available that would indicate the potential for encountering any contamination at the location or in the inert materials?

If a specific site is projected to import over 100 truck-loads of inert materials to the Site from the single location, a BSG representative may visit the project site to verify activities and screen for the potential of unacceptable materials. The generator will be required to adequately explain any abnormalities observed or other concerns during the project site visit or the inert materials will not be accepted at the Site.

BSG is committed to following this DOP and administer the programs listed here. BSG has been working with and is familiar with many of the contractors that will be delivering the inert materials for disposal to the Site. BSG has been in the aggregate mining and construction industry for decades. With this industry experience, BSG is familiar with contractors that have a history of delivering only acceptable materials to inert fill disposal sites. The known contractors that have had problems with delivery of unacceptable materials will be scrutinized more extensively by BSG personnel. The scrutiny will include visiting/inspecting generating locations, regardless of size, and observing/collecting as much reasonably available information as possible prior to allowing delivery of the inert materials. Companies with a history of delivering unacceptable materials will be prohibited from using the BSG Site until they can demonstrate compliance with BSG material rules and pass the Site material screening program on a regular basis.

On large material import projects (20,000 cubic yards or greater), BSG will require two random samples (spatially selected from the inert materials) to be tested for the eight RCRA metals using the Toxicity Characteristic Leaching Procedure (TCLP). The TCLP analysis will be compared to the Regional Screening Levels (RSLs) developed by EPA and utilized by CDPHE for comparisons between “uncontaminated” and contaminated soils. If the TCLP analytical results have concentrations below the RSL levels, delivery of the tested inert materials will be accepted to the Site. In the event that the TCLP analytical results have concentrations above the industrial standards of the RSLs, the tested inert materials will not be accepted at the Site, unless special regulatory approvals are obtained from CDPHE. The special regulatory approvals will be based upon a BSG Site specific fate and transport model and demonstrated to be acceptable through modeling or additional sampling.

In the event that other contaminants are suspected at a large material import project location, at least two random samples (spatially selected from the inert materials) will be tested for other contaminants of concern; most likely to be petroleum hydrocarbons from fuel tanks (benzene, toluene, ethylbenzene, and xylene), chlorinated hydrocarbons from dry cleaning operations (tetrachloroethylene and/or trichloroethylene) or poly aromatic hydrocarbons.

6.3 ON-SITE SCREENING

When solid inert materials are delivered from locations or generators that have not had proactive screening and/or the load is from an unfamiliar customer, the generator will be asked for the appropriate information listed in the proactive screening. The generator will then be required to sign an Authorization Form and Affidavit for Inert Fill (Affidavit) for the inert delivery. The affidavit includes information about the source and the transporter which will allow for the legally responsible party to be determined in the event contamination from the material is detected. The affidavits will be maintained from the date of the delivery until the end of the Site post-closure time period.

Inert materials delivered to the Site will be screened for suspected contamination using the following methods:

6.3.1 Petroleum Hydrocarbon Contamination

A visual and olfactory inspection will be completed, looking for any of the following conditions:

- Soil staining
- Soil discoloration
- Changes in moisture
- Aggregate bedding material from around fuel storage and dispensing operations
- Noticeable odors (gasoline, oil, heavy oils, naphthalene, sulfides)

6.3.2 Other Contaminants

A visual and olfactory inspection will be completed, looking for any of the following conditions:

- Trash or debris indicating possible historic landfilling
- Fine granulated materials possibly indicating coal fly ash
- Syringes, red bags, or other materials indicating infectious waste
- Asbestos pipe, chips or other asbestos containing materials
- Paint chips possibly containing lead based paint
- Ballasts or other items potentially containing PCB's

If sampling of asbestos is required, BSG will work with a Certified Asbestos Building Inspector (CABI) to sample the asbestos.

6.4 SCREENING DAYLIGHTING AND DRILLING MUD

Acceptable inert materials mixed with water as described in Section 5.1.1 will be screened using the following methods.

6.4.1 Mud Proactive Screening

The questions listed in Section 6.2 will be required to be answered by responsible persons (generator) knowledgeable about the origin of the non-solid inert material or mud. In addition to the questions in Section 6.2 the following questions will be asked.

- Were there any noticeable odors during the collection of the mud?
- Was a liquid or sheen of organic material (oil or other material separate from the water) observed during the collection of the mud?
- Was clean water used during the daylighting or directional drilling process?
- Were there any abnormalities in performing the daylighting or directional drilling services that might indicate materials other than subsurface soils and natural materials were present during the process?
- Are you certain that the contents of the truck or containment vessel are only a mixture of inert materials and clean water?

If the answers to the questions above, and/or answers to any of the questions in Section 6.2 indicate that there is some suspicion about the mud, the load will not be accepted.

6.4.2 On-site Screening of Mud

When non-solid inert materials are delivered from contractors and the load is from an unfamiliar customer or questionable location, the generator will be asked for the appropriate information listed in the proactive screening. The generator will then be required to have an affidavit signed for the inert delivery. The affidavit includes information from the generator about the source and the transporter which will allow for the legally responsible party to be determined in the event contamination from the material is detected. The affidavits will be maintained from the date of the delivery until the end of the Site post-closure time period.

Non-solid inert materials delivered to the Site will be screened for suspected contamination using the following methods:

6.4.3 Petroleum Hydrocarbon Contamination

A visual and olfactory inspection will be completed, looking for any of the following conditions:

- Soil and water mixture discoloration
- Observation of oils or other oily material floating on the surface
- Aggregate bedding material from around fuel storage and dispensing operations
- Noticeable odors (gasoline, oil, heavy oils, naphthalene, sulfides)

6.4.4 Other Contaminants

A visual and olfactory inspection will be completed, looking for any of the following conditions:

- Trash or debris indicating possible historic landfilling
- Fine granulated materials possibly indicating coal fly ash
- Syringes, red bags, or other materials indicating infectious waste
- Asbestos pipe, chips or other asbestos containing materials
- Paint chips possibly containing lead based paint

If sampling of asbestos is required, BSG will work with a Certified Asbestos Building Inspector (CABI) to sample the asbestos.

Additional optional methods may be utilized to assure that the mud is free of contaminants. Any mud that is either being or has been unloaded that day and found to have suspicious conditions (odors) or obvious oily or other materials in the mud pit will be removed and transported back to the generator that delivered the suspect material. The contractor or company that delivered the suspicious load of mud will be required to return to the Site and remove the mud. Any contractor or company that has had a recent delivery of mud that was rejected will be placed on probation from delivering mud. Once on probation, contractors or companies that deliver mud will be scrutinized even more closely by BSF personnel, and if they attempt another delivery of suspect material, they will not be allowed to continue to deliver their inert materials to the Site.

6.5 OPTIONAL ANNUAL TESTING

Additional testing may be completed on an annual basis by an independent consulting firm qualified to collect samples for laboratory analysis and provide a summary report of the findings. The testing will be completed in an area of the fill that is selected using planning and methodologies outlined in the updated "Guidance on Choosing a Sampling Design for Environmental Data Collection" published by the U.S. Environmental Protection Agency (EPA). The goal of any additional testing will be to provide reasonable assurance that materials placed at the Site are truly inert and uncontaminated.

7 CLOSURE AND POST CLOSURE PLANS

7.1 NOTIFICATION OF CLOSURE

Adams County and CDPHE will be notified upon completion of the filling activities and the termination of the operations. A sign will be posted at the gate, in accordance with the solid waste regulations, 30 days prior to closure.

7.2 CLOSURE ELEVATIONS

Site closure elevations will be consistent with pre-development grades and are shown on the DRMS Reclamation Plan Map.

7.3 FINAL COVER MATERIALS AND PLACEMENT

The entire Site disturbed area will be covered with a minimum of 12 inches of stockpiled surficial material to provide a seedbed for reclamation. This material will be applied to all disturbed areas, with exception of permanent access roads. Additional information regarding final cover materials and placement is presented in DRMS Reclamation Plan.

7.4 REVEGETATION

The fill areas, as well as other disturbed areas, will be revegetated with non-irrigated grasses. The revegetation will conform to DRMS Reclamation Plan.

7.5 POST-CLOSURE ACTIVITIES

The post-closure activities include maintenance of the surface of the fill area. Areas exhibiting significant erosion will be repaired, as required.

7.6 POST-CLOSURE TIME PERIOD

There is no post-closure time period after the closure. All inert materials received are believed to be only clean, native, natural and non-contaminated.

Attachment 10
Water Information

WATER INFORMATION

This will be dry alluvial mining operation with no exposure of groundwater. Water for dust control, etc., may be obtained from an Upper Arapahoe well that was permitted for the original 11+ acre mining operation. A copy of the well permit for this well is included in this attachment. Mr. Lincoln may also elect to obtain another well permit to drill another non-tributary well to supply water for this operation and eliminate the need to haul water from the other well. If another well permit is obtained and used to supply water for this operation, a copy of the well permit will be submitted to DMRS.

A listing of all recorded wells within a one-half mile radius is also presented. Wells outside of the site boundaries should not be impacted by mining/excavation because excavations will not be advanced below the water table.

818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581

LIC

APPLICANT

WELL PERMIT NUMBER	<u>042163</u>	-	<u>F</u>	-
DIV. 8	CNTY. 1	WD 1	DES. BASIN 2	MD 7

Lot: Block: Filing: Subdiv:

DAVID A & JOYCE E LINCOLN
3240 JASPER ST
AURORA CO 80011

APPROVED WELL LOCATION
ADAMS COUNTY

NE 1/4 NW 1/4 Section 1
Twp 3 S RANGE 63 W 6th P.M.

DISTANCES FROM SECTION LINES


800 Ft. from North Section Line
1340 Ft. from West Section Line

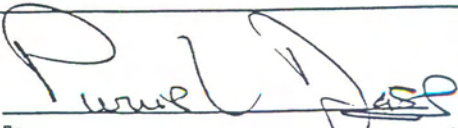
PERMIT TO CONSTRUCT A WELL

CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction and Pump Installation Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 17.
- 3) Approved pursuant to CRS 37-90-107 and the findings of the Ground Water Commission dated January 27th, 1993 and minutes of the March 3, 1992 meeting of the North Kiowa-Bijou Ground Water Management District. This permit is issued as a correction of permit no. 42018-F issued on January 27, 1993 and as such supercedes and expires the same.
- 4) The maximum pumping rate shall not exceed 50 GPM.
- 5) The annual appropriation shall not exceed 72 acre-feet.
- 6) The use of this well is limited to commercial use in a gravel mining operation, commercial use in a hunting dog kennel, domestic use for one residence, livestock use, irrigation of 11.5 acres in the SE1/4 of the NW1/4 and the SW1/4 of Sec. 1, Twp. 3 South, Rng. 63 West, the 6th P.M., and, pending approval of a replacement plan, replacement water for a gravel mining operation and four alluvial ponds.
- 7) At least 4 percent(4%) of the water withdrawn annually from this well shall be returned to the uppermost aquifer.
- 8) The well must be constructed to withdraw water from only the Upper Arapahoe aquifer. The top of the Upper Arapahoe aquifer is located approximately 225 feet below the ground surface. The bottom of the Upper Arapahoe Aquifer is located approximately 420 feet below the ground surface. Plain casing must be installed from the surface to a depth of 1 foot below the top of the Upper Arapahoe Aquifer and sealed to prevent diversion of water from other aquifers and the movement of water between aquifers.
- 9) This well shall be constructed within 200 feet of the location specified on this permit.
- 10) The entire length of the hole shall be geophysically logged according to the attached instructions prior to installing the casing and submitted to the North Kiowa-Bijou Ground Water Management District and the Division of Water Resources.
- 11) A totalizing flow meter must be installed on the well and maintained in good working order. Permanent records of all diversions must be maintained by the well owner (collected at least monthly) and submitted to the North Kiowa-Bijou Ground Water Management District and the Division of Water Resources on an annual basis on or before January 15 of each year.
- 12) The owner shall mark this well in a conspicuous place with the permit number and the name of the aquifer. He shall take necessary means and precautions to preserve these markings.

APPROVED
CML


State Engineer


By

Receipt No. 0341558F

DATE ISSUED MAR 18 1993

EXPIRATION DATE MAR 18 1994



Water Well Report

<http://www.geo-search.net/QuickMap/index.htm?DataID=Standard0000114599>

Click on link above to access the map and satellite view of current property

Target Property:
50500 72nd Ave
50500 E 72nd Ave
Bennett, Adams County, Colorado 80102

Prepared For:

Molenco

Order #: 52480

Job #: 114599

Project #: 15-07132

Date: 07/20/2015

TARGET PROPERTY SUMMARY

50500 72nd Ave
50500 E 72nd Ave
Bennett, Adams County, Colorado 80102

USGS Quadrangle: **Bennett, CO**
Target Property Geometry: **Point**

Target Property Longitude(s)/Latitude(s):
(-104.397068, 39.815261)

County/Parish Covered:
Adams (CO)

Zipcode(s) Covered:
Bennett CO: 80102
Strasburg CO: 80136

State(s) Covered:
CO

***Target property is located in Radon Zone 1.**
Zone 1 areas have a predicted average indoor radon screening level greater than 4 pCi/L
(picocuries per liter).

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DATABASE FINDINGS SUMMARY

DATABASE	ACRONYM	LOCA- TABLE	UNLOCA- TABLE	SEARCH RADIUS (miles)
FEDERAL				
UNITED STATES GEOLOGICAL SURVEY NATIONAL WATER INFORMATION SYSTEM	NWIS	0	0	0.5000
SUB-TOTAL		0	0	
STATE (CO)				
WELLS DATABASE	DWRWELLS	17	0	0.5000
SUB-TOTAL		17	0	

TOTAL

17 0



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LOCATABLE DATABASE FINDINGS

ACRONYM	SEARCH RADIUS (miles)	TP/AP (0 - 0.02)	1/8 Mile (> TP/AP)	1/4 Mile (> 1/8)	1/2 Mile (> 1/4)	1 Mile (> 1/2)	> 1 Mile	Total
<u>FEDERAL</u>								
NWIS	.5000	0	0	0	0	NS	NS	0
SUB-TOTAL		0	0	0	0	0	0	0
<u>STATE (CO)</u>								
DWRWELLS	.5000	0	0	1	16	NS	NS	17
SUB-TOTAL		0	0	1	16	0	0	17

TOTAL	0	0	1	16	0	0	0	17
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NOTES:

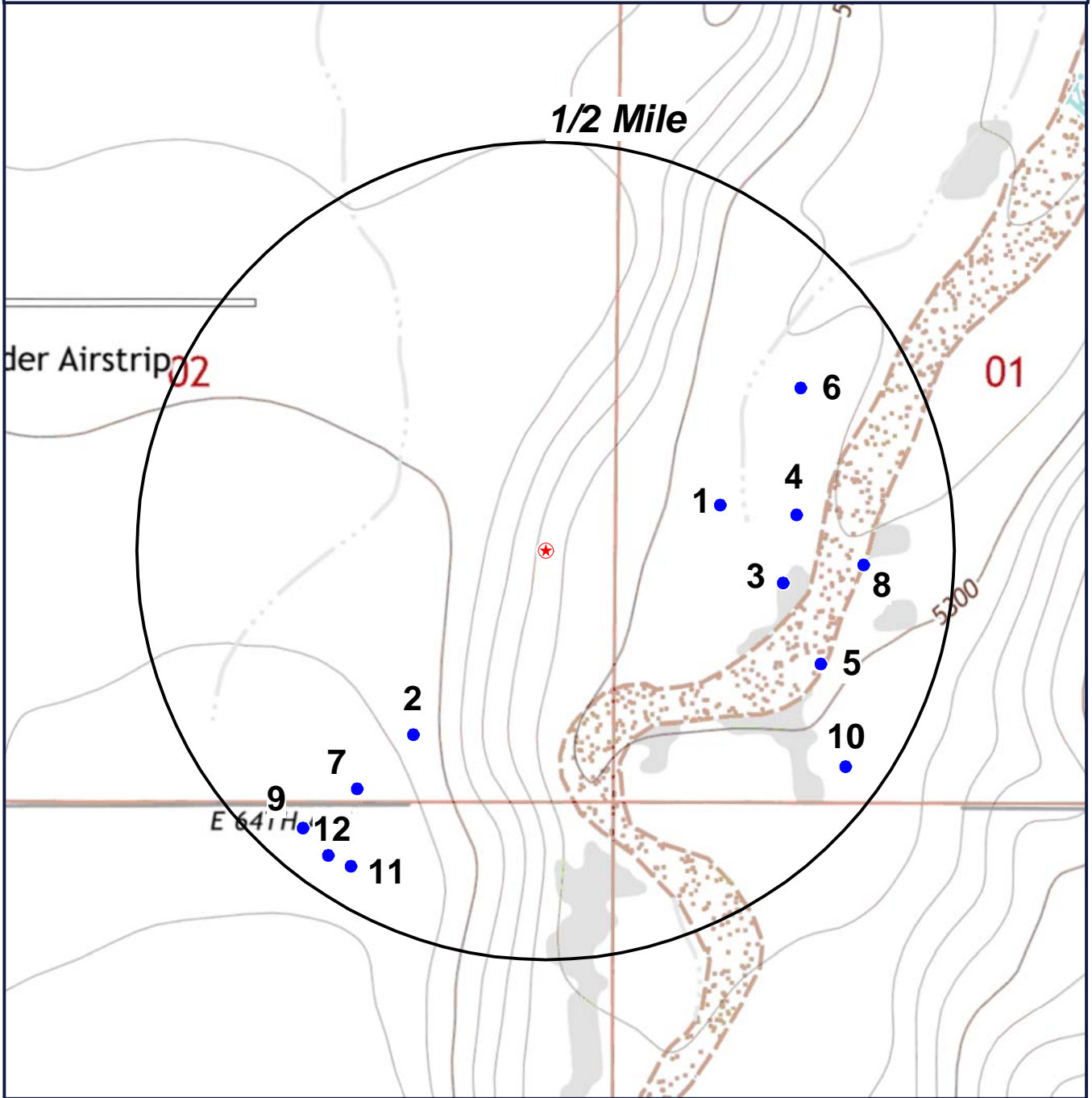
NS = NOT SEARCHED

TP/AP = TARGET PROPERTY/ADJACENT PROPERTY



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WATER WELL MAP



- ★ Target Property (TP)
- DWRWELLS

50500 72nd Ave
50500 E 72nd Ave
Bennett, Colorado
80102

CONTOUR LINES REPRESENTED IN FEET



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REPORT SUMMARY OF LOCATABLE SITES

MAP ID#	DATABASE NAME	SITE ID#	DISTANCE FROM SITE	SITE NAME	ADDRESS	CITY, ZIP CODE	PAGE #
1	DWRWELLS	0262498	0.221 E				1
2	DWRWELLS	0244901	0.277 SW				2
2	DWRWELLS	244901	0.277 SW				3
3	DWRWELLS	0341558C	0.293 E				4
4	DWRWELLS	262498	0.310 E				5
5	DWRWELLS	0341558B	0.364 E				6
6	DWRWELLS	0270016	0.370 NE				7
6	DWRWELLS	270016	0.370 NE				8
7	DWRWELLS	9004908	0.371 SW				9
8	DWRWELLS	0341558D	0.389 E				10
9	DWRWELLS	3656724	0.451 SW				11
9	DWRWELLS	3652930	0.451 SW				12
10	DWRWELLS	0911099	0.452 SE				13
10	DWRWELLS	911099	0.452 SE				14
11	DWRWELLS	0910558	0.453 SW				15
11	DWRWELLS	910558	0.453 SW				16
12	DWRWELLS	9004943	0.458 SW				17



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WELLS DATABASE (DWRWELLS)

MAP ID# 1

Distance from Property: 0.22 mi. E

APPLICANT INFORMATION

RECEIPT #: **0262498**

PERMIT #: **143365**

NAME: **NOT REPORTED**

COUNTY: **ADAMS**

AQUIFER: **ALL UNNAMED AQUIFERS**

BASIN: **KIOWA-BIJOU**

SUBDIVISION: **NOT REPORTED**

LOT: **NOT REPORTED**

BLOCK: **NOT REPORTED**

FILING: **NOT REPORTED**

WELL USE: **STOCK**

WELL DEPTH: **'**

WELL STATUS: **NOT REPORTED**

PERMIT ISSUED: **04/08/1986**

PERMIT EXPIRATION DATE: **NOT REPORTED**

PLUG & ABANDONED DATE: **NOT REPORTED**

WELL CONSTRUCTED DATE: **NOT REPORTED**

PUMP INSTALLED DATE: **NOT REPORTED**

STATIC WATER LEVEL: **NOT REPORTED**

OWNER WELL NAME: **VICKROY ROBERT C.**

ADDRESS: **NOT REPORTED**

AURORA, CO 80013

COMMENTS

NO COMMENTS REPORTED

WELLS DATABASE (DWRWELLS)

MAP ID# 2

Distance from Property: 0.28 mi. SW

APPLICANT INFORMATION

RECEIPT #: 0244901

PERMIT #: 135518

NAME: NOT REPORTED

COUNTY: ADAMS

AQUIFER: ALL UNNAMED AQUIFERS

BASIN: KIOWA-BIJOU

SUBDIVISION: NOT REPORTED

LOT: NOT REPORTED

BLOCK: NOT REPORTED

FILING: NOT REPORTED

WELL USE: DOMESTIC, STOCK

WELL DEPTH: 430 '

WELL STATUS: WELL CONSTRUCTED

PERMIT ISSUED: 05/17/1981

PERMIT EXPIRATION DATE: 05/17/1985

PLUG & ABANDONED DATE: NOT REPORTED

WELL CONSTRUCTED DATE: 07/01/1984

PUMP INSTALLED DATE: 07/13/1984

STATIC WATER LEVEL: 157

OWNER WELL NAME: PALONE WAYNE & GAIL

ADDRESS: 5820 E 120TH AVE

BRIGHTON, CO 80601

COMMENTS

WELL LOC-50050 E 64TH-BENNETT CO-80102



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WELLS DATABASE (DWRWELLS)

MAP ID# 2

Distance from Property: 0.28 mi. SW

APPLICANT INFORMATION

RECEIPT #: 244901

PERMIT #: 135518

NAME: NOT REPORTED

COUNTY: ADAMS

AQUIFER: ALL UNNAMED AQUIFERS

BASIN: KIOWA-BIJOU

SUBDIVISION: NOT REPORTED

LOT: NOT REPORTED

BLOCK: NOT REPORTED

FILING: NOT REPORTED

WELL USE: DOMESTIC,STOCK

WELL DEPTH: 430 '

WELL STATUS: Well Constructed

PERMIT ISSUED: 5/17/1981

PERMIT EXPIRATION DATE: 5/17/1985

PLUG & ABANDONED DATE: NOT REPORTED

WELL CONSTRUCTED DATE: 7/1/1984

PUMP INSTALLED DATE: 7/13/1984

STATIC WATER LEVEL: 157

OWNER WELL NAME: PALONE WAYNE & GAIL

ADDRESS: 5820 E 120TH AVE

BRIGHTON, CO 80601

COMMENTS

WELL LOC-50050 E 64TH-BENNETT CO-80102



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WELLS DATABASE (DWRWELLS)

MAP ID# 3

Distance from Property: 0.29 mi. E

APPLICANT INFORMATION

RECEIPT #: 0341558C

PERMIT #: 44826

NAME: NOT REPORTED

COUNTY: ADAMS

AQUIFER: ALL UNNAMED AQUIFERS

BASIN: KIOWA-BIJOU

SUBDIVISION: NOT REPORTED

LOT: NOT REPORTED

BLOCK: NOT REPORTED

FILING: NOT REPORTED

WELL USE: STOCK,OTHER

WELL DEPTH: '

WELL STATUS: Well Constructed

PERMIT ISSUED: 4/25/1995

PERMIT EXPIRATION DATE: 4/25/1996

PLUG & ABANDONED DATE: NOT REPORTED

WELL CONSTRUCTED DATE: NOT REPORTED

PUMP INSTALLED DATE: NOT REPORTED

STATIC WATER LEVEL: NOT REPORTED

OWNER WELL NAME: LINCOLN DAVID A &

ADDRESS: 50500 E 72ND AVE

BENNETT, CO 80102

COMMENTS

NO COMMENTS REPORTED



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WELLS DATABASE (DWRWELLS)

MAP ID# 4

Distance from Property: 0.31 mi. E

APPLICANT INFORMATION

RECEIPT #: 262498

PERMIT #: 143365

NAME: NOT REPORTED

COUNTY: ADAMS

AQUIFER: ALL UNNAMED AQUIFERS

BASIN: KIOWA-BIJOU

SUBDIVISION: NOT REPORTED

LOT: NOT REPORTED

BLOCK: NOT REPORTED

FILING: NOT REPORTED

WELL USE: STOCK

WELL DEPTH: '

WELL STATUS: NOT REPORTED

PERMIT ISSUED: 4/8/1986

PERMIT EXPIRATION DATE: NOT REPORTED

PLUG & ABANDONED DATE: NOT REPORTED

WELL CONSTRUCTED DATE: NOT REPORTED

PUMP INSTALLED DATE: NOT REPORTED

STATIC WATER LEVEL: NOT REPORTED

OWNER WELL NAME: VICKROY ROBERT C.

ADDRESS: NOT REPORTED

AURORA, CO 80013

COMMENTS

NO COMMENTS REPORTED

WELLS DATABASE (DWRWELLS)

MAP ID# 5

Distance from Property: 0.36 mi. E

APPLICANT INFORMATION

RECEIPT #: 0341558B

PERMIT #: 44825

NAME: NOT REPORTED

COUNTY: ADAMS

AQUIFER: ALL UNNAMED AQUIFERS

BASIN: KIOWA-BIJOU

SUBDIVISION: NOT REPORTED

LOT: NOT REPORTED

BLOCK: NOT REPORTED

FILING: NOT REPORTED

WELL USE: STOCK

WELL DEPTH: '

WELL STATUS: Well Abandoned

PERMIT ISSUED: 4/25/1995

PERMIT EXPIRATION DATE: 4/25/1996

PLUG & ABANDONED DATE: NOT REPORTED

WELL CONSTRUCTED DATE: NOT REPORTED

PUMP INSTALLED DATE: NOT REPORTED

STATIC WATER LEVEL: NOT REPORTED

OWNER WELL NAME: LINCOLN DAVID A &

ADDRESS: 50500 E 72ND AVE

BENNETT, CO 80102

COMMENTS

THIS WAS NEVER CONSTRUCTED, AND WILL NEVER BE CONSTRUCTED. OWNER WILL SUBMIT A REQUEST TO CANCEL. MAP 11/2/06

WELLS DATABASE (DWRWELLS)

MAP ID# 6

Distance from Property: 0.37 mi. NE

APPLICANT INFORMATION

RECEIPT #: 0270016

PERMIT #: 32415

NAME: NOT REPORTED

COUNTY: ADAMS

AQUIFER: UPPER ARAPAHOE

BASIN: KIOWA-BIJOU

SUBDIVISION: NOT REPORTED

LOT: NOT REPORTED

BLOCK: NOT REPORTED

FILING: NOT REPORTED

WELL USE: IRRIGATION

WELL DEPTH: '

WELL STATUS: PERMIT EXPIRED

PERMIT ISSUED: 09/17/1987

PERMIT EXPIRATION DATE: NOT REPORTED

PLUG & ABANDONED DATE: NOT REPORTED

WELL CONSTRUCTED DATE: NOT REPORTED

PUMP INSTALLED DATE: NOT REPORTED

STATIC WATER LEVEL: NOT REPORTED

OWNER WELL NAME: VICKROY ROBERT C

ADDRESS: 3869 S HELENA ST

AURORA, CO 80013

COMMENTS

NO COMMENTS REPORTED

WELLS DATABASE (DWRWELLS)

MAP ID# 6

Distance from Property: 0.37 mi. NE

APPLICANT INFORMATION

RECEIPT #: 270016

PERMIT #: 32415

NAME: NOT REPORTED

COUNTY: ADAMS

AQUIFER: UPPER ARAPAHOE

BASIN: KIOWA-BIJOU

SUBDIVISION: NOT REPORTED

LOT: NOT REPORTED

BLOCK: NOT REPORTED

FILING: NOT REPORTED

WELL USE: IRRIGATION

WELL DEPTH: '

WELL STATUS: Permit Expired

PERMIT ISSUED: 9/17/1987

PERMIT EXPIRATION DATE: NOT REPORTED

PLUG & ABANDONED DATE: NOT REPORTED

WELL CONSTRUCTED DATE: NOT REPORTED

PUMP INSTALLED DATE: NOT REPORTED

STATIC WATER LEVEL: NOT REPORTED

OWNER WELL NAME: VICKROY ROBERT C

ADDRESS: 3869 S HELENA ST

AURORA, CO 80013

COMMENTS

NO COMMENTS REPORTED



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WELLS DATABASE (DWRWELLS)

MAP ID# 7

Distance from Property: 0.37 mi. SW

APPLICANT INFORMATION

RECEIPT #: **9004908**

PERMIT #: **97945**

NAME: **NOT REPORTED**

COUNTY: **ADAMS**

AQUIFER: **ALL UNNAMED AQUIFERS**

BASIN: **KIOWA-BIJOU**

SUBDIVISION: **NOT REPORTED**

LOT: **NOT REPORTED**

BLOCK: **NOT REPORTED**

FILING: **NOT REPORTED**

WELL USE: **OTHER**

WELL DEPTH: **365 '**

WELL STATUS: **Well Constructed**

PERMIT ISSUED: **4/27/1978**

PERMIT EXPIRATION DATE: **4/27/1980**

PLUG & ABANDONED DATE: **NOT REPORTED**

WELL CONSTRUCTED DATE: **8/31/1978**

PUMP INSTALLED DATE: **12/1/1978**

STATIC WATER LEVEL: **115**

OWNER WELL NAME: **ANDERSON ROBERT C.**

ADDRESS: **PO BOX 245**

BENNETT, CO 80102

COMMENTS

NO COMMENTS REPORTED

WELLS DATABASE (DWRWELLS)

MAP ID# 8

Distance from Property: 0.39 mi. E

APPLICANT INFORMATION

RECEIPT #: 0341558D

PERMIT #: 44827

NAME: NOT REPORTED

COUNTY: ADAMS

AQUIFER: ALL UNNAMED AQUIFERS

BASIN: KIOWA-BIJOU

SUBDIVISION: NOT REPORTED

LOT: NOT REPORTED

BLOCK: NOT REPORTED

FILING: NOT REPORTED

WELL USE: STOCK,OTHER

WELL DEPTH: '

WELL STATUS: Well Constructed

PERMIT ISSUED: 4/25/1995

PERMIT EXPIRATION DATE: 4/25/1996

PLUG & ABANDONED DATE: NOT REPORTED

WELL CONSTRUCTED DATE: NOT REPORTED

PUMP INSTALLED DATE: NOT REPORTED

STATIC WATER LEVEL: NOT REPORTED

OWNER WELL NAME: LINCOLN DAVID A &

ADDRESS: 50500 E 72ND AVE

BENNETT, CO 80102

COMMENTS

NO COMMENTS REPORTED



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WELLS DATABASE (DWRWELLS)

MAP ID# 9

Distance from Property: 0.45 mi. SW

APPLICANT INFORMATION

RECEIPT #: 3656724

PERMIT #: 289311

NAME: NOT REPORTED

COUNTY: ADAMS

AQUIFER: DENVER

BASIN: KIOWA-BIJOU

SUBDIVISION: NOT REPORTED

LOT: NOT REPORTED

BLOCK: NOT REPORTED

FILING: NOT REPORTED

WELL USE: COMMERCIAL,DOMESTIC

WELL DEPTH: '

WELL STATUS: Well Constructed

PERMIT ISSUED: 9/6/2012

PERMIT EXPIRATION DATE: NOT REPORTED

PLUG & ABANDONED DATE: NOT REPORTED

WELL CONSTRUCTED DATE: 7/31/1978

PUMP INSTALLED DATE: 7/31/1978

STATIC WATER LEVEL: NOT REPORTED

OWNER WELL NAME: TOCZEK GERALD R &

ADDRESS: PO BOX 160

BENNETT, CO 80102-0160

COMMENTS

NO COMMENTS REPORTED



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WELLS DATABASE (DWRWELLS)

MAP ID# 9

Distance from Property: 0.45 mi. SW

APPLICANT INFORMATION

RECEIPT #: 3652930

PERMIT #: 287363

NAME: NOT REPORTED

COUNTY: ADAMS

AQUIFER: DENVER

BASIN: KIOWA-BIJOU

SUBDIVISION: NOT REPORTED

LOT: NOT REPORTED

BLOCK: NOT REPORTED

FILING: NOT REPORTED

WELL USE: STOCK

WELL DEPTH: 280 '

WELL STATUS: Well Constructed

PERMIT ISSUED: 1/19/2012

PERMIT EXPIRATION DATE: 1/19/2014

PLUG & ABANDONED DATE: NOT REPORTED

WELL CONSTRUCTED DATE: 4/23/2012

PUMP INSTALLED DATE: 4/30/2012

STATIC WATER LEVEL: 120

OWNER WELL NAME: TOCZEK GERALD R &

ADDRESS: PO BOX 160

BENNETT, CO 80102-0160

COMMENTS

NO COMMENTS REPORTED



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WELLS DATABASE (DWRWELLS)

MAP ID# 10

Distance from Property: 0.45 mi. SE

APPLICANT INFORMATION

RECEIPT #: 0911099

PERMIT #: 77885

NAME: NOT REPORTED

COUNTY: ADAMS

AQUIFER: ALL UNNAMED AQUIFERS

BASIN: KIOWA-BIJOU

SUBDIVISION: NOT REPORTED

LOT: NOT REPORTED

BLOCK: NOT REPORTED

FILING: NOT REPORTED

WELL USE: STOCK

WELL DEPTH: '

WELL STATUS: PERMIT EXPIRED

PERMIT ISSUED: NOT REPORTED

PERMIT EXPIRATION DATE: NOT REPORTED

PLUG & ABANDONED DATE: NOT REPORTED

WELL CONSTRUCTED DATE: NOT REPORTED

PUMP INSTALLED DATE: NOT REPORTED

STATIC WATER LEVEL: NOT REPORTED

OWNER WELL NAME: VICKROY ROBERT C.

ADDRESS: 1442 JAMAICA ST.

AURORA, CO 80010

COMMENTS

NO COMMENTS REPORTED

WELLS DATABASE (DWRWELLS)

MAP ID# 10

Distance from Property: 0.45 mi. SE

APPLICANT INFORMATION

RECEIPT #: 911099

PERMIT #: 77885

NAME: NOT REPORTED

COUNTY: ADAMS

AQUIFER: ALL UNNAMED AQUIFERS

BASIN: KIOWA-BIJOU

SUBDIVISION: NOT REPORTED

LOT: NOT REPORTED

BLOCK: NOT REPORTED

FILING: NOT REPORTED

WELL USE: STOCK

WELL DEPTH: '

WELL STATUS: Permit Expired

PERMIT ISSUED: NOT REPORTED

PERMIT EXPIRATION DATE: NOT REPORTED

PLUG & ABANDONED DATE: NOT REPORTED

WELL CONSTRUCTED DATE: NOT REPORTED

PUMP INSTALLED DATE: NOT REPORTED

STATIC WATER LEVEL: NOT REPORTED

OWNER WELL NAME: VICKROY ROBERT C.

ADDRESS: 1442 JAMAICA ST.

AURORA, CO 80010

COMMENTS

NO COMMENTS REPORTED



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WELLS DATABASE (DWRWELLS)

MAP ID# 11

Distance from Property: 0.45 mi. SW

APPLICANT INFORMATION

RECEIPT #: **0910558**

PERMIT #: **75425**

NAME: **NOT REPORTED**

COUNTY: **ADAMS**

AQUIFER: **ALL UNNAMED AQUIFERS**

BASIN: **KIOWA-BIJOU**

SUBDIVISION: **BENNETT**

LOT: **NOT REPORTED**

BLOCK: **NOT REPORTED**

FILING: **NOT REPORTED**

WELL USE: **OTHER**

WELL DEPTH: **'**

WELL STATUS: **PERMIT EXPIRED**

PERMIT ISSUED: **NOT REPORTED**

PERMIT EXPIRATION DATE: **NOT REPORTED**

PLUG & ABANDONED DATE: **NOT REPORTED**

WELL CONSTRUCTED DATE: **NOT REPORTED**

PUMP INSTALLED DATE: **NOT REPORTED**

STATIC WATER LEVEL: **NOT REPORTED**

OWNER WELL NAME: **COPELAND ROBERT**

ADDRESS: **1435 W ARKANSAS**

DENVER, CO 80223

COMMENTS

NO COMMENTS REPORTED



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WELLS DATABASE (DWRWELLS)

MAP ID# 11

Distance from Property: 0.45 mi. SW

APPLICANT INFORMATION

RECEIPT #: 910558

PERMIT #: 75425

NAME: NOT REPORTED

COUNTY: ADAMS

AQUIFER: ALL UNNAMED AQUIFERS

BASIN: KIOWA-BIJOU

SUBDIVISION: BENNETT

LOT: NOT REPORTED

BLOCK: NOT REPORTED

FILING: NOT REPORTED

WELL USE: OTHER

WELL DEPTH: '

WELL STATUS: Permit Expired

PERMIT ISSUED: NOT REPORTED

PERMIT EXPIRATION DATE: NOT REPORTED

PLUG & ABANDONED DATE: NOT REPORTED

WELL CONSTRUCTED DATE: NOT REPORTED

PUMP INSTALLED DATE: NOT REPORTED

STATIC WATER LEVEL: NOT REPORTED

OWNER WELL NAME: COPELAND ROBERT

ADDRESS: 1435 W ARKANSAS

DENVER, CO 80223

COMMENTS

NO COMMENTS REPORTED



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WELLS DATABASE (DWRWELLS)

MAP ID# 12 Distance from Property: 0.46 mi. SW

APPLICANT INFORMATION

RECEIPT #: **9004943**
PERMIT #: **99151**
NAME: **NOT REPORTED**
COUNTY: **ADAMS**
AQUIFER: **ALL UNNAMED AQUIFERS**
BASIN: **KIOWA-BIJOU**
SUBDIVISION: **NOT REPORTED**
LOT: **NOT REPORTED**
BLOCK: **NOT REPORTED**
FILING: **NOT REPORTED**
WELL USE: **DOMESTIC,STOCK**
WELL DEPTH: **280 '**
WELL STATUS: **Permit Canceled**
PERMIT ISSUED: **6/5/1978**
PERMIT EXPIRATION DATE: **6/5/1980**
PLUG & ABANDONED DATE: **NOT REPORTED**
WELL CONSTRUCTED DATE: **7/31/1978**
PUMP INSTALLED DATE: **NOT REPORTED**
STATIC WATER LEVEL: **128**
OWNER WELL NAME: **COPELAND GARY R**
ADDRESS: **R R 1 BOX 112 BB**
BENNETT, CO 80102

COMMENTS

NO COMMENTS REPORTED

ENVIRONMENTAL RECORDS DEFINITIONS - FEDERAL

NWIS

United States Geological Survey National Water Information System

VERSION DATE: 7/2014

This USGS National Water Information System database only includes groundwater wells. The USGS defines this well type as: A hole or shaft constructed in the earth intended to be used to locate, sample, or develop groundwater, oil, gas, or some other subsurface material. The diameter of a well is typically much smaller than the depth. Wells are also used to artificially recharge groundwater or to pressurize oil and gas production zones. Additional information about specific kinds of wells should be recorded under the secondary site types or the Use of Site field. Underground waste-disposal wells should be classified as waste-injection wells.



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ENVIRONMENTAL RECORDS DEFINITIONS - STATE (CO)

DWRWELLS Wells Database

VERSION DATE: 6/2015

The DWR Wells database contains all well permitting data as received by the Colorado Division of Water Resources. The elements included are water well applications, permits issued, and associated data for the well constructed under the permit. The database consists of the dates actions were taken on a well permit as well as some of the physical characteristics of the well, such as depth and yield at the time the well was constructed or the first pump was installed. Currently the entire statewide database includes over 370,000 records.



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Attachment 11
Wildlife Information

**COLORADO DIVISION OF WILDLIFE
MINED LAND WILDLIFE STATEMENT/EVALUATION (Revised)
for limited impact and select regular mine applications**

The following information pertaining to wildlife is provided for use by the Colorado Division of Minerals and Geology in their consideration of a mining permit for:

Bennet Sand and Gravel #2 Se ¼ of Section 2, T3S, R64W of 6th PM in Adams County

Name/Type and location of Mine (Legal)

Wildlife Species list:

Pheasant, grassland birds, antelope

Endangered/critical species impacted:

None

Critical habitats/vegetative communities impacted:

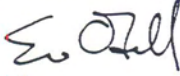
None

Assessment of impact:

Negligible

Mine Reclamation recommendations (include key species/habitats for which restoration is designed).

Reseeding area with native grasses that will not require irrigation is recommended. Species list includes Switchgrass, Tall Western Wheatgrass, Big Blue Stem, white clover, yellow clover – all depending on soil survey conditions



Prepared by: Eric Odell

Date: 3/27/01

Submitted by: Eric Odell

Date: 3/27/01

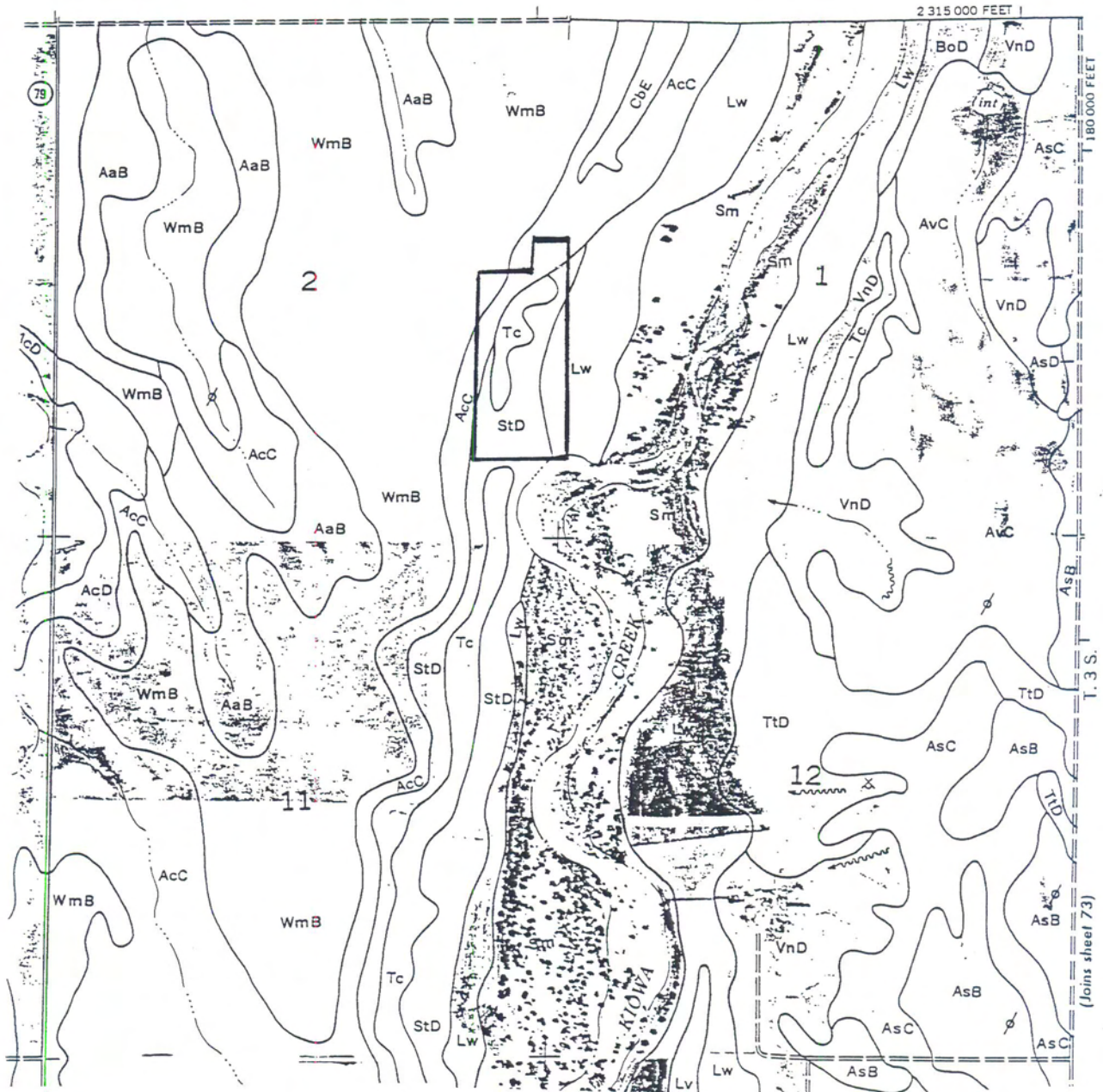
This statement is void if not processed within 1 year.
This analysis does not constitute approval of the application.

Attachment 12
Soils and Vegetation Information

EXHIBIT I/J - SOILS AND VEGETATION INFORMATION

Note: Test hole logs and location are shown on map Exhibit C. The location of the various soils on the site is also copied on this map.

Below is the site outlined on the Sheet Number 72 Map from "Soil Survey of Adams County, Colorado."



From the same Soil Survey, below and on the next several pages are a description of each soil classification on the site.

Adena Series

The Adena series is made up of well-drained, nearly level to gently sloping soils on uplands. These soils formed in wind-deposited loamy materials.

In a representative profile (fig. 7), the surface layer is grayish-brown loam about 4 inches thick. It is noncalcareous. The upper part of the subsoil is dark-brown heavy clay loam about 3 inches thick. It is noncalcareous. The lower part of the subsoil is very pale brown silty clay loam about 11 inches thick. It is highly calcareous and contains much visible lime. The underlying material is highly calcareous, very pale brown silty clay loam and light-gray silt loam that extends to a depth of 60 inches or more.

Adena-Colby association, gently sloping (AcC).—This association consists of intermingled Adena, Colby, and Wiley loams. Adena loam, 3 to 5 percent slopes, is the dominant soil and makes up about 40 percent of the association. It normally has slopes facing east and southeast. Colby loam, 3 to 5 percent slopes, makes up about 30 percent of the association. It is on ridgetops and knolls that are more exposed to the wind. Wiley loam is in slightly more sloping areas facing west to north; it forms about 30 percent of the association.

Included in mapping, where the association is dissected by drainage ways, are small areas of Loamy alluvial land.

Soils of this mapping unit are suitable for dryfarming if they are carefully managed. They are commonly used for rangeland where they are adjacent to steep Colby soils. Capability unit IVe-4, nonirrigated; Loamy Plains range site; tree planting suitability group 1.

Loamy Alluvial Land

Loamy alluvial land is mapped in three units in Adams County—Loamy alluvial land; Loamy alluvial land, gravelly substream; and Loamy alluvial land, moderately wet.

Loamy alluvial land, moderately wet (lw) is in many drainageways throughout the county. It is predominantly in the broader drainageways that have a high water table and that formerly had poor drainage. The areas are broad in the larger and more gently sloping drainageways, especially in the South Platte River bottom. All are subject to damage, in varying degrees, by flooding from adjacent slopes and main stream channels. Included in mapping are small areas of Nunn loam, Satanta loam, Wet alluvial land, and Loamy alluvial land, gravelly substratum.

The soils are moderately deep, ranging from 20 to 36 inches in depth, over unconsolidated sand and gravel. They are dark-colored loam to clay loam in texture and generally are stratified. They are normally noncalcareous, but they are moderately influenced by soluble salts in places. Thin lenses of sand, silt, or fine gravel may be in any of the layers.

The soils of this land type absorb water at a moderate to slow rate, and the available water capacity is high. Artificial drainage is generally needed to grow crops. Natural fertility is high, but under the intensive management used on these soils, artificial supplements are needed.

Most of this land type is irrigated. In these areas, crops such as sugar beets, corn, small grains, and vegetables can be grown. Alfalfa and irrigated pasture are well adapted. Western wheatgrass, saltgrass, blue grama, and switchgrass are grown in some areas. Capability unit IIIw-1, irrigated; not placed in a range site; tree planting suitability group 5.

Stoneham Series

The Stoneham series consists of well-drained, nearly level to moderately sloping soils on uplands. These soils formed in loamy, old alluvial material.

In a representative profile (fig. 11), the surface layer is light grayish-brown loam about 5 inches thick. It is noncalcareous. The subsoil is brown sandy clay loam about 8 inches thick. It is noncalcareous. The underlying material is light-gray sandy loam and gravelly loam that is highly calcareous. At a depth of 30 inches, it is pale-brown gravelly sandy loam that is highly calcareous. It extends to a depth of about 60 inches.

Stoneham soils absorb water at a moderate rate, and the available water capacity is moderate. Permeability is moderate, and the entire soil is suitable for roots.

Representative profile of Stoneham loam, 3 to 9 percent slopes, in an area of grass, 170 feet south and 20 feet east of the northwest corner of section 21, T. 3 S., R. 59 W.:

- A1—0 to 5 inches, light grayish-brown (10YR 6/2) loam, dark grayish brown (10YR 4/2) when moist; weak, medium, granular structure; soft, friable; many fibrous roots; noncalcareous; neutral; clear, smooth boundary.
- B2t—5 to 13 inches, brown (10YR 5/3) sandy clay loam, dark brown (10YR 4/3) when moist; moderate, medium, prismatic structure parting to weak to moderate subangular blocky structure; thin clay films on ped faces; hard, friable; noncalcareous; mildly alkaline; gradual, smooth boundary.
- C1ca—13 to 20 inches, light-gray (10YR 7/2) sandy loam, pale brown (10YR 6/3) when moist; weak, medium, subangular blocky structure; hard, friable; calcareous and contains lime in splotches and disseminated; moderately alkaline; clear, smooth boundary.
- IIC2ca—20 to 30 inches, light-gray (10YR 7/2) gravelly loam, pale brown (10YR 6/3) when moist; massive; hard, friable; 15 percent gravel; calcareous and contains common, medium and coarse, lime mottles (10YR 8/2) and disseminated lime; moderately alkaline; clear, smooth boundary.
- IIC3—30 to 60 inches, pale-brown (10YR 6/3) gravelly sandy loam, brown (10YR 5/3) when moist; massive; slightly hard, very friable; 18 percent gravel; calcareous and contains disseminated lime; moderately alkaline; clear, wavy boundary.

The A horizon ranges from 3 to 7 inches in thickness, from grayish brown to pale brown in color, and from heavy fine sandy loam to loam in texture. The B horizon ranges from 5 to 16 inches in thickness, from brown to light brown in color, and from light clay loam to coarse sandy loam in texture. Depth to calcareous material ranges from 3 to 15 inches.

Stoneham loam, 3 to 9 percent slopes (StD).—This soil has the profile described as representative for the series. It is on uplands near major stream channels in scattered areas throughout the county. The areas are uniform in shape and range from 50 to 80 acres in size. Runoff is generally medium but is rapid if the soil is unprotected. The hazards of water erosion and soil blowing are severe in cultivated areas. Gullies form in drainageways in some places. Included in mapping are small areas of sand and gravel deposits and a few small areas of Ascalon soils.

Most areas of this soil are cultivated, but some areas have a cover of native grass. Capability unit VIe-1, non-irrigated; Loamy Plains range site; tree planting suitability group 1.

Terrace Escarpments

Terrace escarpments (Tc) occur as breaks or steep side slopes adjacent to the channels of present or former streams. They also occur as the steep faces of terraces that border bottom lands and flood plains.

This land type consists of alluvium of variable materials and is very shallow over gravel and sand. These materials have a loamy sand or sandy loam surface layer. In many areas this layer is 5 to 20 percent gravel. Shale and sandstone outcrops are in some areas. Included in mapping are very small areas of a Vona loamy sand, a Vona sandy loam, and a Dacono loam, all good soils for farming.

The surface layer varies in reaction from place to place and in places is calcareous. Slopes differ widely within short distances and range from 1 to 80 percent. Some areas are used for grazing, but the soils are too steep, too shallow, or too unstable for cultivation or good grass management.

Much of this land type is rapidly being mined for sand and gravel, and thereafter is not usable for farming. Such areas are used as a dumping ground or are back filled with better soil material in places. Many areas of this land type are well suited to housing or industrial developments or highway location. Prior to use for these purposes, however, the stability of the soils should be determined because of slope or lack of binder soil particles. The soils normally have good bearing capacity for foundations, low shrink-swell properties, good natural drainage, and a low hazard of hydrolysis for buried metal pipe. Open ditches for transporting water are not suited because of rapid seepage.

In some areas lawns and gardens would have to be built up, using better soil materials from other areas. In some areas, old gravel pits have been used as dump areas, then packed and filled with outside soil materials, and then developed for homesites. Capability unit VIIe-3, nonirrigated: Gravel Breaks range site; tree planting suitability group 4.

Weld Series

The Weld series consists of well-drained, nearly level soils on uplands. These soils formed in wind-worked loamy materials.

In a representative profile, the surface layer is brown loam about 6 inches thick. It is noncalcareous. The upper part of the subsoil is dark-brown clay about 6 inches thick. It is noncalcareous. The lower part of the subsoil is pale-brown and very fine sandy loam about 20 inches thick. It is highly calcareous, and much of the lime is visible as splotches. The underlying material is highly calcareous, pale-brown silt loam and light yellowish-brown fine sandy loam.

Weld soils absorb water at a moderate rate, and the available water capacity is high. Permeability is slow, and the entire soil is suitable for plant roots.

Representative profile of Weld loam, 1 to 3 percent slopes, in an area of grass, 0.25 mile east and 75 feet north of the southwest corner of section 36, T. 3 S., R. 59 W.:

- A1—0 to 6 inches, brown (10YR 5/3) loam, dark brown (10YR 3/3) when moist; weak to moderate, fine, granular structure; soft, friable; noncalcareous; mildly alkaline; abrupt, smooth boundary.
- B2t—6 to 12 inches, dark-brown (10YR 4/3) clay, dark brown (10YR 3/3) when moist; strong, fine, prismatic structure parting to strong, medium and fine, angular and subangular blocky structure; hard, firm; continuous clay films; graying in cracks in upper part; noncalcareous; mildly alkaline; clear, smooth boundary.
- B31ca—12 to 21 inches, pale-brown (10YR 6/3) loam, brown (10YR 5/3) when moist; weak to moderate, medium, prismatic structure parting to moderate, medium to coarse, subangular blocky structure; slightly hard, friable; thin patchy clay films; calcareous and contains lime disseminated and in splotches; moderately alkaline; clear, smooth boundary.
- B32ca—21 to 32 inches, pale-brown (10YR 6/3) very fine sandy loam, brown (10YR 5/3) when moist; weak, coarse, prismatic structure parting to weak, coarse, subangular blocky structure; soft, very friable; thin patchy clay films on vertical faces; calcareous and contains lime disseminated and in splotches; strongly alkaline; clear, smooth boundary.
- C1ca—32 to 58 inches, pale-brown (10YR 6/3) silt loam, brown (10YR 5/3) when moist; massive; soft, very friable; calcareous and contains lime disseminated and in finely divided particles; moderately alkaline; clear, wavy boundary.
- C2ca—58 to 68 inches, light yellowish-brown (10YR 6/4) fine sandy loam, yellowish brown (10YR 5/4) when moist; massive; soft, very friable; calcareous and contains lime disseminated and in finely divided particles; strongly alkaline.

The A horizon ranges from 4 to 8 inches in thickness, from brown to dark grayish brown in color, and from loam to silt loam in texture. The B horizon ranges from 10 to 28 inches in thickness. Depth to lime ranges from 10 to 20 inches.

Weld loam, 1 to 3 percent slopes (WmB).—This soil has the profile described as representative for the series. It is on uplands. The areas are irregular in shape and range from 30 to 700 acres in size. Surface runoff is medium, and the hazard of water erosion is moderate to severe. The hazard of soil blowing is severe in dryfarmed areas if rainfall is below normal.

Included in mapping are some small areas where slopes are less than 1 percent. Also included are some small areas of Adena loam that are in most sloping areas.

Almost all of this Weld soil is cultivated. A few areas are irrigated. Scattered areas throughout the county are in native grass. Capability unit IIc-1, irrigated, and IIIc-1, nonirrigated; Loamy Plains range site; tree planting suitability group 1.

Below is a copy of the Vegetative Inventory that was prepared when case number M-83-085 was permitted. The vegetation is virtually identical on this 47+ acre site, except there are no trees on this 47+ acre site.

<u>Common name</u>	<u>Scientific name</u>
Kentucky bluegrass	<i>Poa pratensis</i>
cheatgrass	<i>Bromus tectorum</i>
sand dropseed	<i>Sporobolus cryptandrus</i>
western wheatgrass	<i>Agropyron smithii</i>
needle-&-thread	<i>Stipa comata</i>
indian ricegrass	<i>Oryzopsis hymenoides</i>
blue grama	<i>Bouteloua gracilis</i>
bottlebrush squirreltail	<i>Sitanion hystrix</i>
rush	<i>Juncus (spp.)</i>
stickleaf	<i>Mentzelia oligosperma</i>
pepperweed	<i>Lepidium (spp.)</i>
daisy	<i>Erigeron (spp.)</i>
plains prickly pear	<i>Opuntia (spp.)</i>
yellow sweetclover	<i>Melilotus officinalis</i>
slimflower scurfpea	<i>Psoralea tenuiflora</i>
herbaceous sage	<i>Artemesia ludiviciiana</i>
salsify	<i>Tragopogon (spp.)</i>
wavyleaf thistle	<i>Cirsium undulatum</i>
mullein	<i>Verbascum thapsis</i>
milkweed	<i>Asclepias (spp.)</i>
cottonwood	<i>Populus sargentii</i>
willow	<i>Salix (spp.)</i>

Cheatgrass and pepperweed dominate the site; only moist, depressional areas support stands of desirable grasses.

Attachment 13
Fugitive Dust Permit

STATE OF COLORADO

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
AIR POLLUTION CONTROL DIVISION
TELEPHONE: (303) 692-3150



CONSTRUCTION PERMIT

PERMIT NO: 01AD0479F

FINAL APPROVAL

DATE ISSUED: AUGUST 28, 2002

ISSUED TO: **David Lincoln DBA Bennett Sand & Gravel**

THE SOURCE TO WHICH THIS PERMIT APPLIES IS DESCRIBED AND LOCATED AS FOLLOWS:

Sand and Gravel Operation located at SE¼ Section 2, T35, R63W, Adams County, Colorado.

THE SPECIFIC EQUIPMENT OR ACTIVITY SUBJECT TO THIS PERMIT INCLUDES THE FOLLOWING:

Material extraction, handling, stockpiling, hauling, and associated conveyors and transfer points.

THIS PERMIT IS GRANTED SUBJECT TO ALL RULES AND REGULATIONS OF THE COLORADO AIR QUALITY CONTROL COMMISSION AND THE COLORADO AIR POLLUTION PREVENTION AND CONTROL ACT C.R.S. (25-7-101 *et seq.*), TO THOSE GENERAL TERMS AND CONDITIONS INCLUDED IN THIS DOCUMENT AND THE FOLLOWING SPECIFIC TERMS AND CONDITIONS:

1. Visible emissions from processing equipment and transfer points shall not exceed twenty percent (20%) opacity during normal operation of the source. During periods of startup, process modification, or adjustment of control equipment visible emissions shall not exceed 30% opacity for more than six minutes in any sixty consecutive minutes. Opacity shall be measured by EPA Method 9. (Reference: Regulation 1, Section II.A.1.& 4.)
2. The particulate emission control measures listed on the attached page (as approved by the Division) shall be applied to the particulate emission producing sources as required by Regulation No. 1, Section III.D.1.b.
3. This source shall be limited to a maximum production rate as listed below and all other activities, operational rates and numbers of equipment as stated in the application. Daily records of the actual production rate shall be maintained by the applicant and made available to the Division for inspection upon request. (Reference: Regulation 3, Part B, III.A.4)

Gravel Production shall not exceed 2,000 tons per day or 100,000 tons per year.

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- 4. Fugitive particulate emissions shall not exceed the following limitations (as calculated in the Division's preliminary analysis): (Reference: Regulation 3, Part B, III.A.4)

Particulate Matter:6.64 tons per year

PM₁₀ (Particulate Matter<10 μm):1.92 tons per year.

Note: Compliance with these fugitive emission limits shall be demonstrated by not exceeding the production limits in condition number 3 and by following the attached particulate emissions control plan.

- 5. This permit is for the activities specified above, any additional process equipment (i.e. crushers, screens, etc.) to be located at this site must have a separate permit from the Division. (Reference: Reg. 3, Part B, IV.E.)

- 6. A revised Air Pollutant Emission Notice (APEN) shall be filed: (Reference: Reg.3, Part A,II.C)

- a. Annually whenever a significant increase in emissions occurs as follows:

For any criteria pollutant

For sources emitting less than 100 tons per year, a change in actual emissions of five tons per year or more, above the level reported on the last APEN; or

- b. Whenever there is a change in the owner or operator of any facility, process, or activity; or
- c. Whenever new control equipment is installed, or whenever a different type of control equipment replaces an existing type of control equipment; or
- d. Whenever a permit limitation must be modified; or
- e. No later than 30 days before the existing APEN expires.

- 7. All conveyors and transfer points will be subject to the New Source Performance Standards requirements of Regulation number 6, Subpart 000 *whenever* there is primary crushing capacity greater than 150 tons per hour (portable equipment) or 25 tons per hour (fixed equipment) at this location as follows:

- a. Visible emissions from conveyors and transfer points shall not exceed 10% opacity.

In addition, the following requirements of Regulation No. 6, Part A, Subpart A, General Provisions, apply.

- a. No article, machine, equipment or process shall be used to conceal an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere. (§ 60.12)
- b. Written notification of construction and initial startup dates shall be submitted to the Division as required under § 60.7.
- c. Records of startups, shutdowns, and malfunctions shall be maintained, as required under § 60.7.

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- d. Compliance with opacity standards shall be demonstrated according to § 60.11.
- e. At all times, including periods of start-up, shutdown, and malfunction, the facility and control equipment shall, to the extent practicable, be maintained and operated in a manner consistent with good air pollution control practices for minimizing emissions. Determination of whether or not acceptable operating and maintenance procedures are being used will be based on information available to the Division, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source. (Reference: Regulation 6, Part A. General Provisions from 40CFR60.11)

By: 
Jonathan Akins
Permit Engineer

By:  FOR
James S. Geier P.E.
Unit Leader

Initial Approval issued July 03, 2001

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Notes to permit holder:

1. The production or raw material processing limits and emission limits contained in this permit are based on the production/processing rates requested in the permit application. These limits may be revised upon request of the permittee providing there is no exceedance of any specific emission control regulation or any ambient air quality standard. A revised air pollution emission notice (APEN) and application form must be submitted with a request for a permit revision.
2. This source is subject to the Common Provisions Regulation Part II, Subpart E, Upset Conditions and Breakdowns. The permittee shall notify the Division of any upset condition which causes a violation of any emission limit or limits stated in this permit as soon as possible, but no later than two (2) hours after the start of the next working day, followed by written notice to the Division explaining the cause of the occurrence and that proper action has been or is being taken to correct the conditions causing said violation and to prevent such excess emission in the future.
3. The emission levels contained in this permit are based on the following emission factors (any change in operations may change these factors):

Fugitive Particulate Matter:	0.1328 pounds per ton of sand and gravel
Fugitive PM ₁₀ (particles less than 10 microns):	0.0383 pounds per ton of sand and gravel
4. This source is classified as a: Minor source

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PARTICULATE EMISSIONS CONTROL PLAN FOR MINING AND PROCESSING ACTIVITIES

THE FOLLOWING PARTICULATE EMISSIONS CONTROL MEASURES SHALL BE USED FOR COMPLIANCE PURPOSES ON THE ACTIVITIES COVERED BY THIS PERMIT, AS REQUIRED BY THE AIR QUALITY CONTROL COMMISSION REGULATION NO.1, SECTION III.D.1.b. THIS SOURCE IS SUBJECT TO THE FOLLOWING EMISSION GUIDELINES:

- a. **Mining and Processing Activities** - Visible emissions not to exceed 20%, no off-property transport of visible emissions.
- b. **Haul Roads** - No off-property transport of visible emissions shall apply to on-site haul roads, the nuisance guidelines shall apply to off-site haul roads.
- c. **Haul Trucks** - No off-property transport of visible emissions except that when operating off the property of the owner or operator, the applicable guidelines shall be no off-vehicle transport of visible emissions.

Control Measures

1. Adequate soil moisture must be maintained in topsoil and overburden to control emissions during removal. Watering shall be implemented if necessary.
2. Topsoil stockpiles shall be compacted and revegetated within one year.
3. Emissions from material handling (i.e. removal, loading, and hauling) shall be controlled by watering at all times unless natural moisture is sufficient to control emissions.
4. Vehicle speed on unpaved roads and disturbed areas shall not exceed a maximum of 15 m.p.h. Speed limit signs shall be posted.
5. Vehicle speed on haul roads and service roads shall be restricted to 15 miles per hour. Speed limit signs shall be posted.
6. Unpaved haul roads shall be watered as often as needed to control fugitive particulate emissions such that the above guidelines are met.
7. Reclamation works and sequential extraction of material shall be initiated to keep the total disturbed areas at any one time to a minimum.
8. Material stockpiles shall be watered as necessary to control fugitive particulate emissions. Aggregate materials shall be sprayed with water during material loading into the storage bins or stockpiles.
9. Plant entryway, truck service roads, and concrete batching areas shall be graveled. Watering shall be implemented if emission guidelines above are not met.

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GENERAL TERMS AND CONDITIONS: (IMPORTANT! READ ITEMS 5,6,7 AND 8)

1. This permit is issued in reliance upon the accuracy and completeness of information supplied by the applicant and is conditioned upon conduct of the activity, or construction, installation and operation of the source, in accordance with this information and with representations made by the applicant or applicant's agents. It is valid only for the equipment and operations or activity specifically identified on the permit.
2. Unless specifically stated otherwise, the general and specific conditions contained in this permit have been determined by the APCD to be necessary to assure compliance with the provisions of Section 25-7-114.5(7)(a), C.R.S.
3. Each and every condition of this permit is a material part hereof and is not severable. Any challenge to or appeal of, a condition hereof shall constitute a rejection of the entire permit and upon such occurrence, this permit shall be deemed denied *ab initio*. This permit may be revoked at any time prior to final approval by the Air Pollution Control Division (APCD) on grounds set forth in the Colorado Air Quality Control Act and regulations of the Air Quality Control Commission (AQCC), including failure to meet any express term or condition of the permit. If the Division denies a permit, conditions imposed upon a permit are contested by the applicant, or the Division revokes a permit, the applicant or owner or operator of a source may request a hearing before the AQCC for review of the Division's action.
4. This permit and any required attachments must be retained and made available for inspection upon request at the location set forth herein. With respect to a portable source which is moved to a new location, a copy of the Relocation Notice (required by law to be submitted to the APCD whenever a portable source is relocated) should be attached to this permit. The permit may be reissued to a new owner by the APCD as provided in AQCC Regulation No. 3, Part B, Section III.B. upon a request for transfer of ownership and the submittal of a revised APEN and the required fee.
5. Issuance (initial approval) of an emission permit does not provide "final" authority for this activity or operation of this source. Final approval of the permit must be secured from the APCD in writing in accordance with the provisions of 25-7-114.5(12)(a) C.R.S. and AQCC Regulation No. 3, Part B, Section IV.H. Final approval cannot be granted until the operation or activity commences and has been verified by the APCD as conforming in all respects with the conditions of the permit. If the APCD so determines, it will provide written documentation of such final approval, which does constitute "final" authority to operate. **Compliance with the permit conditions must be demonstrated within 180 days after commencement of operation.**
6. **THIS PERMIT AUTOMATICALLY EXPIRES IF you (1) do not commence construction or operation within 18 months after either the date of issuance of this permit or the date on which such construction or activity was scheduled to commence as set forth in the permit, whichever is later; (2) discontinue construction for a period of 18 months or more; or (3) do not complete construction within a reasonable time of the estimated completion date. Extensions of the expiration date may be granted by the APCD upon a showing of good cause by the permittee prior to the expiration date.**
7. **YOU MUST notify the APCD at least thirty days (fifteen days for portable sources) prior to commencement of the permitted operation or activity. Failure to do so is a violation of Section 25-7-114.5(12)(a), C.R.S. and AQCC Regulation No. 3, Part B, Section IV.H.1., and can result in the revocation of the permit. You must demonstrate compliance with the permit conditions within 180 days after commencement of operation as stated in condition 5.**
8. Section 25-7-114.7(2)(a), C.R.S. requires that all sources required to file an Air Pollution Emission Notice (APEN) must pay an annual fee to cover the costs of inspections and administration. If a source or activity is to be discontinued, the owner must notify the Division in writing requesting a cancellation of the permit. Upon notification, annual fee billing will terminate.
9. Violation of the terms of a permit or of the provisions of the Colorado Air Pollution Prevention and Control Act or the regulations of the AQCC may result in administrative, civil or criminal enforcement actions under Sections 25-7-115 (enforcement), -121 (injunctions), -122 (civil penalties), -122.1 (criminal penalties), C.R.S.