

NOTICE

All drawings located at the end of the document.

Herefords Since 1869

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Church Ranch

10100 WADSWORTH BLVD
BROOMFIELD, COLORADO

May 8, 1985

Mr. Chuck Illsley
Rocky Flats Plant Energy Systems Group
P.O. Box 464
Golden, CO 80401

Re: Church/Lakewood Clay Pit

Dear Chuck

I am enclosing a copy of a letter and documentation that I sent to Mr. Bellows on April 9, 1985.

This letter is just a follow-up to see if he received it and you received your copy and to kind of touch base with you to find out what Mr. Bellows' current position is on this matter and whether or not you still feel that we will get a favorable decision. The reason I am asking you this at this point is that I'm sure you are aware the operator of the clay pit, Don Clark, had someone in there just last week attempting to steal a loader, and they apparently drove it up and down the gravel access road, trying to find another way to get out and either your plant security surprised them or someone did, and they abandoned the attempt to steal this loader.

Don Clark has asked us to help him out with some additional security fencing which I plan to do, and if we could do all the fencing at once, it would be a good use of our time. If I felt that a favorable decision was going to be coming but it may be 30 - 60 days away - or even 90 days away, I would be willing to do the work on speculation that we would get that favorable decision.

Please let me know what you think I should do.

Yours very truly,



Charles C. McKay

CCM/cjg

Enclosure

ADMIN RECORD

A-0011-000205

5/15

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Church Ranch

10100 WADSWORTH BLVD.
BROOMFIELD, COLORADO

April 9, 1985

Mr. Jerry Bellows
Rocky Flats Area Manager
Department of Energy
P.O. Box 928
Golden, CO 80401

RE: Change in Clay Gravel Pit Access Point

Per my meetings with Chuck Illsley on the telephone, in person, and job site visits, he has asked me to put this request in writing with the documentation enclosed.

I am enclosing a survey map done by C. R. Moore Associates and I am enclosing a sketch map that I made up today to spell out specifically what our request is, with specific points, footages, and commitments on the sketch map.

Basically, I have and am requesting a change in the point of entry to our Reserve Mineral Rights in Section 9. As you can see from the sketch map, we are abandoning our old gate and would have no further need for it, but agree to leave it with a locked gate, so that you or we may have access at another time in case of some emergency.

1. We are agreeing to construct a fence to go from the road north to the Church and McKay ditches. This would be a security fence that would be to both yours and our benefit. In addition to this security fence, we agree to construct a "gate approach area" approximately 30 feet wide by 80 feet deep with a 12" culvert and a lockable gate at the north end. This would allow for even the largest semi-type truck to enter and unlock the gate without obstructing any traffic whatsoever.
2. We further agree to stake out the 75 acres that we are currently permitted and zoned for the mining operation. (Corner staking)
3. We, of course, as always, agree to give a key to both gates to Chuck Illsley to pass on to Security and other people at the Plant that may have an interest in access to this property for one reason or another.
4. The fourth and final point that I would like to make is that Chuck Illsley indicated to me that in the future you were going to be abandoning your access point, which is approximately 600 feet further west and this would clear up any problems that we had in the past with Rockwell, Wind Site people, Rockwell employment applicants finding their way into the Clay Mine on purpose or by accident.

I do appreciate yours and Chuck Illsley's consideration and receptiveness to this change in point of entry and hope that you will be able to grant it, as Jefferson County Board of Adjustments has recommended to us that we obtain this change in point of entry for our recent re-application and mining permit.

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Herefords Since 1869

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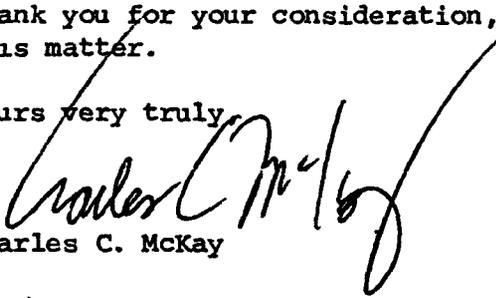
Church Ranch

10100 WADSWORTH BLVD.
BROOMFIELD, COLORADO

Mr. Jerry Bellows
Page 2

Thank you for your consideration, and I look forward to your granting our request in this matter.

Yours very truly


Charles C. McKay

CCM/cjg

Enclosure

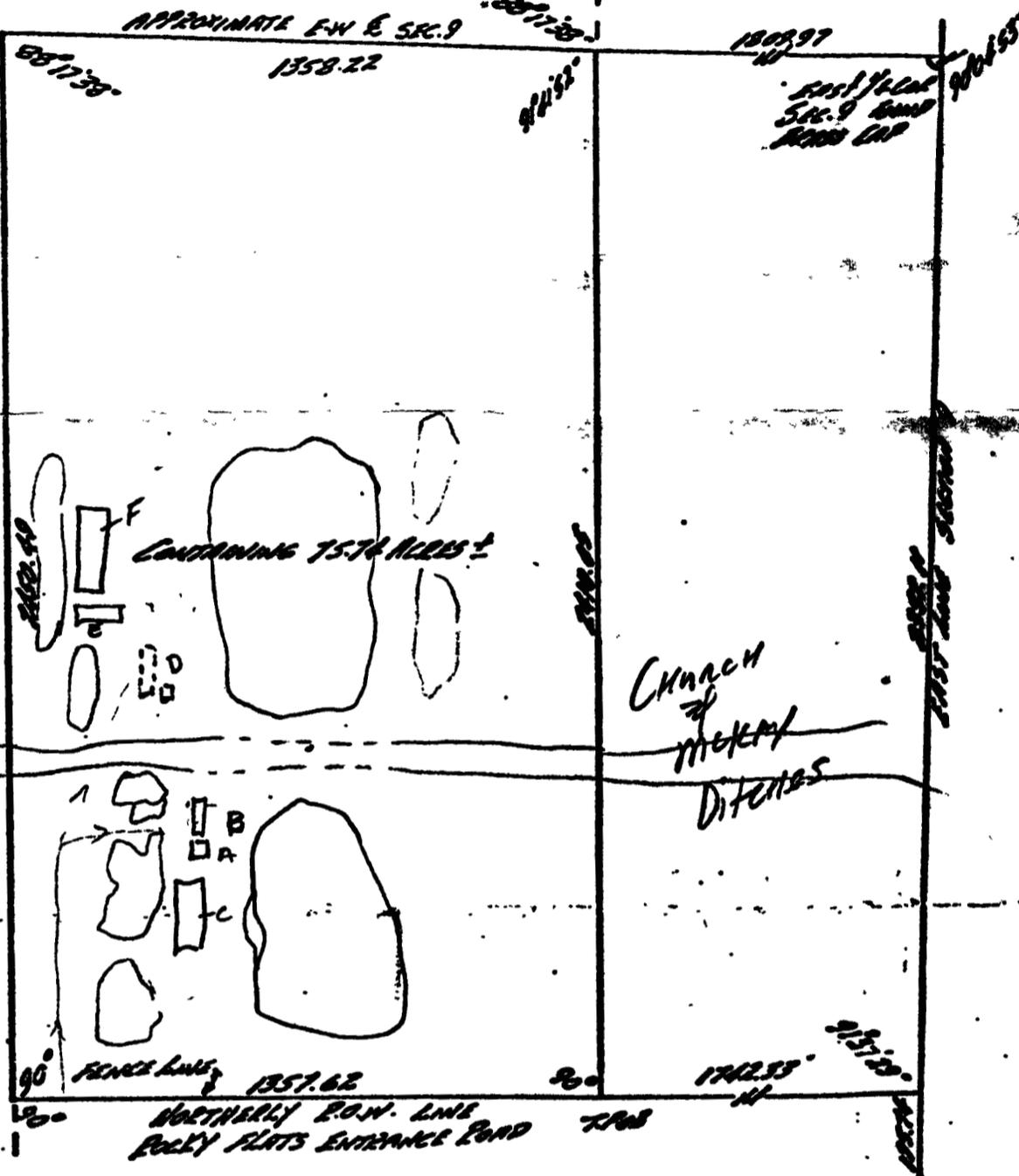
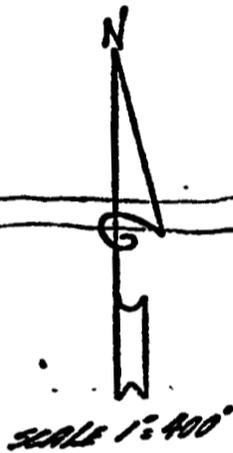
cc: Chuck Illsley
Steve O'Brian, Environment, Inc.
Jim Murray, Lakewood Brick

5955 ROSS ST.
AVADA, COLO
80004

Section #9
Rocky Flats

CREIGHTON R. MOORE, L.S.
REGISTERED IN COLO & WYO

NO. 10945
PAGE 9917
PHONE 424-4751



Legal description

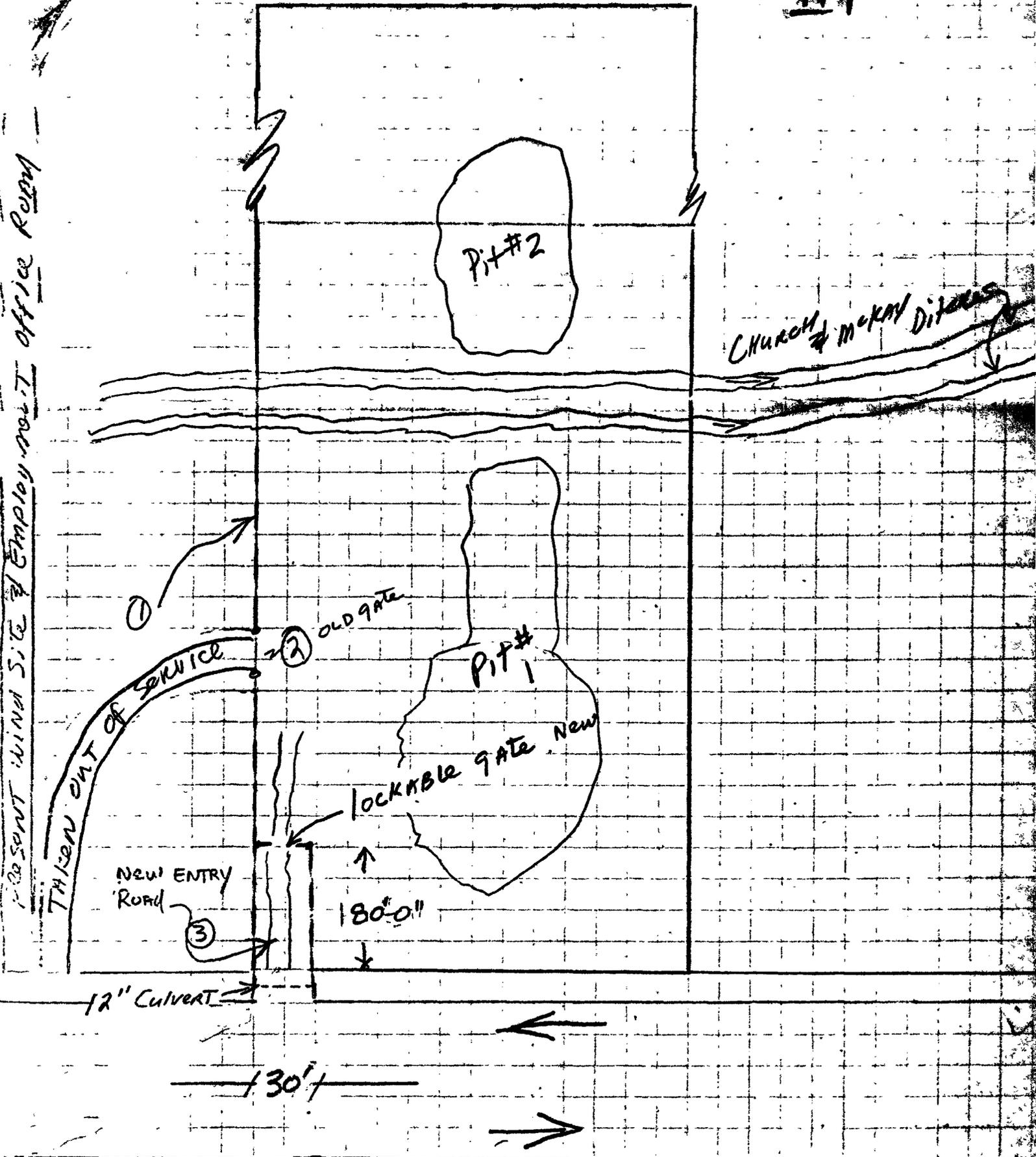
A parcel of land located in Section 9, Township 2 South, Range 70 West of the 6th P.M., County of Jefferson, State of Colorado, more particularly described as follows: Beginning at the Southeast corner of said section 9, thence Northerly along the East line of said Section 9 a distance of 195.74 feet, thence on an angle to the left of 91°57'29" a distance of 1742.33 feet to the true point of beginning, said true point of beginning being on the Northerly right of way line of Rocky Flats Entrance Road, thence on an angle to the right of 90°00'00" Northerly a distance of 2410.05 feet to the approximate East-West center line of said Section 9, thence on an angle to the left of 88°17'38" along the approximate East-West center line of said Section 9 a distance of 1358.22 feet, thence on an angle to the left of 91°41'52" Southerly a distance of 2450.49 feet to the Northerly right of way line of Rocky Flats Entrance Road, thence on an angle to the left of 90°00'00" along the Northerly right of way line of Rocky Flats Entrance Road a distance of 1357.62 feet to the true point of beginning, containing 75.74 acres more or less.

Certificate

I, Creighton R. Moore, a Registered Land Surveyor in the State of Colorado, hereby certify that on January 6, 1978, a survey of the above described property was made under my direct supervision and that I found or set all lot corners. I further certify that the attached legal description and drawing are correct at the best of my knowledge and belief.

Present Wind Site & Employment Office Road

N ↑



1.) 3 Strand Barb Wire Fence to be built by McKay from DOE Fenceline to the Church and McKay ditches.

Fence to follow pits west property line. (See C. R. Moore survey for details)

2.) Old gate to be locked and used for emergency only. Key now in hands of Chuck Illsley.

3.) New Entry Road with 80-0" throat to assure turn in with no blockage.

Gate open A.M. - locked P.M.

a.) Key to be furnished to Chuck Illsley.

b.) Barb Wire Fence equal to Rocky Flats Buffer Zone standards.

CHURCH RANCH RESERVED MINERALS

Section 9 - Rocky Flats
Lakewood/McKay/Church Pit

Request for change in Point of Entry.

Requested By: Charles Church McKay 4-9-85

9/9 5/5

Not Available Copy