

5. The source of water for fire protection is:
☐ --- Water District – Name of District: _____
☒ --- Well – Colorado Division of Water Resources Well Permit Number: _____
Is the well approved for fire protection? ☐ Yes --- ☐ No Please explain: _____
The well has not been applied for or constructed. _____
☐ --- Cistern – What is the cistern capacity? _____ Gallons – What is the water source for filling the cistern? _____

6. What is the distance from the subject property to the nearest fire hydrant? _____
The nearest hydrant is at the plant, approximately 7 miles north _____
7. What public roadways provide access to the subject property? One _____

8. How many accesses to public roadways will the subject property have? One _____

9. Are the interior roadways existing and or proposed for the subject property adequate for fire vehicle access? ☒ Yes --- ☐ No Please explain by providing right-of-way and surface widths, length of roadway, surface types for all interior existing and proposed roadways and turning radii for cul-de-sacs. The 200 ft ROW will be develop with a 40 ft wide gravel road built to county standard.
MTAC is approximately six miles long.

10. What are the existing and or proposed interior roadway names? Material Transport and Access
Corridor (MTAC). _____
11. Is the subject property located within a fire protection district? ☒ Yes --- ☐ No
If yes, please provide the district name: Florence Fire District
If the subject property is not located within a fire protection district please answer the following questions and the form will be considered completed for submittal. If the subject property is located within a fire protection district then answers to the following will not be required, however the remainder of the form shall be addressed by a representative of the fire protection district in which the subject property is located.
- a. What is the name of the fire protection district closest to the subject property? _____

- b. What is the distance from the subject property to the nearest fire protection district boundary? _____

- c. Is it logical and feasible to annex the subject property to a fire protection district?
☐ Yes ----- ☐ No Please explain: _____

d. What types of fire protection improvements are proposed for the subject property and or structures to be housed on the property? Please explain: _____

By signing this Application, the Applicant, or the agent/representative acting with due authorization on behalf of the Applicant, hereby certifies that all information contained in the application and any attachments to the Application, is true and correct to the best of Applicant's knowledge and belief.

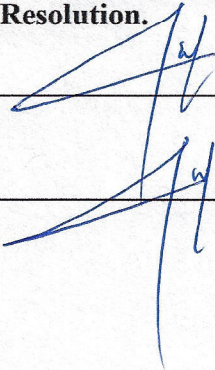
Applicant understands that any required private or public improvements imposed as a contingency for approval of the application may be required as a part of the approval process.

Fremont County hereby advises Applicant that if any material information contained herein is determined to be misleading, inaccurate or false, the Board of Commissioners may take any and all reasonable and appropriate steps to declare actions of the Board regarding the Application to be null and void.

Signing this Application is a declaration by the Applicant to conform to all plans, drawings, and commitments submitted with or contained within this Application, provided that the same is in conformance with the Fremont County Zoning Resolution.

Hamza Mekhfi
Applicant Printed Name

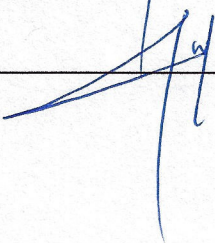
Signature



March 28, 2024
Date

Hamza Mekhfi
Owner Printed Name

Signature



March 28, 2024
Date

FIRE PROTECTION AUTHORITY INFORMATION

1. The name of the fire protection authority is: Florence Fire Protection District
2. Name of contact person: Bill Ritter
Title: Fire Chief Telephone: 719-784-2350
3. The name and address of the responding fire station is: FFPD Station 2
207 Broadway Penrose, CO. 81240
4. The distance from the subject property, by public roadway, to the responding fire station is: 3.64 miles
5. The estimated response time to the subject property is: 5 minutes
6. The location of the closest fire hydrant to the subject property is: 1.2 miles
7. Is the existing hydrant size and location adequate for the existing neighborhood and the proposed development? ☐ Yes --- ☒ No Please explain: Fire hydrant is too far away we will have to shuttle water with fire apparatus.
8. Are the existing public roadways accessing the subject property adequate for fire vehicle access? ☒ Yes --- ☐ No Please explain: _____
9. Are the interior roadways existing and or proposed for the subject property adequate for fire vehicle access? ☒ Yes --- ☐ No Please explain: _____
10. Are the proposed fire protection measures adequate for any existing or proposed structures to be housed on the subject property? ☒ Yes --- ☐ No Please explain: _____
11. What are the wildfire hazard classifications for the subject property, as prepared by the Colorado State Forest Service? Contact BLM office in Canon City.

12. Recommendations concerning fire protection in general, fire protection improvements, suggested road names, for this project are as follows: **NOTE:** Be sure to list type, size and location of improvements recommended (*i.e.*; *hydrants, water lines, cisterns, dry hydrants, roadway improvements, etc.*). **Please indicate whether recommendations or requirements are the result of codes or regulations, and provide supporting information which will assist the Planning Commission and the Board of County Commissioners to determine whether to adopt any or all of the recommendations as requirements of the permit.**

The Florence Fire Protection District does not have any opposition to these plans.

Bill Ritter

Signature and title of Authorized Fire Protection Representative

9/13/2024

Date

CUP Exhibit 3.4 Refuse Plan

Waste Management services the cement plant facility weekly and will provide waste collection service to RCQ. Waste dumpsters will be placed outside the maintenance/office building. Waste collection trucks will access RCQ through the Hwy 93 access road in Pueblo County. Waste collection service will be provided weekly.

Item p - Typical parking space dimensions for large equipment 12 feet by 32 feet
Item q - The proposed use does not require designated loading areas
Item r - The proposed use will rely on the existing access from State Hwy 120, the
Item s - The proposed use does not have designated pedestrian areas or walkway
Item t - See FIRM maps in the Drainage Plan Attachment C
Item u - Lighting for parking lot and building height 16 feet and LED downcast lighting
Item v - DRMS and MSHA signage will be 4 feet by 3 feet and will be posted at
Item z - There are no designated open spaces on the subject property

95 feet;
9 feet;
16 feet to said North line of the Southeast Quarter of said Section 20;
ce of 3928.22 feet to a point from which the Northwest Corner of said Section 28 bears N40° 59' 05"W
17 feet;
3.14 feet to the Point of Beginning.

8, the Northeast one-quarter of the Northeast one-quarter of Section 33, Section 34, T19S, R68W of
e Southwest one-quarter of Section 14, the East one-half of Section 15 and the North one-half of
County of Fremont, State of Colorado and being more particularly described as lying 125.00 feet on
rline.

from which the Northwest corner of Section 28 bears N36°48'18"W, a distance of 1449.43 feet; thence
o a point at the beginning of a curve to the left, said curve having a radius of 5682.00 feet, a central
S 35°30'51"E; thence along said curve, Southeasterly an arc distance of 1670.52 feet; thence S 43°
point at the beginning of a curve to the left, said curve having a radius of 3875.50 feet; a central angle
37°27"E; thence along said curve, Southeasterly an arc distance of 498.84 feet;
9 feet to a point at the beginning of a curve to the right, said curve having a radius of 5017.00 feet; a
aring of S20°24'13"E;

arc distance of 5412.78 feet to a point at the beginning of a curve to the right, said curve having a
f 02°55'07" and a chord bearing of S 11°57'49"W; thence along said curve Southwesterly an arc

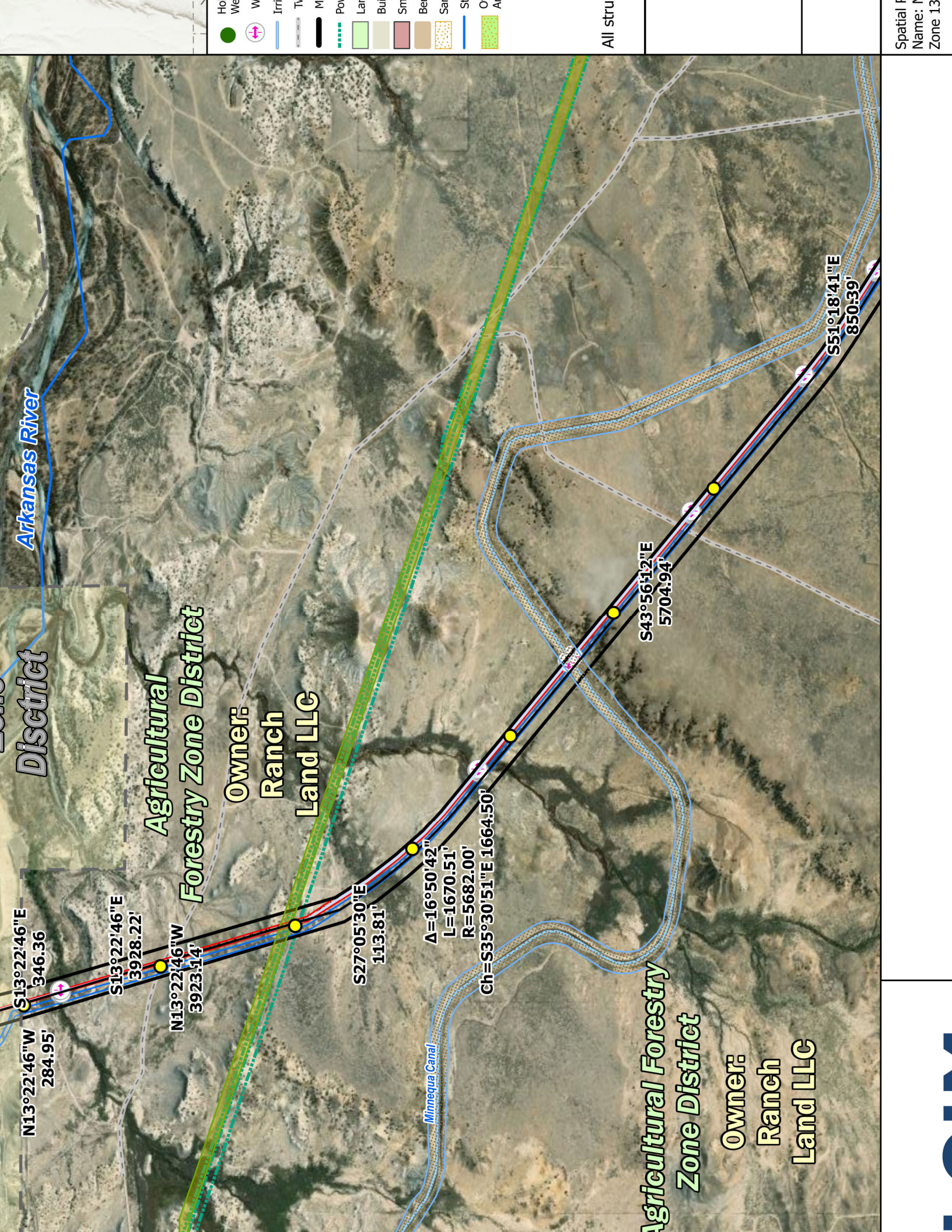
22 feet to a point at the beginning of a curve to the left, said curve having a radius of 7160.00 feet; a
aring of S06°51'46"W; thence along said curve Southerly an arc distance of 1639.55 feet;
38 feet, to a point at the beginning of a curve to the left, said curve having a radius of 4943.00 feet; a
aring of S 04°11'16"E; thence along said curve Southerly an arc distance of 774.84 feet;
99 feet to a point at the beginning of a curve to the left, said curve having a radius of 5030.00 feet; a
aring of S20°16'44"E; thence along said curve Southeasterly an arc distance of 2036.81 feet;
29 feet to a point at the beginning of a curve to the left, said curve having a radius of 5100.00 feet; a
aring of S 42°14'02"E; thence along said curve Southeasterly an arc distance of 1843.33 feet;
81 feet to a point on the East line of the Northeast one quarter of Section 23, T20S, R68W, 6th P.M.,
said Section 23 bears N00°05'49"W, a distance 2341.06 feet, said point being the Point of Terminus of

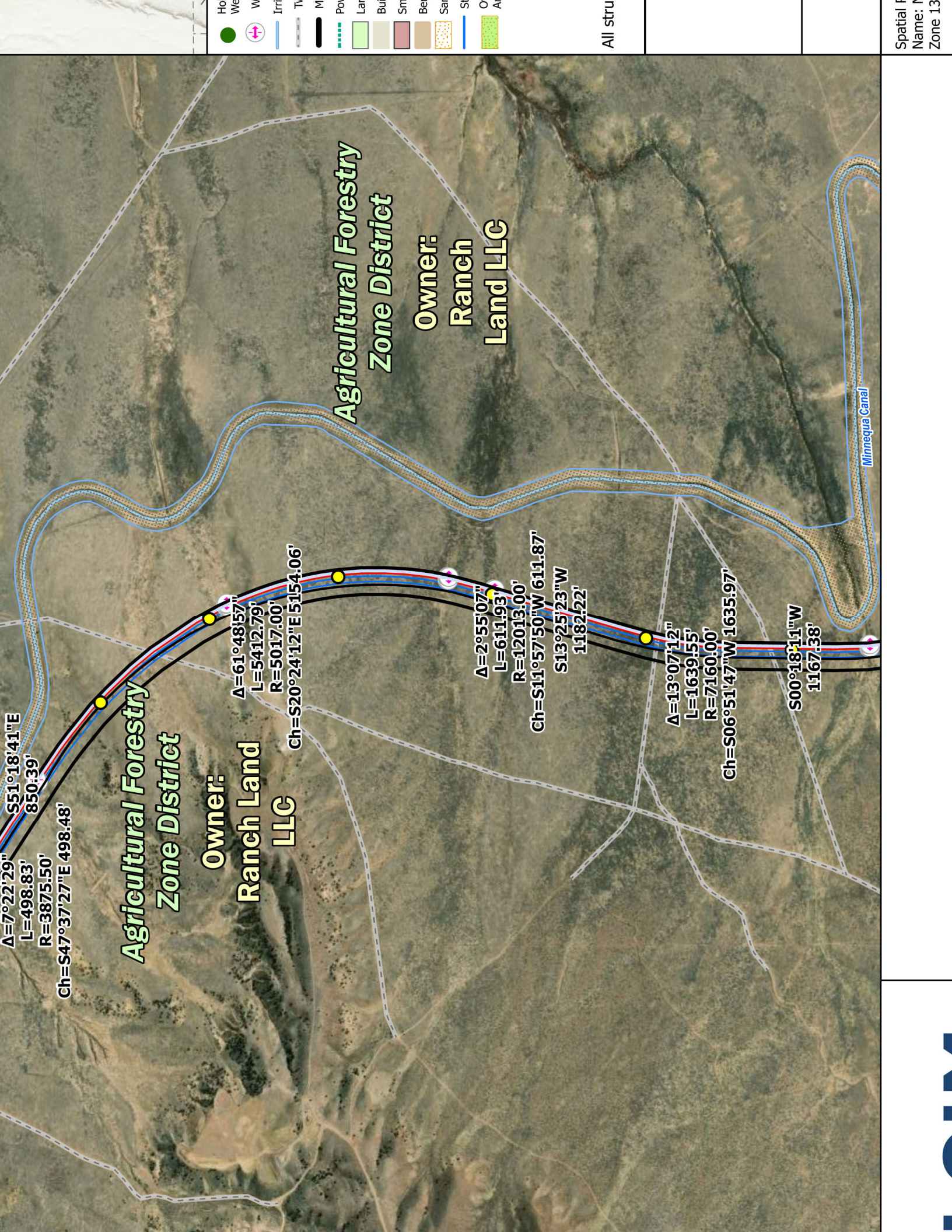
less.

Quarry:

of the 5th P.M., County of Fremont, State of Colorado. Said parcel contains 1,271.7 acres, more or less.

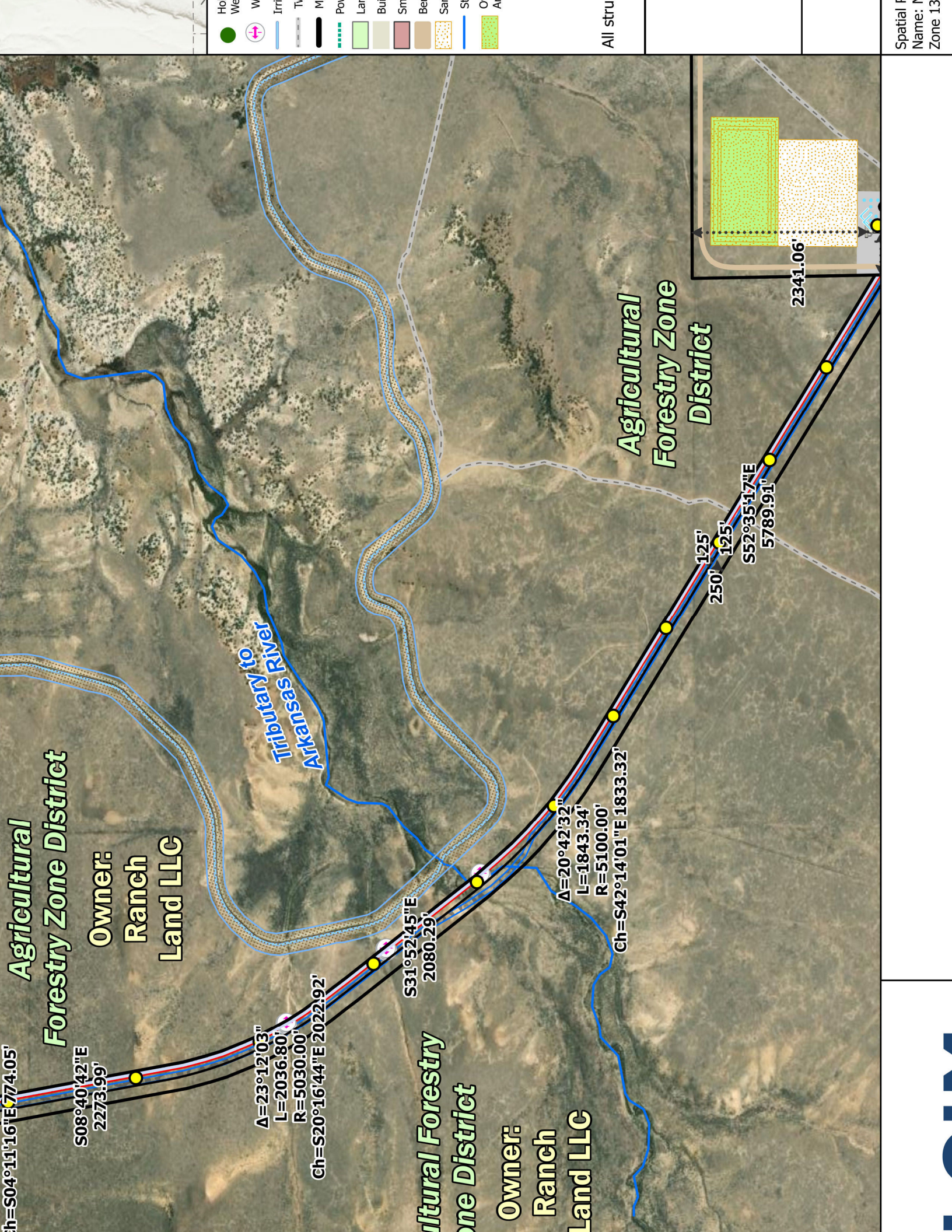
Minimum Lot Coverage	Maximum Building Height	Minimum Lot Width	Minimum Front Setback	Minimum Rear Setback	Minimum Side Setback
5%	45 ft.	500 ft.	75 ft.	50 ft.	50 ft.
00002%	45 ft.	25 ft.	8,332 ft.	2,086 ft.	393 ft.

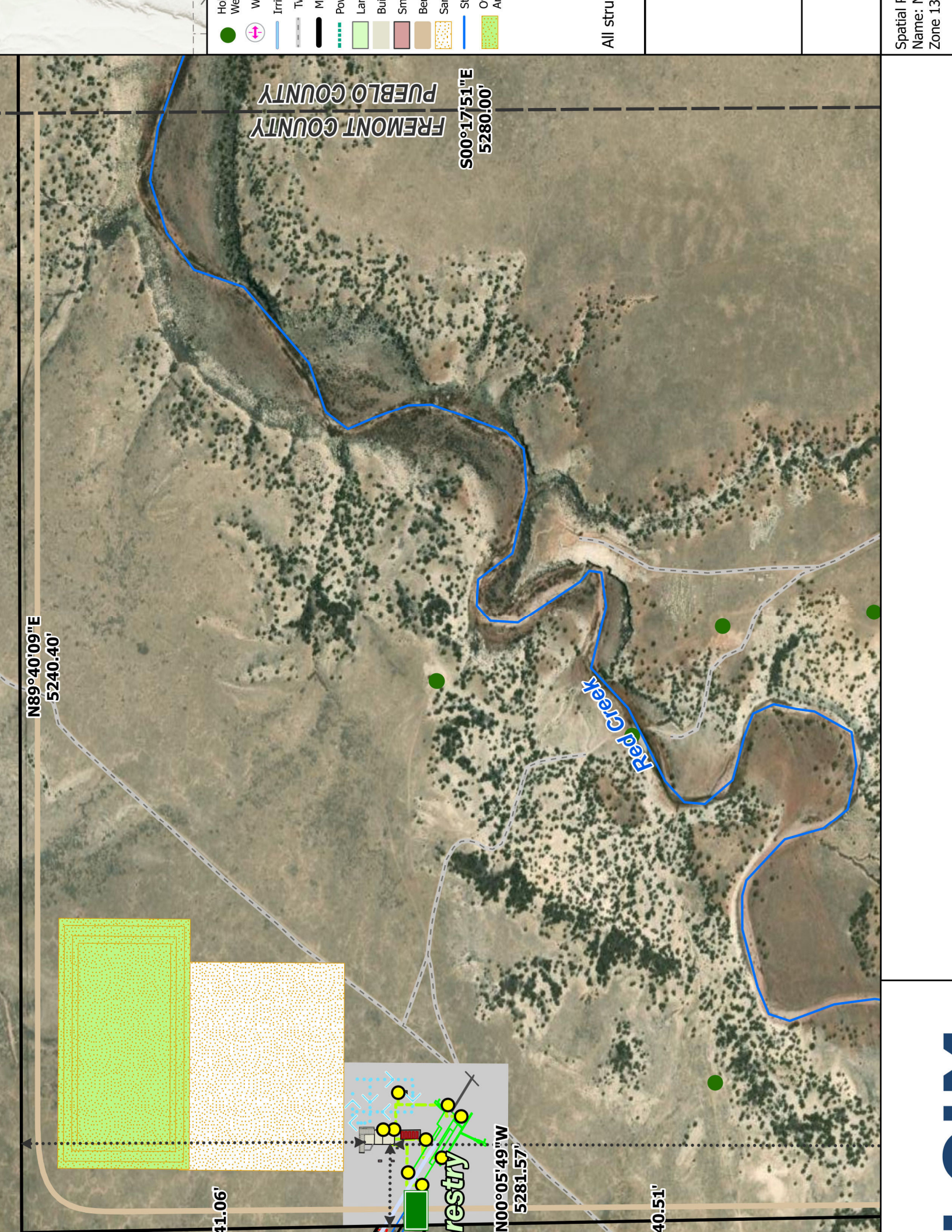




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11.06'

N89°40'09"E
5240.40'

N00°05'49"W
5281.57'

40.51'

FREMONT COUNTY
PUEBLO COUNTY
S00°17'51"E
5280.00'

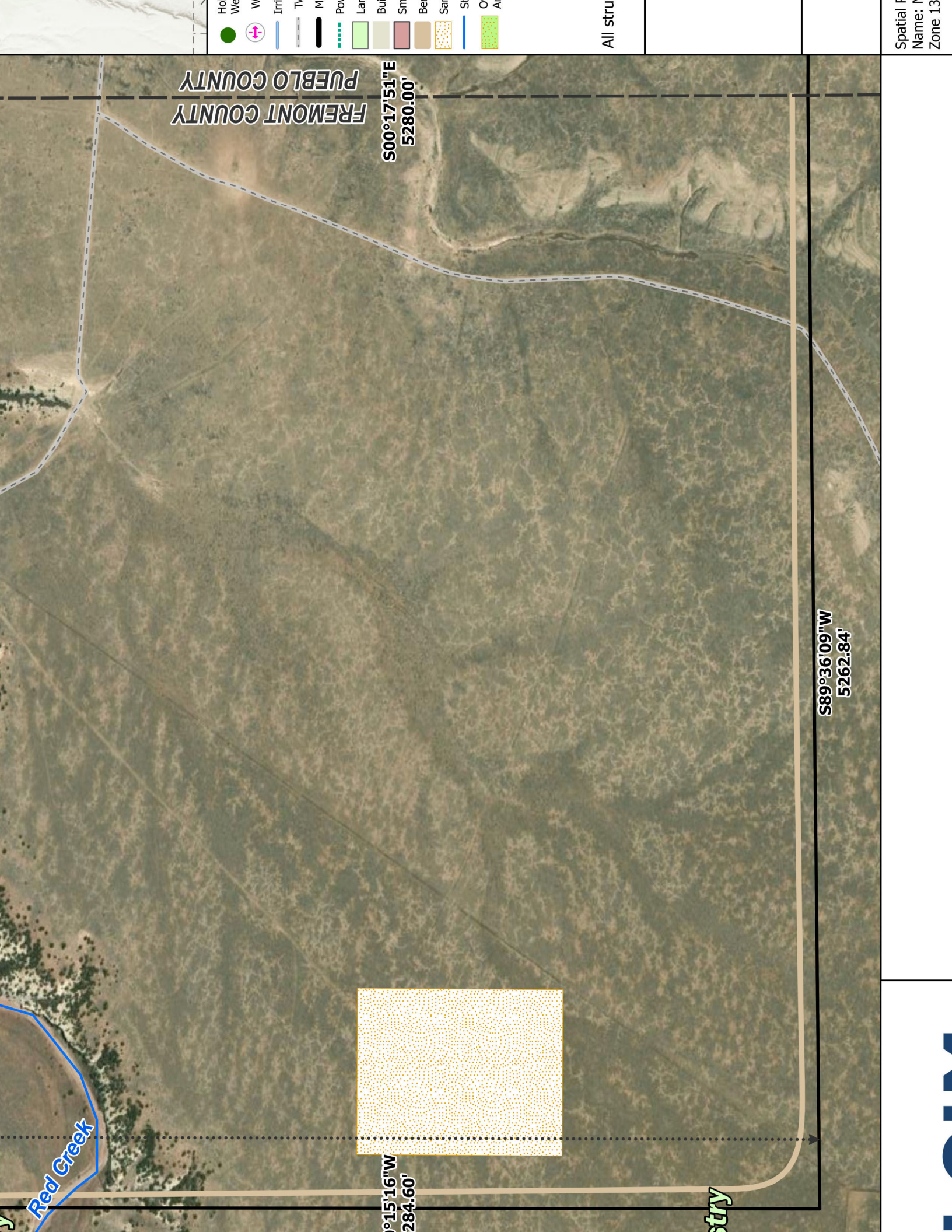
Red Creek

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Spatial F
Name: N
Zone 13



FREMONT COUNTY
PUEBLO COUNTY

S00°17'51"E
5280.00'

S89°36'09"W
5262.84'

S00°15'16"W
284.60'

Red Creek

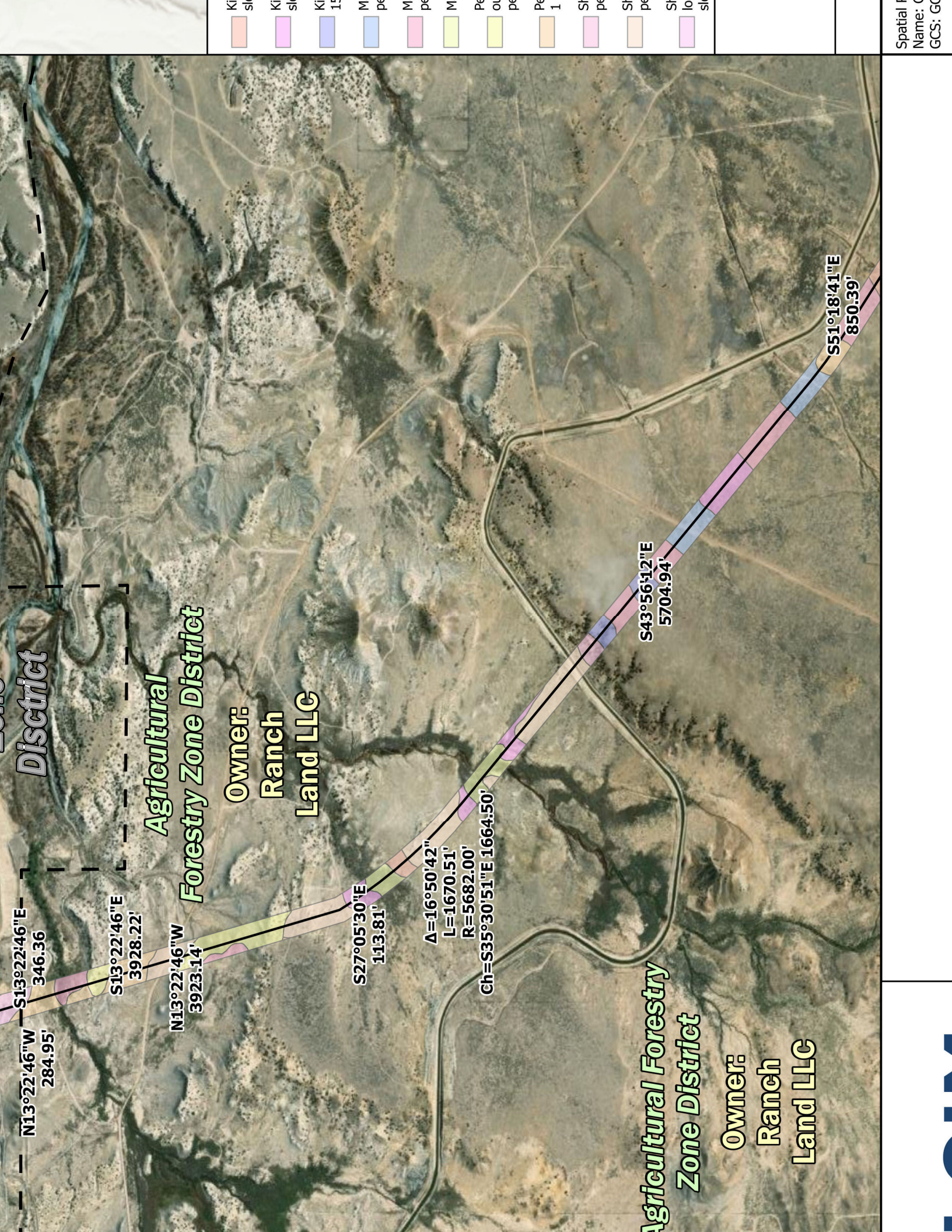
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Spatial F
Name: P
Zone 13





Agricultural Forestry Zone District

Agricultural Forestry Zone District

**Owner:
Ranch
Land LLC**

Agricultural Forestry Zone District

**Owner:
Ranch
Land LLC**

N13°22'46"W 284.95'

S13°22'46"E 346.36'

S13°22'46"E 3928.22'

N13°22'46"W 3923.14'

S27°05'30"E 1113.81'

$\Delta=16^{\circ}50'42''$
 $L=1670.51'$
 $R=5682.00'$

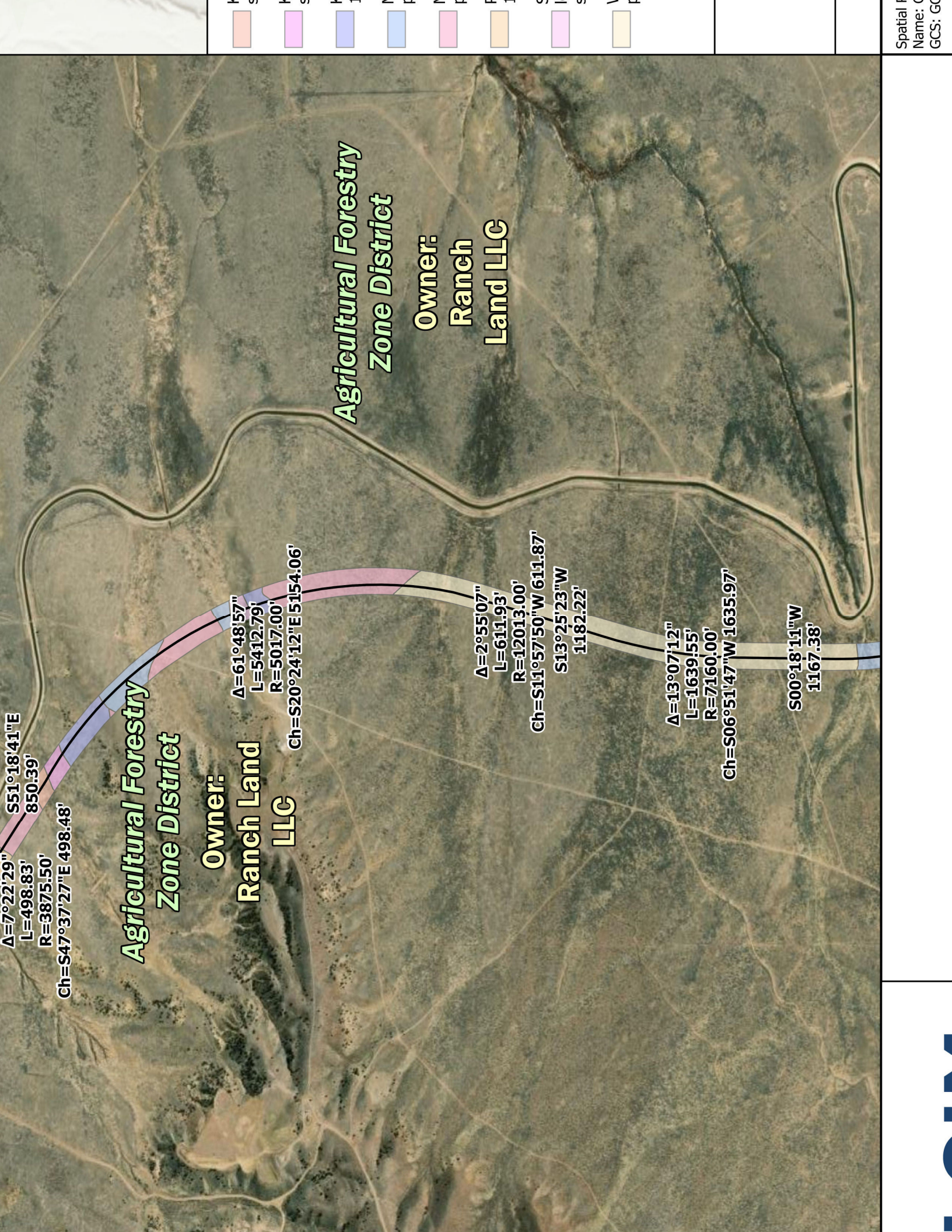
Ch=S35°30'51"E 1664.50'

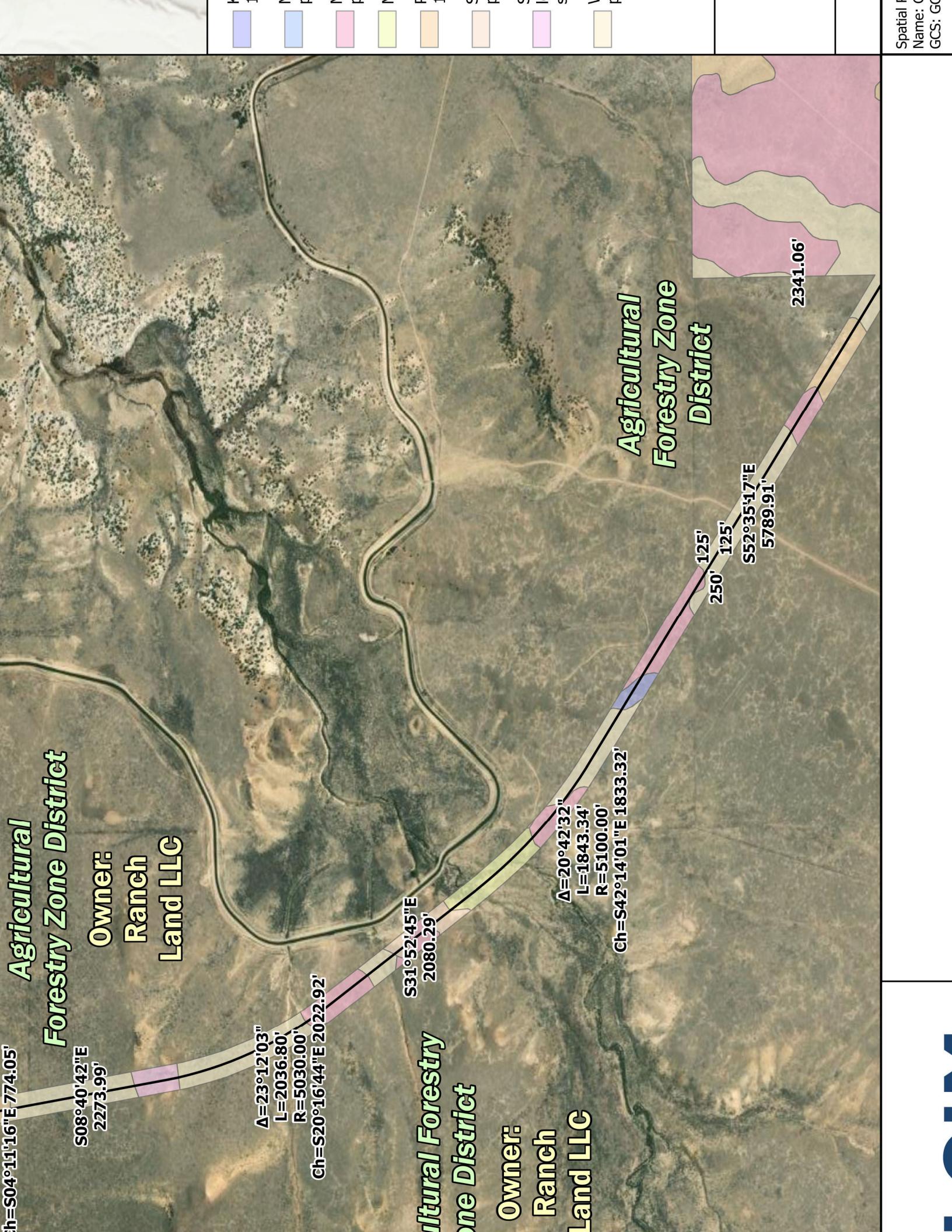
S43°56'12"E 5704.94'

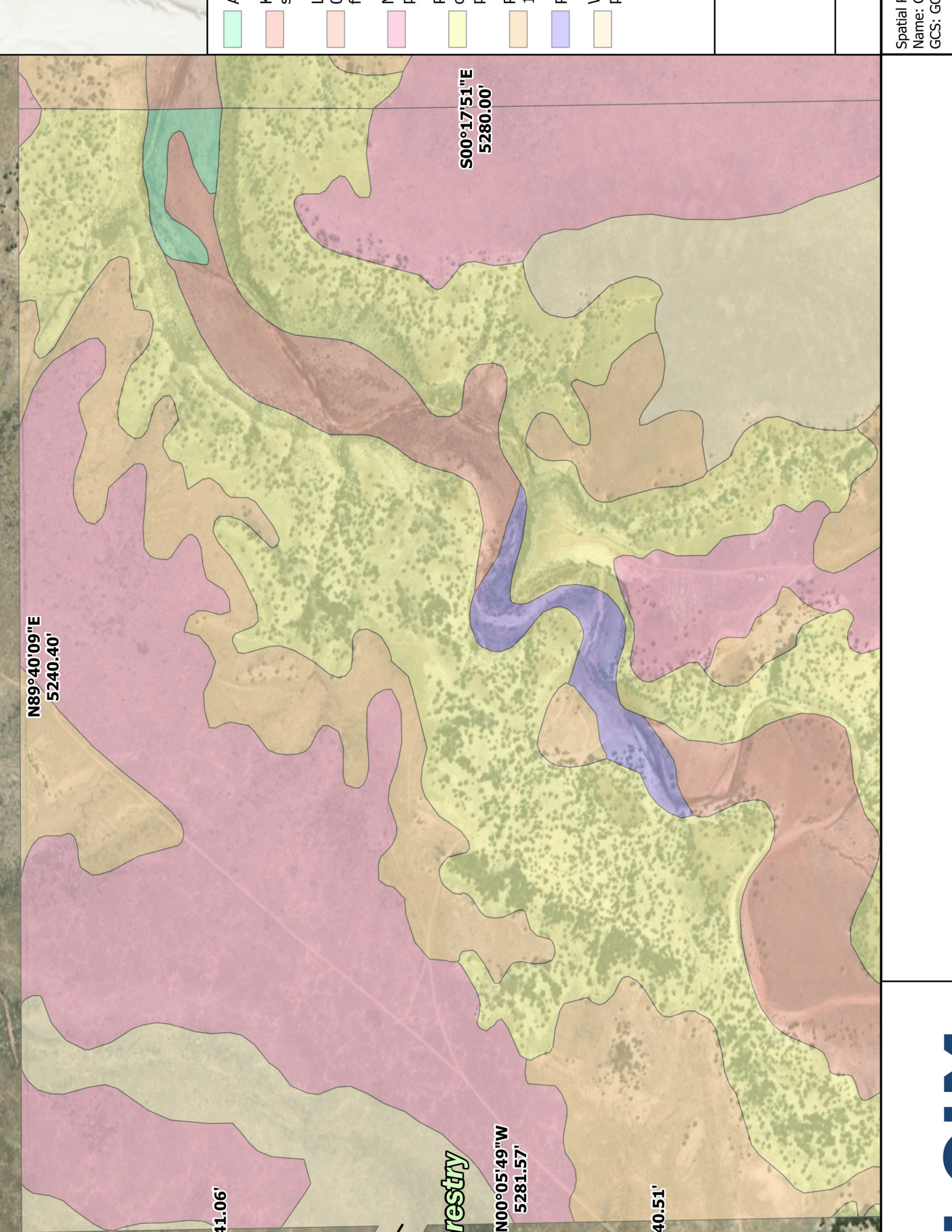
S51°18'41"E 850.39'

KI	sl	KI	sl	KI	1	M	pe	M	pe	M	pe	Pe	ou	pe	Pe	1	SI	pe	SI	pe	SI	lo	sl
----	----	----	----	----	---	---	----	---	----	---	----	----	----	----	----	---	----	----	----	----	----	----	----

Spatial Name: GCS: G







N89°40'09"E
5240.40''

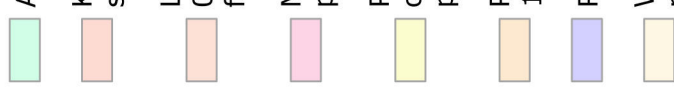
S00°17'51"E
5280.00''

11.06''

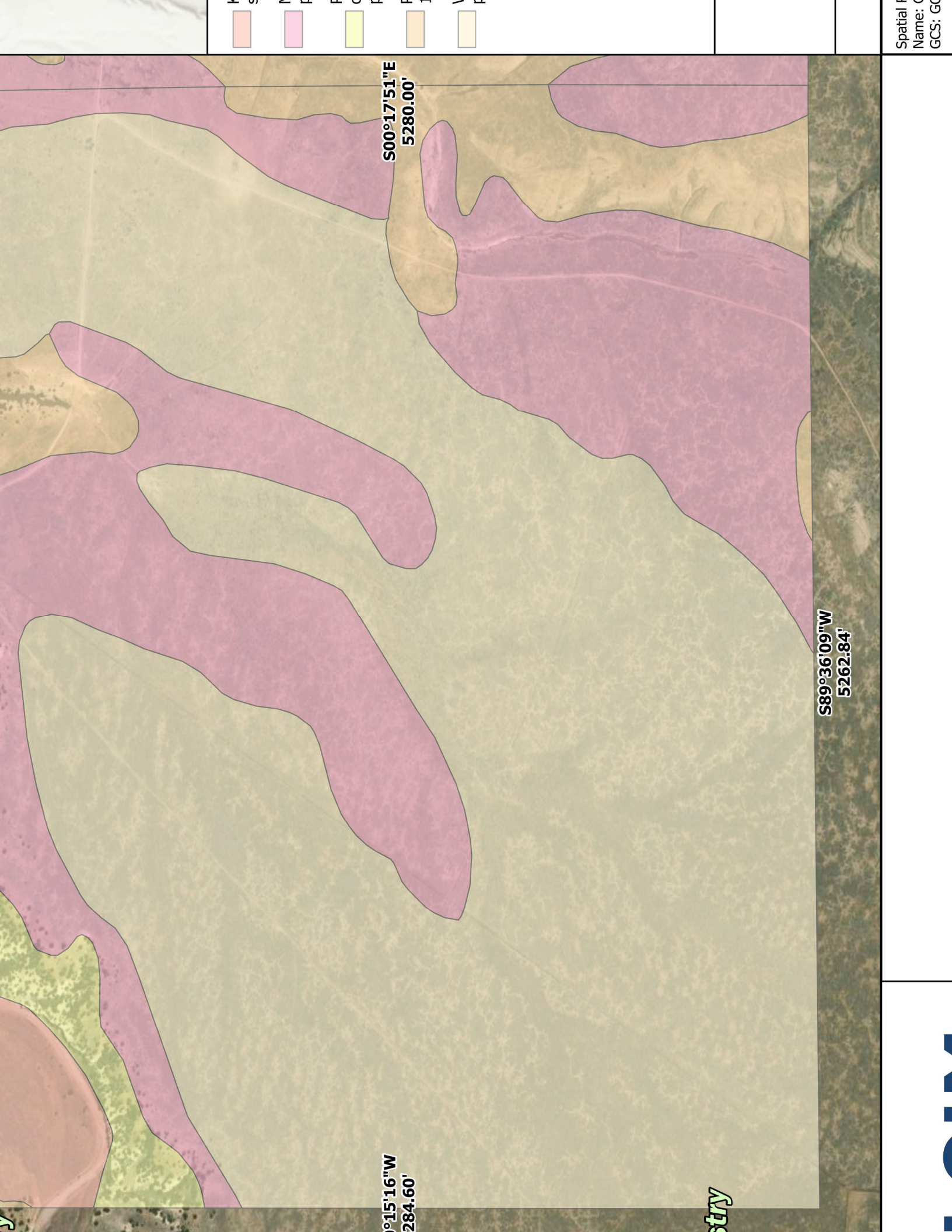
restry

N00°05'49"W
5281.57''

40.51''



Spatial Reference
Name: GCS: NAD83
Datum: North American
Datum of 1983
Spheroid: GRS80
Datum Shift: 0.00
Units: Meters
Projection: UTM
Zone: 18N



S00°17'51"E
5280.00'

S89°36'09"W
5262.84'

S00°15'16"W
284.60'

country

CUP Exhibit 3.22 Corporate Ownership

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that,
according to the records of this office,

HOLCIM (US) INC.

is an entity formed or registered under the law of Delaware, has complied with all
applicable requirements of this office, and is in good standing with this office. This entity has
been assigned entity identification number 19901009684.

This certificate reflects facts established or disclosed by documents delivered to this office on
paper through 04/29/2024 that have been posted, and by documents delivered to this office
electronically through 05/01/2024 @ 14:05:42.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this
official certificate at Denver, Colorado on 05/01/2024 @ 14:05:42 in accordance with applicable law.
This certificate is assigned Confirmation Number 15999493.



Jena Griswold

Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's website is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's website, <https://www.coloradosos.gov/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our website, <https://www.coloradosos.gov> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."

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CUP Exhibit 3.24 Owner Authorization to Consultant



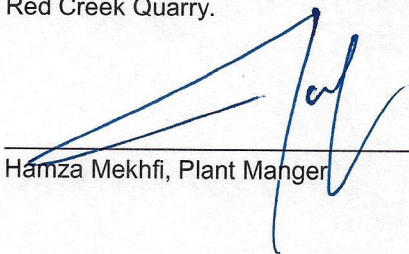
March 1, 2024

Fremont County
Department of Planning and Zoning
615 Macon Avenue, Room 210
Cañon City, CO 81212

RE: Red Creek Quarry
Authorization to Represent Applicant/Property Owner

To Whom It May Concern;

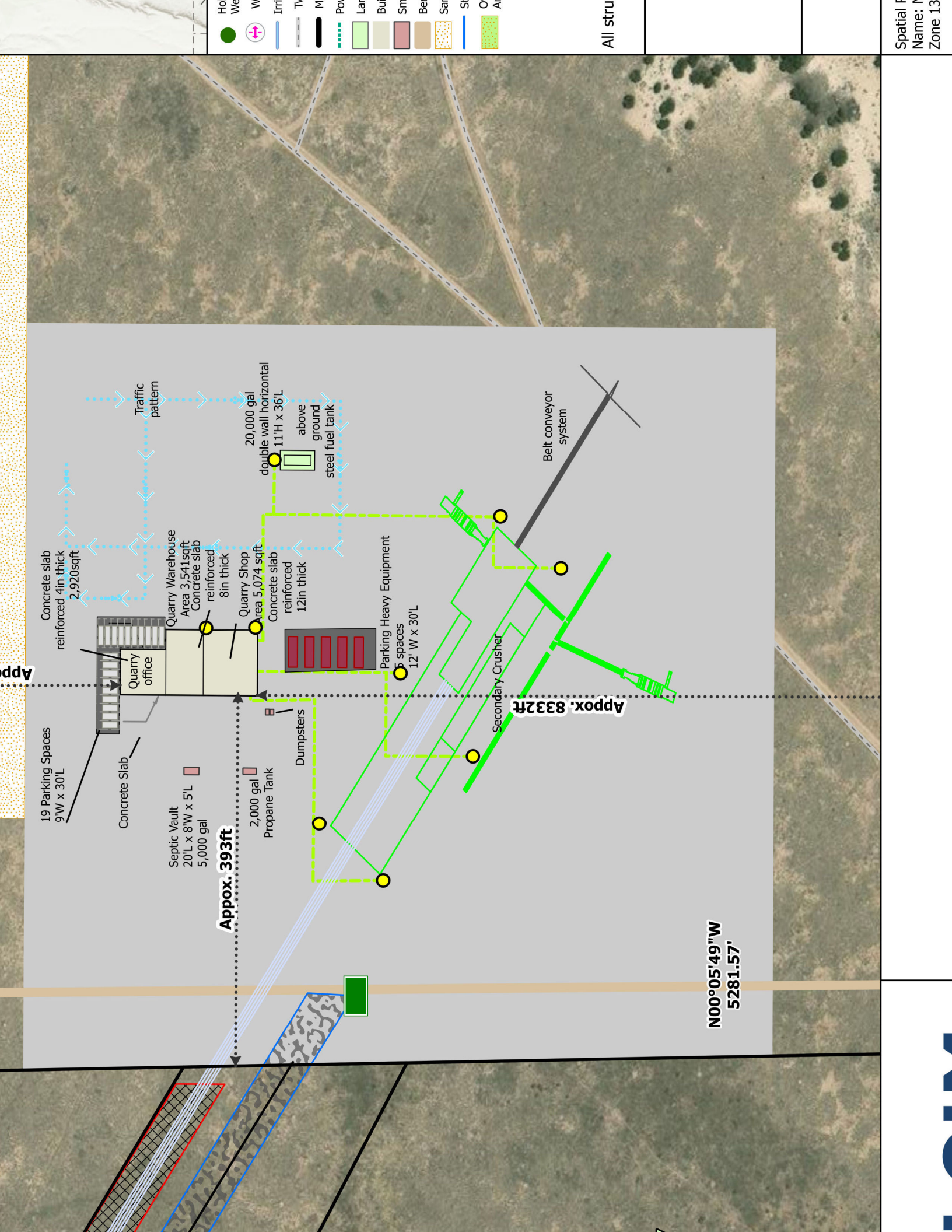
I, Hamza Mekhfi, of Holcim (US) Incorporated, with corporate office address of 3500 US Highway 120, Florence, CO 81226, hereby grant authorization to Dr. Angela Bellantoni of Environmental Alternatives, Inc. with address of P.O. Box 326, Cañon City, CO 81212 to represent Holcim (US) Inc. to Fremont County for application submission, review and due process of a Conditional Use Permit for Red Creek Quarry.



Hamza Mekhfi, Plant Manager

CUP Exhibit 3.28 Hazardous Materials List

Description	Quantity (gallons)	Location	Secondary containment
Diesel Fuel	20,000	Outside shop	Double walled tank with crash bollards
Motor Oil	440 (8-55 gallon drums)	Inside shop	Spill containment pallets
Transmission Oil	330 (6-55 gallon drums)	Inside shop	Spill containment pallets
Hydraulic Oil	440 (8-55 gallon drums)	Inside shop	Spill containment pallets
Diesel Exhaust Fluid	660 (2-330 gallon tones)	Inside shop	Spill dikes



CUP Exhibit 3.29 DRMS Reclamation Plan



March 14, 2024

Michael B. Toelle
Holcim (US) Inc.
3500 Highway 120
Florence, CO 81226

**Re: Portland Limestone Quarries - File No. M-1977-344
Holcim (US) Inc.
Amendment (AM-2)
Bear Creek Quarry Permit Amendment for Red Creek Quarry**

Dear Michael B. Toelle:

On March 14, 2024 the Division of Reclamation, Mining and Safety concluded its review of the Amendment application submitted to the Division on October 2, 2023, addressing the following:

Holcim is amending the Portland Limestone Quarry (Bear Creek Quarry) Permit to include the Red Creek Quarry of 4076.08 acres for a total permit area of 5615.34 acres. The Red Creek Quarry is the future limestone source for the Portland Cement Plant replacing the Bear Creek Quarry in the future. The site name was updated to "Portland Limestone Quarries"

The decision reached by the Division is: approve.

The terms of Amendment No. 2 approved by the Division are hereby incorporated into Permit No. M-1977-344. All other conditions and requirements of Permit No. M-1977-344 remain in full force and effect.

The revised liability amount exceeds the financial warranty currently held (see below), please submit additional bond or a rider to your existing bond that equals or exceeds the Revised Liability. The revision will not be final until the bond is approved by the Division.

Bond Held:	\$5,268,550.00
Prior Liability:	\$5,268,550.00
Change in Liability:	\$16,051,542.00
Revised Liability:	\$21,320,092.00
Prior Permit Acreage:	1,539.26
Change in Permit Acreage:	4,076.08



Revised Permit Acreage:	5,615.34
Prior Affected Acreage:	1,539.26
Change in Affected Acreage:	4,076.08
Revised Affected Acreage:	5,615.34

If you have any questions, please contact me by telephone at (303) 866-3567 x 8176, or by email at Hunter.ridley@state.co.us.

Sincerely,



Hunter C. Ridley
Environmental Protection Specialist

cc: Timothy Smith

M-GR-04

CUP Exhibit 3.29 Reclamation Plan

CO DRMS 112 Permit Exhibit E: Reclamation Plan (Rule 6.4.5)

Section 2.5

Post-mining land use will be rangeland, consistent with post-mining land use of BCQ. Rangeland will blend successfully with the vicinity land uses and post-mining land uses of the area mines. In addition, rangeland is suitable for the challenges of semi-arid high desert conditions of the area. Reclamation will improve available forage for cattle.

This reclamation plan is in addition to the reclamation plans for BCQ and the Plant Area that were approved by the Division in the original BCQ application (M-1977-344) and AM-01. Due to the extensive life of RCQ, 100 years, Holcim intends to initially post bond for Sections 24 and 25 in Fremont County or approximately 30 years of quarry material. The bond will include reclamation for the conveyor and conveyor service road, quarry infrastructure and approximately 1000 acres of limestone and sandstone mining disturbance. The access road from the plant to RCQ and the Hwy 96 access road will not be reclaimed. At approximately year 20, Holcim will notify DRMS that a bond estimate for reclamation of anticipated disturbance in the subsequent 1000 acres will be forthcoming. Holcim will adjust the bond as appropriate in response to DRMS inspection, comments and recommendations. Bonding adjustments will continue in like manner for the life of the mine.

All natural material above the translime geologic layer will be salvaged. Native plant growth material ranges in thickness from 0 inches where limestone outcrops to eight inches deep. The plant growth material will be segregated from the overburden and stockpiled along the perimeter in berms approximately 10 feet high and 100 feet inside the permit boundary. All overburden above the translime layer will be salvaged for use in construction of the perimeter berm and final reclamation. The perimeter berms will be seeded with a temporary seed mix to stabilize the surface. Stockpiling will continue until approximately Year 20 when contemporaneous reclamation will commence.

Reclamation will occur contemporaneously with mining after Year 20 and continue in like manner through the life of the mine. At the end of mining, all reclamation will be completed within two years. Reclamation will include sloping benches, backfilling the sandstone pit and bringing up the elevation of the mine floor. An abundance of overburden exists to the extent that the lowest two benches will be completely backfilled thus raising the elevation of the mine floor .

Two distinct reclamation efforts will be implemented to reclaim RCQ. The mined out area will be reclaimed beginning in Year 20 using stockpiled overburden and plant growth material using traditional equipment. At the end of the life of the mine, RCQ infrastructure including buildings, conveyor corridor and utilities will be demolished, and footprint reclaimed.

Because of the 100-year life of the mine and ever-changing costs of reclamation tasks, Holcim suggests a phase bonding approach. Holcim proposes submitting a bond for the conveyor and access corridor, Sections 24 and 25 in Parcel 3, and the access to Hwy 96. This area will be developed and mined for 20 to 30 years. After Year 20, Holcim will review the bond to progress into Pueblo County sections for subsequent years.

2.5.1 Reclamation of Material Extraction Areas

Reclamation of mined out sections of the mine will begin by rebuilding slopes using the salvaged overburden. A mined out area will be marked by up to 4 benches or 140 feet of highwall. Haul trucks will transport the stockpiled overburden to the toe of the benches. Bulldozers will push the overburden into

the bench forming slopes 3H:1V or gentler (Figures 2.5.1-1). Excess overburden after rebuilding slopes will be used to elevate the pit floor.

When the slopes are stable and the pit floor is at a suitable elevation, the area will be prepared for seeding. The rebuilt slopes and pit floor will be graded with a motor grader and compacted. The topsoil will be loaded into haul trucks with a loader and distributed over the graded areas to a depth ranging from 4 to 6 inches.

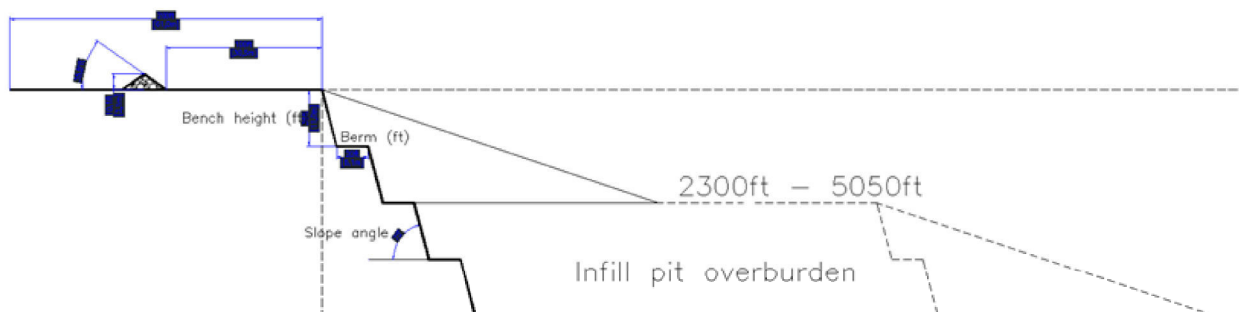


Figure 2.5.1-1 Cross-section of benched highwall and final reclamation slope 3H:1V

While distributing the plant growth material, erosion furrows will be contoured into the bench slopes to mitigate erosion. The furrows will be contoured parallel to the edge of the bench and approximately midway between the edge of the bench to the highwall. Erosion furrows are preferred to straw waddles since they can remain after reclamation vegetation takes hold. This increases precipitation infiltration time for the new and ultimately established vegetation.

Seeding will occur either in the fall or spring with the seed mix presented in Table 2.5.1-1. This seed mix was approved by DRMS in the AM-01 for BCQ. Seed will be broadcast at the rate of 111.5 pounds of live seed per acre, mulched with certified weed free straw, two tons per acre, and tracked into place with a dozer. Fertilizer was not recommended by NRCS. A noxious weed program will utilize chemical weed control if noxious weeds start establishing in the affected land areas that are not controlled by mowing.

Table 2.5.1-1 NRCS Reclamation Seed Mix

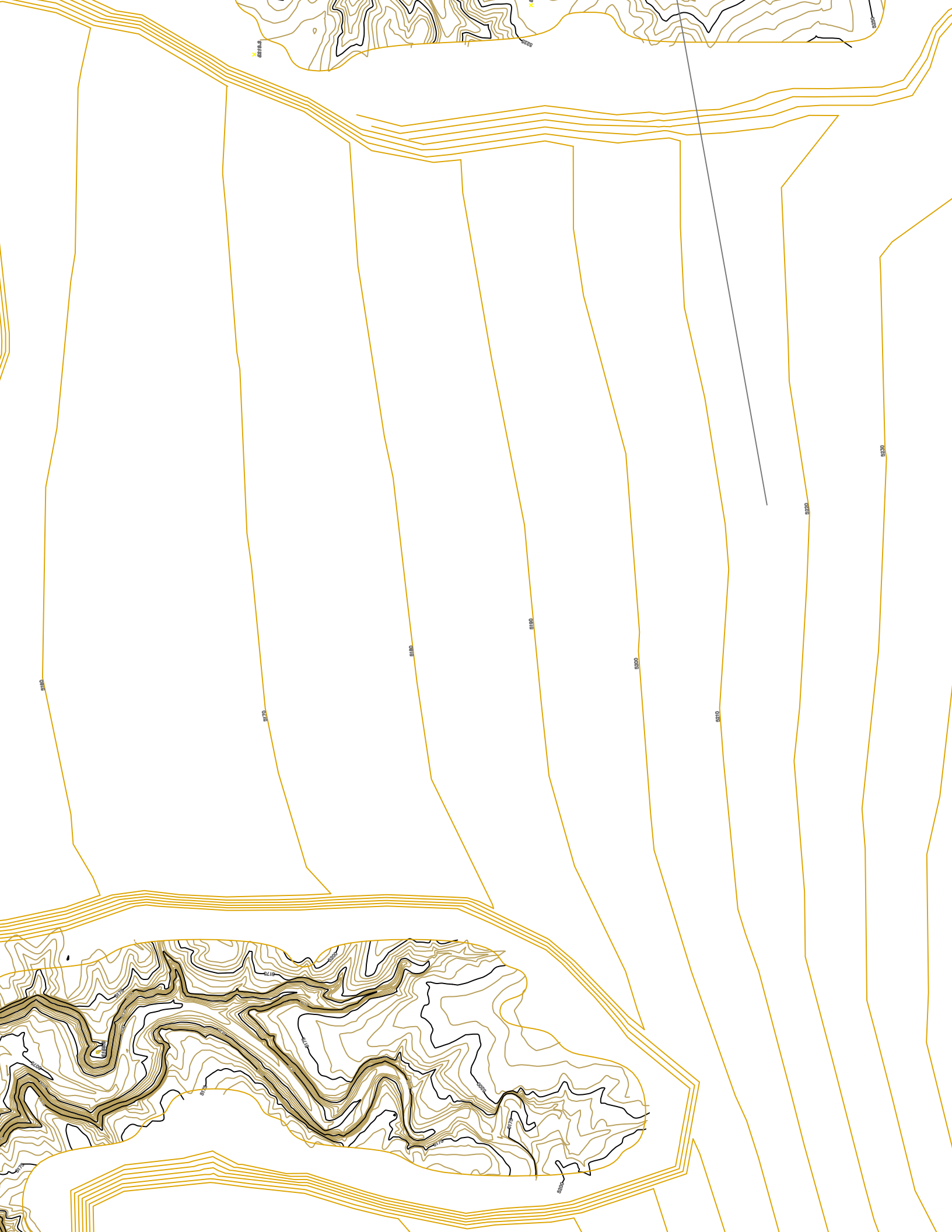
Species	Variety	Required PLS* Rate/Acre	% of Species in Mixture	PLS Seeding Rate Per Species/Acre
Sideoats gramma	Niner, El Reno	18.0	20	3.6
Crested Wheatgrass	Hycrest	10.0	20	2.0
Indian Ricegrass	Nezpar	12.5	15	1.9
Mammath Wildrye	Volga	30.0	20	6.0
Alkali Sacaton	None specified	3.0	10	0.3
Streambank Wheatgrass	Sodar	22.0	10	2.2
Alfalfa	Ladak	16.0	5	0.8
		111.5 PLS/Acre		

*PLS – Pounds live seed per acre

2.5.2 Reclamation of Mine Infrastructure

Once mining ceases, all infrastructure including conveyor system, buildings, and utility infrastructure will be removed from the permit area. The metal buildings will be disassembled and scrapped to a metal recycler. Utility lines will be excavated and electricity distribution poles removed. The septic vault will be drained, excavated and placed in the concrete scrap stockpile. The conveyor will be disassembled; either sold, transported to another Holcim quarry or scrapped. The crushers and screens will be sold or transported to another Holcim quarry. Concrete structures such as conveyor supports, building slabs, septic vault, etc. will be stockpiled and eventually crushed and used as backfill in final slope rebuilding.

The infrastructure footprint including parking lots, buildings pads and conveyor support pads will be ripped with an excavator or loader equipped with a claw. The ground will be ripped to a depth of 1 foot, then graded and contoured with a motor grader. Seed bed preparation and seeding will proceed as described above.



Nov 22 2004

Road Maintenance Agreement

PLANNING & ZONING

This Agreement is entered into on the _____ day of October, 2004, between Stephen L. Schnurr Living Trust (hereinafter "Schnurr") and Ranch Land, LLC (hereinafter "Ranch Land") and County of Fremont, State of Colorado (hereinafter "Fremont County").

Whereas a Right-of-Way was provided by Schnurr and Ranch Land to Fremont County as shown in Exhibit A for the use as a Roadway. The Roadway has been identified as Fremont County Road #112. Further, Holcim also provided a Right-of-Way as shown in Exhibit B to be used for the construction of Fremont County Road #112.

Whereas Schnurr and Holcim built the Roadway through the Right(s)-of-Way and said Roadway has been dedicated to Fremont County (hereinafter "the Roadway").

Whereas Fremont County requested assistance in the maintenance of the Roadway until such time as change of use or future development. Consequently, Schnurr has been maintaining the Roadway.

Whereas Schnurr has a Conditional Use Permit to remove sand and gravel from property in which he owns and the Roadway has been used in transportation of heavy hauling of such sand and gravel.

Whereas Ranch Land has requested access to the Roadway. As a condition of obtaining a Conditional Use Permit for sand and gravel extraction, Fremont County required Ranch Land enter into a Maintenance Agreement for Fremont County Road #112 as the trucks hauling sand and gravel extracted from Ranch Land's property would travel the Roadway.

Now therefore, in consideration of the above and the covenants and promises as hereinafter set forth the parties agree as follows:

1. Schnurr will continue to assist with the road maintenance. Maintenance will include keeping the Roadway in compliance with Fremont County specifications. From time to time Fremont County will inspect and advise on the maintenance required to comply with such Fremont County specifications. Such maintenance will take into consideration heavy hauling of sand, gravel and other minerals. Schnurr agrees and/or his assigns will agree on the vendor for such maintenance. If performed by Rocky Mountain Asphalt, the cost of maintenance or improvements will be calculated at Rocky Mountain Asphalt's wholesalers bid cost. The Roadway will be maintained by Schnurr and Ranch Land only during the time there is hauling of sand and gravel from their property.

2. The cost to each party will be allocated by the percentage of use over the Roadway on a six (6) month period. Such percentages will apply to the cost incurred over the subsequent six (6) months. The basis for such allocation will be the number of trucks that travel across the Roadway for each party in proportion to the number of trucks for all parties during that period. The calculation for the first six (6) months will be retroactive after the first six (6) months calculations. The initial basis for payment during

the first six (6) months shall be 25% Ranch Land and 75% Schnurr, which percentages shall be adjusted once the first six (6) month truck count is completed.

3. Payment for Ranch Land and Schnurr's share will be made to vendors within thirty (30) days after receipt of the invoice for such services to Ranch Land. If such payment is not made within the thirty (30) days then Schnurr and Ranch Land will advise Fremont County of the violation as well as have all other remedies at law and equity available to each.

4. The Agreement shall remain in full force and effect until Fremont County takes over the maintenance of the land. This Agreement will insure to the benefits of both parties, their successors and assigns.

5. This Agreement does not create a benefit for any third party. The Parties hereto reserve the right to deny access to any other user unless or until there is an agreement with user or entity controlling such use to contribute its proportionate share of the maintenance cost for the Roadway.

6. Schnurr and Ranch Land do not assume any responsibility or liability to any person using the Roadway for any injury, damage or loss as a result of the Roadway's condition. Fremont County agrees to indemnify and hold Schnurr and Ranch Land harmless from any and all suits, claims or actions of any kind or nature against Schnurr. Ranch Land or their assigns as a result of their Agreement to maintain the Roadway.

7. Ranch Land and Schnurr waive any claims they may have against each other, their assigns or vendors for any damage, loss or injury as a result of the maintenance of the Roadway or other requirements express or implied in this Agreement.

8. if it is necessary for any party to enforce this Agreement by employing the services of any attorney then the prevailing party shall be entitled to reimbursement of all reasonable attorney fees, legal expenses, costs and other expenses incurred in enforcement of this Agreement. If there is a dispute between Ranch Land and Schnurr as to the cost of maintenance, reimburse-ments or trip counts, such disputes shall be resolved through binding arbitration under the rules of the American Arbitration Association, commercial.

9. All notices should be, sent to:

Stephen J. Schnurr
1920 Rand Avenue
Colorado Springs, CO 00906

William H. Peetz, Manager
Ranch Land, LLC
3925 Hill Drive
Colorado Springs, CO 80904

Bill Giordano
615 Macon Avenue
Canon City, CO 81212

Copy to:

Gregory D. Timm, Esq.
24 N. Tejon Street
Colorado Springs, CO 80903

Angela Bellantoni
Environmental Alternatives, Inc.
113 Latigo Lane, #D-324
Canon City, CO 81212

10. Ranch Land shall not be required to reimburse Schnurr for any maintenance or construction costs of the road incurred prior to the date of this Agreement.

Dated as of the date first written above.

STEPHEN J. SCHNURR LIVING TRUST

BY: _____
Stephen J. Schnurr, Trustee

RANCH LAND, LLC

BY: _____
William H. Peetz, Manager

FREMONT COUNTY

BY: _____
Bill Giordano

7004 1350 0005 5026 8541

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)		
For delivery information visit our website at www.usps.com		
COLORADO SPRINGS, CO 80906		
Postage	\$ 0.37	UNIT ID: 0773 Postmark Here Clerk: KAYW 11/19/04
Certified Fee	2.30	
Return Receipt Fee (Endorsement Required)	1.75	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 4.42	
Sent To: <u>Mr. Schmitt</u> Street, Ap. No., or PO Box No. <u>1920 Rand Ave</u> City, State, ZIP+4 <u>Co. Springs, CO 80906</u>		
PS Form 3800, June 2002		See Reverse for instructions

Attachment D



COLORADO Department of Transportation

Region 2 Traffic Section
5615 Wills Blvd, Suite A
Pueblo, CO 81008
719-546-5440

January 11, 2024

Permit No. **223081**
Pueblo County

Holcim (US) Inc. / Mike Toelle
3500 Highway 120
Florence, CO 81226

Dear Permittee:

1. Please **review** the attached State Highway Access Permit (Form #101) and all enclosed attachments.
2. If you choose **NOT** to act on the permit, please notify the Colorado Department of Transportation (CDOT) within 60 days of the date of this transmittal letter, CDOT will consider this permit withdrawn and reapplication will be required.
3. If you wish to **APPEAL** the Terms and Conditions of the permit, please refer to the attached Form 101, Pages 2 and 3 for an explanation of the appeal procedures.
4. **If you ACCEPT** the Permit and its Terms and Conditions and are authorized to sign as legal owner of the property or as an authorized representative, please sign and date the DocuSign Access Permit form #101 on the line marked "PERMITTEE". Your signature confirms your agreement to all the listed Terms and Conditions. **The file will be returned electronically to the permit Author for final signatures and completion. The executed DocuSign envelope will be returned to you electronically through email once the CDOT permit author has signed, executing the permit. Keep in mind that a permit does not grant access, permission to construct or perform any work in the CDOT right-of-way. Access and permission to construct will be granted with a Notice to Proceed to construct.** This states that we have an agreement to grant access at the given location to you.
5. **Once the digital signature is complete** you will receive a link to pay the permit fee through PayPal. The link is to pay the permit fee of \$100.00. If the Permittee is not paying the fee and the fee is being paid by third party, a PayPal link can be requested through your permit author. **If the link is missing contact the permit author and they will send the link via email.**
6. As described in the attached Terms and Conditions, you must make a written request to obtain a Notice to Proceed. **DO NOT** begin any work within the State Highway Right-of-Way without a validated Access Permit and Notice to Proceed. Use of this permit without the Colorado Department of Transportation's validation shall be considered a violation of State Law and the permit will be revoked.

If you have any questions, please contact me at:

Teresa Guagliardo
Region 2 Traffic Section
5615 Wills Blvd, Suite A
Pueblo, CO 81008
719-546-5440
teresa.guagliardo@state.co.us

COLORADO DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ACCESS PERMIT		CDOT Permit No. 223081
		State Highway No / Mp / Side 096A / 36.59 / Left
Permit Fee \$100.00	Date of Transmittal 01/11/2024	Region / Section / Patrol / Name 2 / 04 / 41 / Buford
		Local Jurisdiction Pueblo County

The Permittee(s):

The Applicant(s):

Holcim (US) Inc. / Mike Toelle
3500 Highway 120
Florence, CO 81226
P 719-429-5566 E mike.toelle@holcim.com

is hereby granted permission to have an access to the state highway at the location noted below. The access shall be constructed, maintained and used in accordance with this permit, including the State Highway Access Code and any attachments, terms, conditions and exhibits. This permit may be revoked by the Issuing Authority if at any time the permitted access and its use violate any parts of this permit. The issuing authority, the Department and their duly appointed agents and employees shall be held harmless against any action for personal injury or property damage sustained by reason of the exercise of the permit.

Location:

SH096A ±2165 west from MP 37 (MP36.59), Left Side in Pueblo County
Access to serve as employee access to 3500 Highway 120, Florence, Fremont County

Access to Provide Service to:

Code	Land Use	AADT
1097	Agricultural Field Approach _ ±640 acres of Vacant Agricultural Land (Parcel #700000088)	1
1091	Gravel Pit _ Third-Party & Employee only ingress/egress to the Red Creek Quarry (10 employees) and the one-time ingress for mobile and quarry equipment to be taken to the quarry site	20
TOTAL		21

Additional Information:

See additional Terms & Conditions.

MUNICIPALITY OR COUNTY APPROVAL

Required only when the appropriate local authority retains issuing authority.

Signature	Print Name	Date	Title
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Upon the signing of this permit the permittee agrees to the terms and conditions and referenced attachments contained herein. All construction shall be completed in an expeditious and safe manner and shall be finished within 45 days from Initiation. The permitted access shall be completed in accordance with the terms and conditions of the permit prior to being used.

The permittee shall notify Ron Young with the Colorado Department of Transportation at (719) 289-8718 at least 5 days prior to commencing construction within the State Highway right-of-way.

The person signing as the permittee must be the owner or legal representative of the property served by the permitted access and have full authority to accept the permit and its terms and conditions.

Permittee Signature: <i>Mike Toelle</i>	Print Name Mike Toelle	Date 1/15/2024 10:09 AM MST
Co-Permittee Signature: (if applicable)	Print Name	Date

This permit is not valid until signed by a duly authorized representative of the Department.

COLORADO DEPARTMENT OF TRANSPORTATION

Signature: <i>Michelle Regalado</i>	Print Name Michelle Regalado	Title Assistant Access Manager	Date (of issue) 1/16/2024 7:36 AM MST
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Copy Distribution:

Required:
1.Region
2.Applicant

3.Staff Access Section
4.Central Files

Make copies as necessary for:
Local Authority
MTCE Patrol
Inspector
Traffic Engineer

Previous editions are obsolete and may not be used
Page 1 of 3 CDOT Form #101 5/07

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COLORADO

Department of Transportation

Region 2 Permits

5615 Wills Blvd, Suite A
Pueblo, CO 81008-2349

SH 120A/MP 3.1 (R-B)
Fremont County

May 14, 2024

Joanne Kohl (joanne.kohl@fremontco.com)
Fremont County Planning & Zoning Department
615 Macon Avenue, Room 210
Cañon City, CO 81212

RE: Red Creek Quarry
MM24-001 (CUP 02-003 Holcim)

Dear Joanne Kohl,

I am in receipt of a referral request for comments regarding Red Creek Quarry located off County Road 112 connecting to State Highway 120A, Fremont County. The application submitted to Fremont County was to modify an existing Conditional Use Permit (CUP 02-003). Holcim intends to increase the CUP boundary and change the intended use. The property has a tax schedule number 99912030 and 99912029, currently owned by Holcim, Inc.

There are two known access points to the state highway system for these parcels, both of which have state access permits at different stages. They are:

- **CDOT Access Permit #203071 _ SH120A, MP3.1, Right Side**
 - Letter of Acceptance dated 8/5/2004
 - Per Condition #22 of the permit, “The Annual Average Daily Traffic (AADT) volumes associated with the gravel pit using this access shall not exceed 20 trips in addition to existing traffic.”
- **CDOT Access Permit #223081 _ SH096A, MP36.59, Left Side**
 - The Notice to Proceed was issued on 1/16/2024. As of the date of this letter, construction of the required improvements for this access has not been started.
 - The permit expires 1/15/2025 if not under construction or completed, or if an extension has not been requested.
 - Per Condition #3 of the permit, “The access will now serve 640 agricultural acres, a third-party and employee-only ingress/egress to the **Red Creek Quarry**, and the one-time ingress for mobile and quarry equipment to be taken to the quarry site. The list of approved mobile equipment is attached to this permit. No buildings will be constructed.”
 - Per Condition #6 of the permit, “The Annual Average Daily Traffic (AADT) volumes for this access shall not exceed 21 trips.

Additional CDOT access permits will not be required for the above-mentioned locations at this time. However, if in the future, the traffic volumes increase by greater than 20% of the permitted number, the permittee (property owner) is required to apply for a new Access Permit and may be required to construct highway improvements.



Please contact me at (719) 546-5440 or teresa.guagliardo@state.co.us with any questions.

Sincerely,

Teresa Guagliardo

Teresa Guagliardo
CDOT R2 Access Management

Xc: Buford, Patrol 23
Lancaster/file



Joanne Kohl

From: Lancaster - CDOT, Adam <adam.lancaster@state.co.us>
Sent: Tuesday, March 25, 2025 10:06 AM
To: Joanne Kohl
Subject: Re: Resubmittal MM CUP 24-001 Red Creek Quarry

CAUTION: This sender is located outside of your organization.

Joanne

We are in receipt of the above-referenced development submittal. After review of the provided documents, CDOT Staff currently has NO COMMENT pertaining to this submittal.

Thank you

On Tue, Mar 25, 2025 at 9:23 AM Joanne Kohl <joanne.kohl@fremontco.com> wrote:

Good morning,

Attached is the resubmittal for MM CUP 24-001 Red Creek Quarry for your review. Please provide any comments by 4-10-2025. Please contact our office if you have any questions or if we can be of further assistance.

Thank Yu,

Joanne