



115 SOUTH 48TH STREET • TEMPE, ARIZONA 85281

PHONE: 480 784 2910
FAX: 480 829 8607

May 16, 2022

STATE MINE INSPECTOR

MAY 18 2022

Arizona State Mine Inspector Agency
Reclamation Department
1700 W. Washington St., Suite 403
Phoenix, Arizona 85007-2805

Attention: Ms. Amanda Lothner, Reclamation Specialists

Reference: Aggregate Mined Land Reclamation Plan
FNF Thornton 40 Material Source, near Casa Grande, AZ
Plan Approval Date June 15, 2008

Subject: Mine Plan Substantial Change Amendment - Revised

Dear Ms. Lothner,

FNF Construction, Inc. (FNF) is in receipt of your correspondence dated May 6, 2022 stating that our Mine Plan Substantial Change Amendment is Technically Incomplete. FNF will make the changes as requested.

1. The mine site is located in Pinal County, Parcel No. 511-02-001C.
2. Post-aggregate mined area will be changed from a flat surface (ground elevation 1,400-feet above mean sea level (msl)) to a secured 60' deep excavated pit.
3. The previous reclamation plan will need to be modified to allow FNF to leave a 60' deep pit with a 30' bench. With the proposed change FNF will not be able to leave a flat surface. Due to the extreme cost to fill in the excavated area and or the limited area for sloping, the excavated area will have to remain in place.
4. The post mine topography will substantially change from a flat surface to a 60' deep pit with a 30' bench.
5. The new excavated area will have proper security fencing along with berms and gates surrounding the site.
6. Post-aggregate mine use will be changed from a flat surface (ground elevation 1,400-feet above mean sea level (msl)) to a secured 60' deep excavated pit, which would still allow for post-mine industrial use and open space.
7. There will be no changes to access roads. There will be no drill pads, drill holes or mine trenches left on the site.

New Mine Plan Narrative:

The previously submitted and approved Mine and Reclamation Plan allowed FNF to mine the hill that was located on the Thornton 40 property to the at grade elevation of 1,400-feet above mean sea level (msl). The requested substantial change would allow FNF to continue to mine the site where the hill was previously located and mine sub-surface approximately to 60' deep. Maps showing the approved mine plan along with a map showing the new excavation area have been previously submitted on March 6, 2022.

The new mine excavation area will not increase the footprint of the previously approved plan. The excavation area will be 60' deep with a 30' bench which will leave safe side walls. FNF will commit to fencing (3-strand barbed wire) the 60' deep pit that will be left on the property which will provide a secure site. Fencing will be installed around the excavation area prior to mining below the ground level elevation of 1,400-feet above mean sea level (msl).

MAY 19 2022



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In order to ensure that the mined land is returned to a safe productive use, FNF is requesting to modify the Post Mine Use from the previously approved industrial use to also include open space. It is possible that there could be future industrial development that would make use of the excavated area. Due to market demand in the area, it is undetermined how many years it will take FNF to mine down to the 60' level.

FNF has determined that the expense to provide backfill and compaction to fill the excavated area would place FNF under an extreme financial burden. FNF would have to haul in (from some undetermined location) approximately 1,272,577 cubic yards of material to fill in the excavated area. It is estimated that the cost to purchase, import and compact material to fill the excavated area would be approximately \$26,208,370.00, plus engineering and support cost.

Erosion and Sediment Control – Reclamation Schedule:

A large containment berm has previously been constructed around the Thornton 40 site to contain stormwater. Stormwater is directed to the lower portion of the property which functions as a retention pond to hold stormwater runoff following storms. The site design will ensure that surface drainage will occur in a manner that will not contribute to excessive erosion. Runoff will not be allowed to leave the site. Walls of the 60' deep excavated area are rock with 30' benches which are not expected to erode and stormwater and sediment will not leave the excavated area.

Final Reclamation will commence once mining has been completed – trash removal, ripping and scarifying haul roads and compacted areas, grading the site where needed, placing rip rap in low flow areas, which will reduce erosion, and maintaining natural drainage. Revegetation is not proposed therefore monitoring will not be required. The site will be secured so any additional trash removal will not be required.

In regards to financial assurance, additional monies will be needed for excavation area fencing, placement of rip rap, revised estimated cost for trash removal, erosion repair and annual site monitoring and reporting. No other changes to the reclamation cost is anticipated. The reclamation bond will remain in effect until mining has ceased and the site has been secured. A revised Reclamation Cost Estimation has been enclosed for your review.

We hope this documentation demonstrates that our Reclamation Plan is now Technically Complete and meets with your approval and the requirements of the current rules. If you have any questions please contact me at 480-929-6733.

Sincerely,
FNF CONSTRUCTION, INC.

Tressia Contreras
Environmental Manager

enclosures

Pc: Thornton Material Source

Ltr-1868

FNF Construction, Inc.
Thornton 40
Revised Reclamation Cost Estimation - 9-26-22

Table 2

STATE MINE INSPECTOR

SEP 28 2022

Thornton 40 Material Source (40-Acre Site Near Casa Grande, Arizona, Pinal County)

Quarry is approximately 20 Acres, site will be excavated to 60' deep with a 30' bench.

Processing and stockpile area (10 acres) will only need minor grading and leveling.

There are approximately 2 acres of roads on site that will have to be reclaimed, ripping and scarifying.

There are no concrete pads or infrastructure located on the site, removal of permanent structures will not be needed.

Security berms and fencing will be left in place. Additional security fencing will be installed around the excavated 60' deep pit

There is no power or water infrastructure to be removed from the site.

Unit Costs and units provided by Rumco - Rummel Construction, Inc.

Proposed Reclamation Cost Estimation Summary - WorkSheet

Reclamation Item	Units	Description	Suggested Cost	Number of Units	Reclamation Cost
Pit Walls					
	Cu. Yd.	Re-Grading and Topsoiling Costs	\$ 0.44	-	\$ -
	Acre	Revegetation Cost (Disc)	\$ 607	-	\$ -
	Acre	Revegetation Cost (Hydro-seed)	\$ 1,175	-	\$ -
	Each	Containerized Trees and Shrubs	\$ 10	-	\$ -
Processing and Stockpile Area					
	Acre	Re-Grading and leveling	\$ 1,475.00	10	\$ 14,750
	Acre	Revegetation Cost (Disc)	\$ 607	-	\$ -
	Acre	Revegetation Cost (Hydro-seed)	\$ 1,175	-	\$ -
	Each	Containerized Trees and Shrubs	\$ 10	-	\$ -
Roads (Access)					
(Roads with Side Slope < 30%)	Linear Ft.	Re-Grading and Topsoiling Costs	\$ 1.70	-	\$ -
(Roads with Side Slope >30%)	Linear Ft.	Re-Grading and Topsoiling Costs	\$ 2.60	-	\$ -
	Acre	Regrading - Ripping - Scarifying	\$ 1,475	5	\$ 7,400
	Acre	Revegetation Cost (Hydro-seed)	\$ 1,175	-	\$ -
Structures					
(Break-up and bury Slab)	Sq. Ft.	Demolition & Removal - Metal Building	\$ 3.40	-	\$ -
(Break-up and bury Slab)	Sq. Ft.	Demolition & Removal - Masonry Block Building	\$ 3.50	-	\$ -
(Break-up and bury Slab)	Sq. Ft.	Demolition & Removal - Concrete Building	\$ 15.86	-	\$ -
	Linear Mile	Powerline Removal (Single Pole Utility)	\$ 10,000	-	\$ -
Portable asphalt/crusher plants	each	Removal	\$ 5,000	1	\$ 5,000
	Linear Ft.	Demolition - Chain Link Fencing	\$ 3.47	-	\$ -
	Linear Ft.	Demolition - Barb Wire Fencing (3 strand)	\$ 1.94	-	\$ -
	Linear Ft.	Removal - 15" Culvert	\$ 10.29	-	\$ -
	Linear Ft.	Removal - 36" Culvert	\$ 17.15	-	\$ -
(Break-up and remove)	Sq. Ft.	Demolition - Concrete Pads/Roads 12" Thickness	6.78	-	\$ -
Construction					
	Linear Ft.	Construction - Barb Wire Fencing (3 strand)	\$ 5.00	2,500	\$ 12,500
	Sq. Yard	Install Rip Rap Erosion Lining	\$ 24.00	200	\$ 4,800
Material Haulage for Backfill					
Miscellaneous Leveling	Cu. Yard	Truck and Loader - 2000Ft. One Way	\$ 1.03	-	\$ -
	Cu. Yard	Dozer and Scraper - 1000Ft. One Way	\$ 0.72	-	\$ -
Care and Maintenance					
	Ton	Trash Disposal - Repair Erosion 3 years	\$ 105.00	21	\$ 2,200
	Annual	Site Monitor and Reporting - 3 years	\$ 750	3	\$ 2,300

Estimated Reclamation Operating and Material (O&M) Cost Sub-Total = \$ 49,000

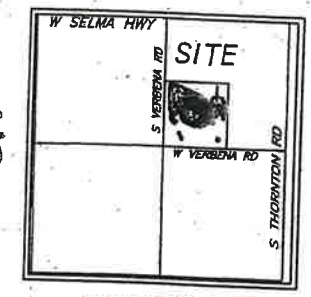
Administrative Costs					
% of O&M Cost	Contingency	10%		\$ 4,900	
% of O&M Cost	General Mobilization / De-Mobilization	10%		\$ 4,900	
% of O&M Cost	Indirect costs	6%		\$ 2,900	
% of O&M Cost	Contractor Profit	14%		\$ 6,900	
% of O&M Cost	Contract Administration	16%		\$ 7,800	

Total Estimated Financial Assurance Amount = \$ 76,400

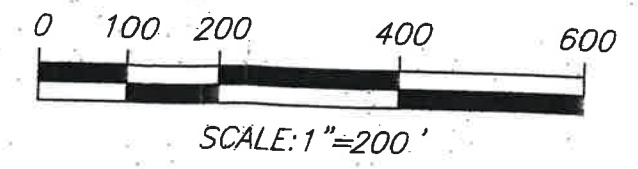
LAND USE POST MINING- THORNTON FNF PROPERTY

A PORTION OF THE NORTHEAST QUARTER IN SECTION 01, TOWNSHIP 07 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, COUNTY OF PINAL, STATE OF ARIZONA.

REVISIONS



VICINITY MAP
NOT TO SCALE



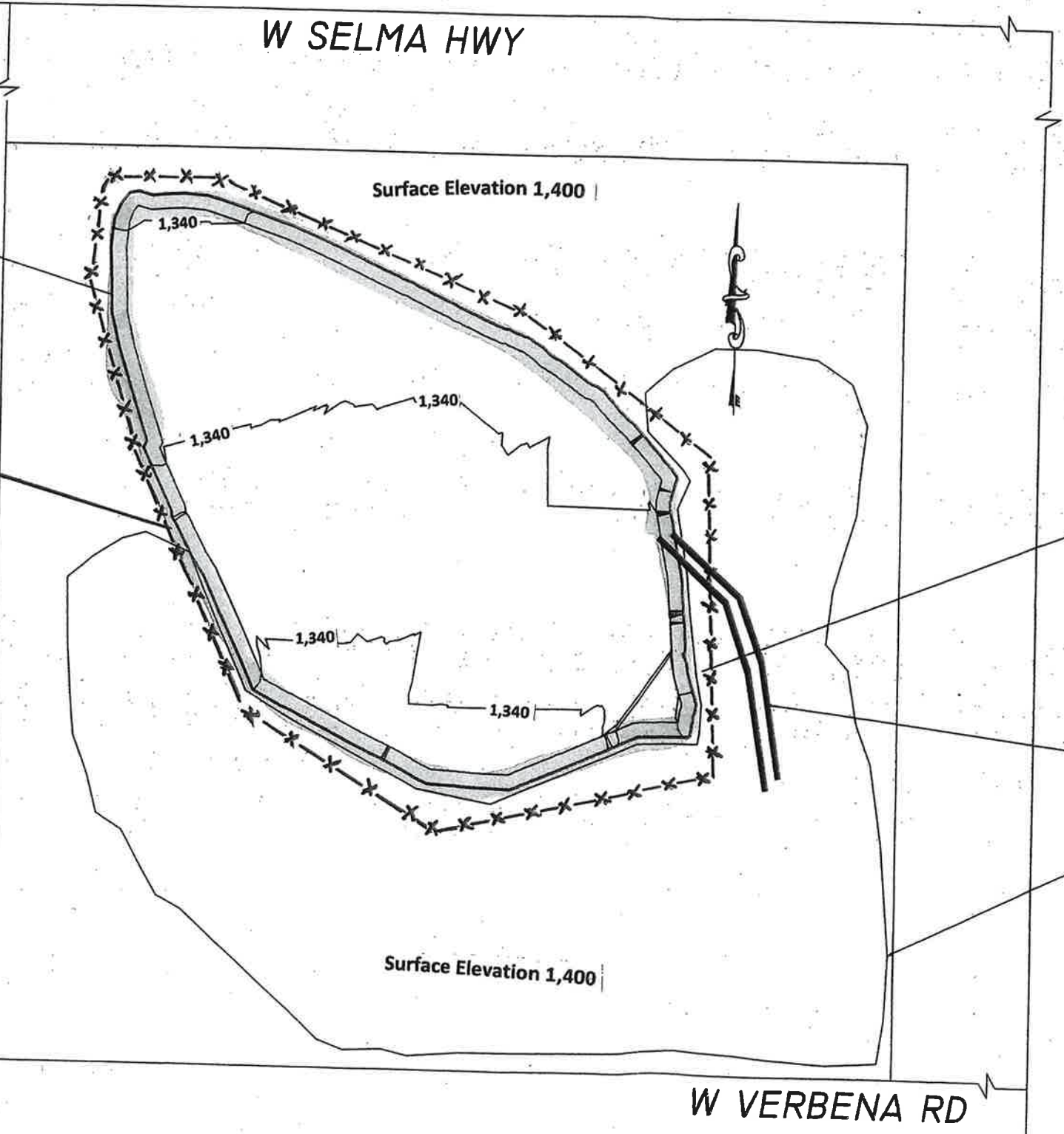
DISTURBANCE AREA
499,273.4 SQ FT
55,474.82 SQ YDS
11.46 ACRES +/-

3 STRAND BARBED WIRE FENCE;
+/- 2,500 LF

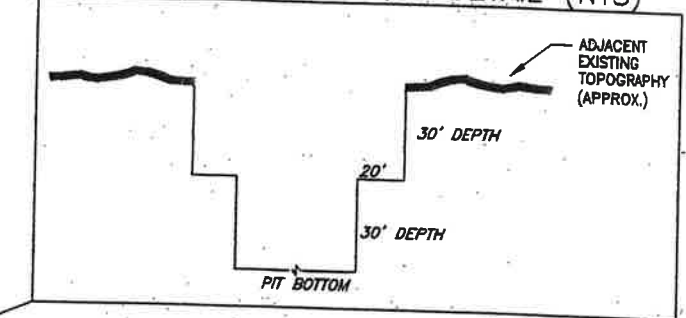
Post Mine Use:
Industrial Land Use

N VERBENA RD

W SELMA HWY



STEP EXCAVATION DETAIL (NTS)



TOTAL AVAILABLE EXCAVATION QTY:
+/- 1,272,577.9 CU YDS

PROPOSED
ACCESS
RAMP/HAUL RD

PROCESSING
AREA
TOTAL PROCESS AREA:
14.85 ACRES +/-

GENERAL NOTES

- 01. PROPOSED CONTOURS AND SITE DISTURBANCE AREAS BASED ON EXISTING TOPOGRAPHY AND DESIGN CRITERIA
- 02. CONTOURS AND ELEVATIONS BASED ON NAVD 88 ELEVATIONS

LAND USE, PROPOSED AND POST MINING

A PORTION OF THE NORTHEAST QUARTER IN SECTION 01, TOWNSHIP 07 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, COUNTY OF PINAL, STATE OF ARIZONA.

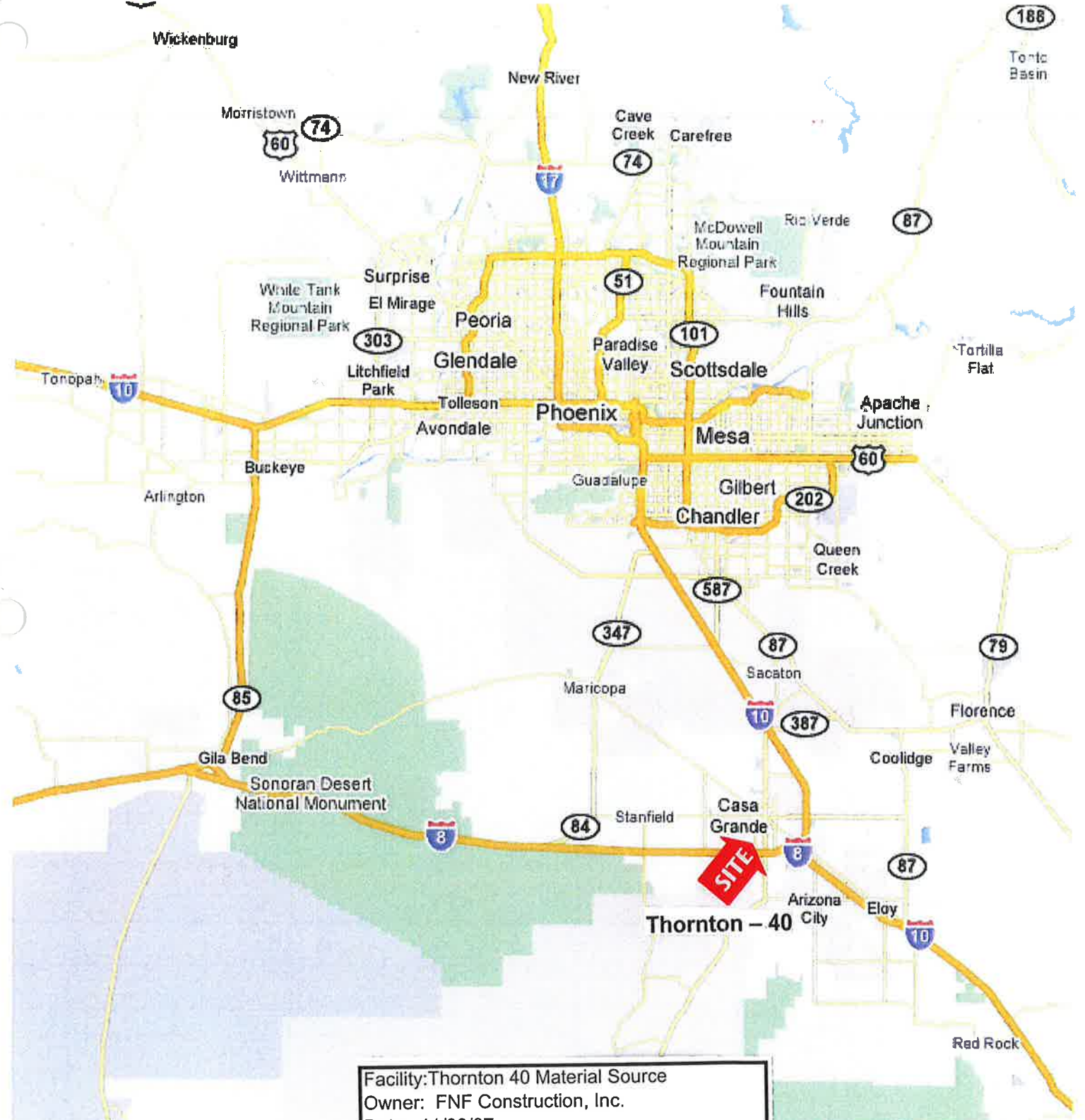
SURVEY-GEOMATICS DEPARTMENT
115 SOUTH 48TH STREET TEMPE, AZ 85281
TEL (480) 244-5036 FAX 480-377-9871
WWW.FNFINC.COM





FIELDWORK BY :
DRAWN BY :
CHECKED BY :
JOB # XXXX
DATE :

SHEET NO.

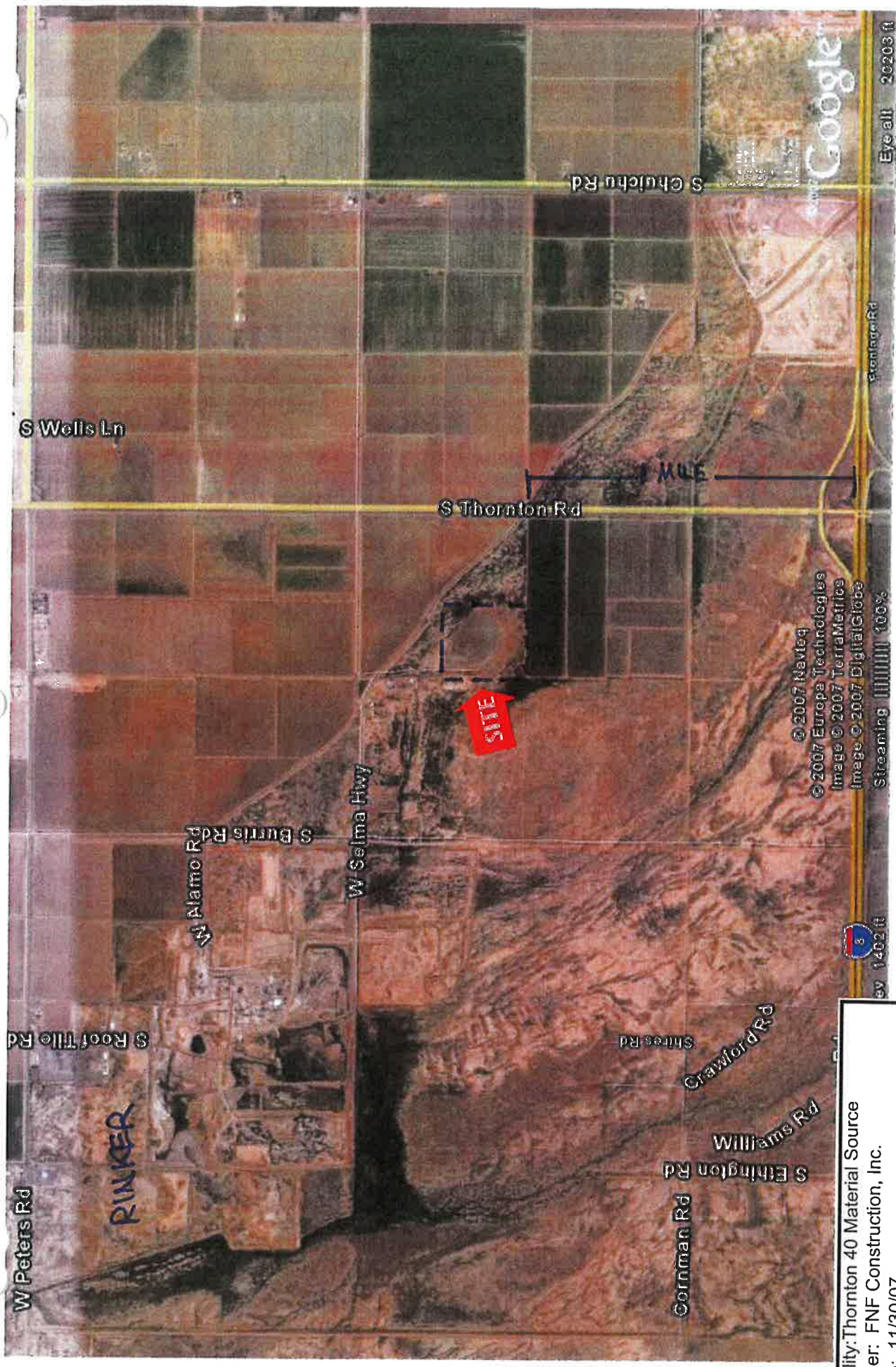
OF



Facility: Thornton 40 Material Source
Owner: FNF Construction, Inc.
Date: 11/30/07
Map Name: 1A Vicinity Locator
Scale: 1" = 10 miles



Miles 0 5 10 15



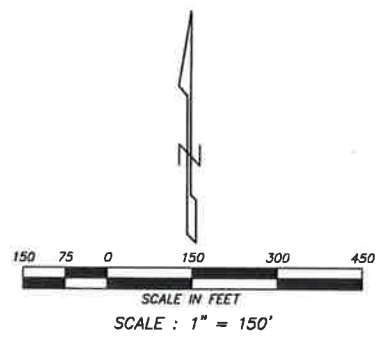
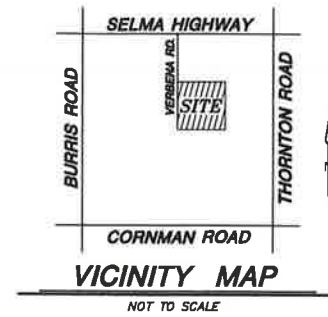
I-10 5 miles

Facility: Thornton 40 Material Source
Owner: FNF Construction, Inc.
Date: 11/30/07
Map Name: 1B Vicinity Locator
Scale: 1" = 2,112'



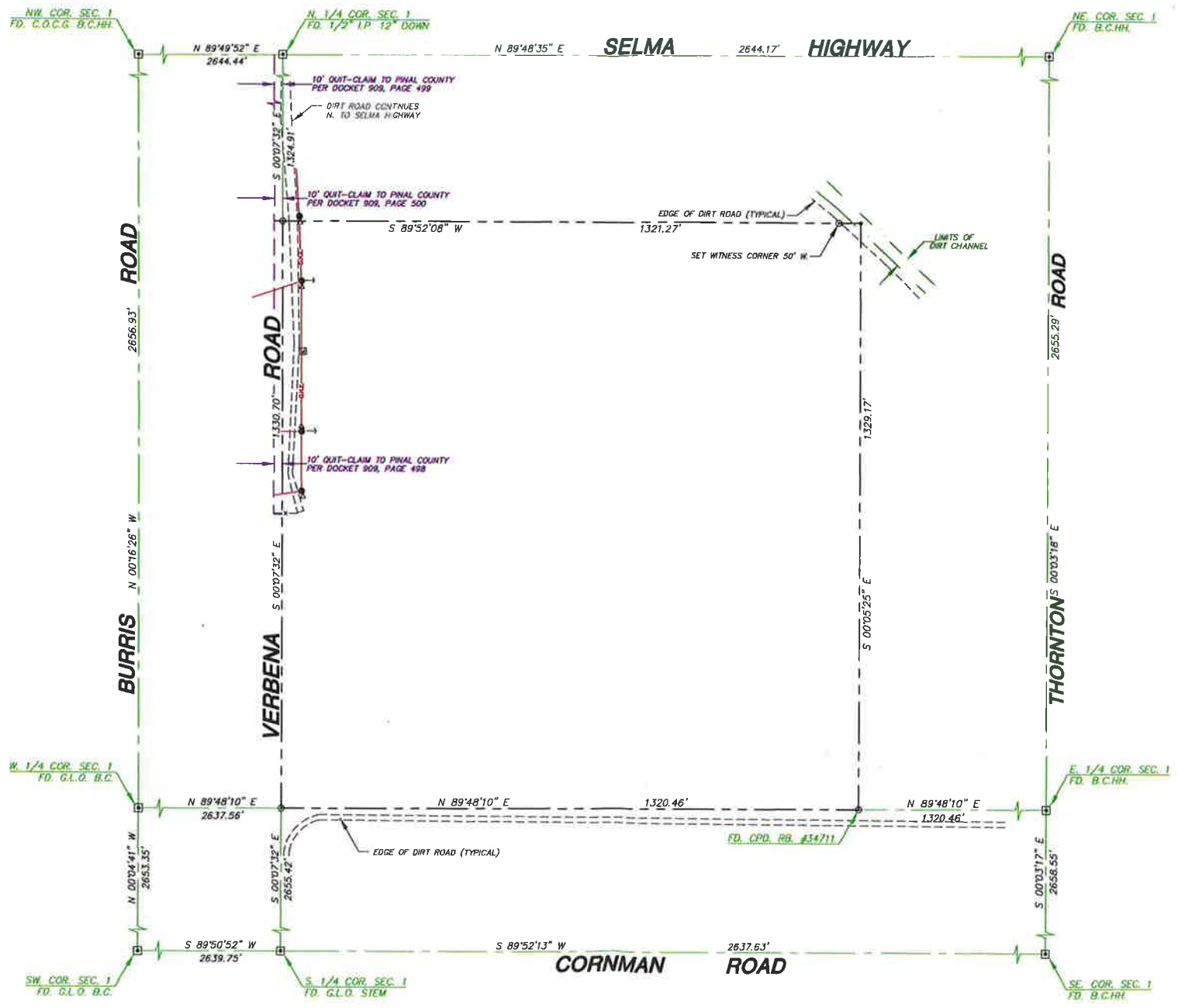
Feet 0 1,056 2,112 3,168

**A.L.T.A. / A.C.S.M.
LAND TITLE SURVEY**
OF
A PORTION OF THE NORTHEAST QUARTER OF SECTION 1,
TOWNSHIP 7 SOUTH, RANGE 5 EAST OF THE GILA AND
SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA



LEGEND	
	SET 1/2" REBAR W/ CAP 18214 (UNLESS OTHERWISE NOTED)
	PROPERTY LINE
	FENCE
	DIRT ROAD
	OVERHEAD ELECTRIC LINE
	DOWN GUY
	8 MAILBOXES
	POWER POLE
	TELEPHONE RISER
	B.C. BRASS CAP
	B.C.H. BRASS CAP IN HANDHOLE
	C.O.C.G. CITY OF CASA GRANDE
	COR. CORNER
	CPD. CAPPED
	FD. FOUND
	G.L.O. GOVERNMENT LAND OFFICE
	I.P. IRON PIPE
	RB. REBAR
	SEC. SECTION

AREA = 40.327 ACRES



DESCRIPTION

The Southwest quarter of the Northeast quarter of Section 1, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

SCHEDULE 'B' ITEMS

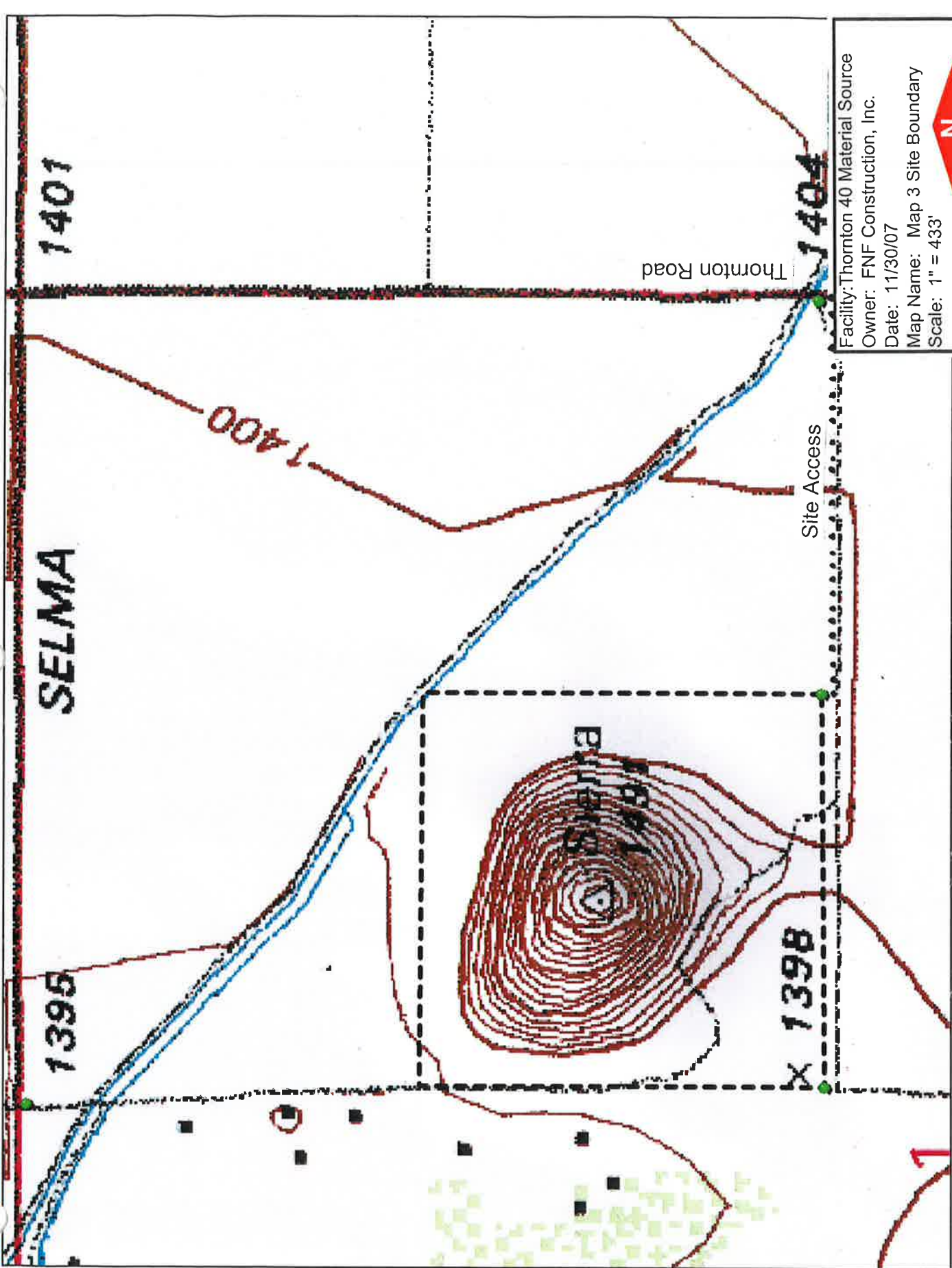
THERE ARE NO SCHEDULE "B" DOCUMENTS REFERENCED IN THE TITLE REPORT UPON WHICH THIS SURVEY IS BASED THEREFOR NONE HAVE BEEN SHOWN.

NOTES

- The basis of bearing is the monument line of Selma Highway, also being the North line of the Northeast quarter of Section 1, using a bearing of North 89 degrees 48 minutes 35 seconds East.
- All title information and the description shown is based on a Commitment for Title Insurance issued by Fidelity National Title Insurance Company, Order Number 30029244, dated July 2, 2007.
- There are no striped parking spaces on the subject property.
- This survey shows visible evidence of underground utilities or facilities on the subject property. Many times in rural settings road graders, heavy equipment, vandalism or time will erase visible signs of these facilities. The fact that the survey may not show these signs is not an indication that facilities do not exist. No guarantee can be made as to the extent of the utilities available, either in service or abandoned, nor to their exact location. In the event this site is to be developed or improved this survey should not be used for design purposes. Please call on underground utility locator or "BLUE STAKE" at 263-1100 for the precise location and extent of all utilities in the area prior to any design and/or excavation.
- The Surveyor has made no attempt and has not obtained any information relating to, and has no knowledge of any proposed right of ways, easements, or dedications that any municipality, individual or governmental agency may have made or may require.
- Use of the information contained in this A.L.T.A./A.C.S.M. Land Title Survey for other than the specific purpose for which it was intended ("title insurance matters") is forbidden unless expressly permitted in writing in advance by Southwestern States Surveying, Inc. Southwestern States Surveying, Inc. shall have no liability for any such unauthorized use of this information without their written consent.
- There are no buildings located on the "Subject Property".
- All bearings and distances shown are field measured unless noted otherwise.

Facility: Thornton 40 Material Source
 Owner: FNF Construction, Inc.
 Date: 11/30/07
 Map Name: Map 2 Natural and Man Made Features
 Scale: 1" = 150'

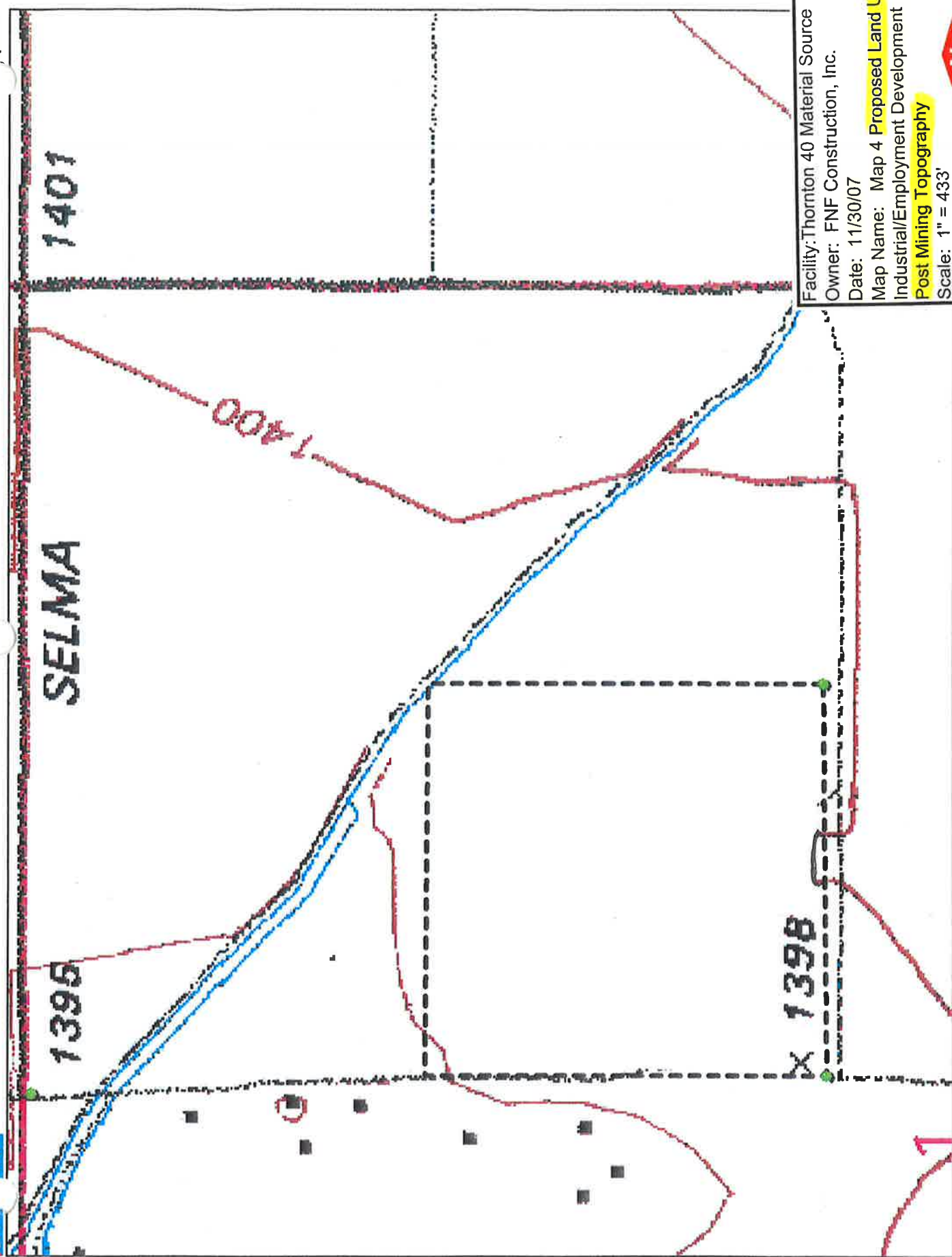
Southwestern States Surveying, Inc. Professional Land Surveying 21415 North 23rd Avenue, Phoenix, Arizona 85027 Phone (623) 869-0223 Fax (623) 869-0726			
A.L.T.A./A.C.S.M. LAND TITLE SURVEY THORNTON ROAD & SELMA HIGHWAY - ALEX & LORI SANMIGUEL			
REVISIONS		DATE	DESCRIPTION
6/8/07	ADDED OUT-CLAIMS	DATE:	6/8/07
9/15/07	AMENDED TITLE REPORT	JOB NO.:	270595
DRAWN BY: CHC:CB		SHEET 1 OF 1	



Facility: Thornton 40 Material Source
 Owner: FNF Construction, Inc.
 Date: 11/30/07
 Map Name: Map 3 Site Boundary
 Scale: 1" = 433'



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 www.delorme.com



Facility: Thornton 40 Material Source
 Owner: FNF Construction, Inc.
 Date: 11/30/07
 Map Name: Map 4 Proposed Land Use
 Industrial/Employment Development
 Post Mining Topography
 Scale: 1" = 433'
 Feet 0 216.5 433 649.5