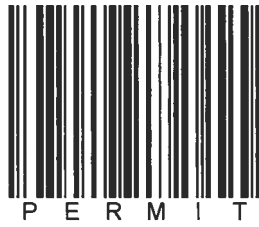


Enforcement





COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

DATE: ✓ December 5, 2014

TO: ✓ Rudy Torres
1750 County Road HH
Lamar, Colorado 81052

RE: ✓ Riverside Aggregates, LLC, Friederichs Pit
✓ File No. M-2010-080, MV-2014-009

On December 5, 2014 the Mined Land Reclamation Board signed the enclosed Board Order for the above captioned operation. We strongly advise that you read this document carefully since it may contain provisions which must be satisfied by specific dates to avoid future Board actions.

Sincerely,

Johnie Abad
Board Secretary

Enclosure(s)

Certified Mail

7014 0150 0000 9138 2678

Cc's

✓ Amy Eschberger
✓ Tom Kaldenbach
John Roberts



BEFORE THE MINED LAND RECLAMATION BOARD
STATE OF COLORADO

Notice of Violation No. MV-2014-009

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

IN THE MATTER OF THE REQUEST FOR EXTENSION OF THE DEADLINE TO
SUBMIT ALL APPLICATION MATERIALS IN AN APPROVABLE FORM BY
RIVERSIDE AGGREGATES, LLC, File No. M-2010-080

THIS MATTER came before the Mined Land Reclamation Board ("Board") on November 19, 2014, in Denver, Colorado as a consent agenda item to consider the request for an extension of the Board-ordered deadline to submit conversion application materials in an approvable form by Riverside Aggregates, LLC ("Operator"), file number M-2010-080.

The Board, being fully informed of the facts in the matter, hereby enters the following:

FINDINGS OF FACT

1. The Operator holds a 110(c) permit for an 9.9-acre sand and gravel operation located in Section 18, Township 22 South, Range 47 West, 6th Principal Meridian, Prowers County, Colorado, permit number M-2010-080. The site, located southwest of Wiley, Colorado, is known as the Friederichs Pit.

2. On June 11, 2014, the Board issued a Findings of Fact, Conclusions of Law, and Order ("June 2014 Order"). In the June 2014 Order, the Board found the Operator in violation of section 34-32.5-116(4)(i), C.R.S. for failing to protect areas outside the affected land from slides or damage occurring during the mining operation and reclamation. The June 2014 Order also ordered the Operator to file with the Division of Reclamation, Mining and Safety ("Division") an application, with all materials in approvable form, to convert the existing 110 permit to a 112 permit within one hundred eighty (180) days of the effective date of the June 2014 Order, by December 8, 2014.

3. The Operator submitted a complete conversion application. However, adequacy items are required to be completed before the application may be approved.

4. On November 17, 2014, the Board received a letter from the Operator requesting an eighty (80) day extension of the deadline to submit conversion application materials to allow time for the Operator to complete adequacy items and the newspaper notice comment period.

5. The Division does not oppose the Operator's extension request. The Division agrees that additional time is needed to resolve the adequacy items before the application can be approved.

CONCLUSIONS OF LAW

6. The Board has jurisdiction over this matter pursuant to the Colorado Land Reclamation Act for the Extraction of Construction Materials, Article 32.5 of Title 34, C.R.S. (2014).

ORDER

Based on the foregoing findings of fact and conclusions of law, the Board hereby GRANTS the Operator's request for an eighty (80) day extension to submit all application materials, in an approvable form, to convert the existing 110 permit to a 112 reclamation permit. The deadline for the Operator to submit all application materials in an approvable form is extended to February 26, 2015.

DONE AND ORDERED this 5th day of December 2014.

FOR THE COLORADO MINED LAND
RECLAMATION BOARD


Gill H. Van Noord, Chair

NOTICE OF APPEAL RIGHTS

This order becomes effective and final upon mailing. Any party adversely affected or aggrieved by agency action may commence an action for judicial review by filing a notice of appeal with the district court within thirty-five (35) days after the effective date of this order, pursuant to section 24-4-106, C.R.S. (2014). In the event that an appeal is filed, designations of record made in accordance with section 24-4-106(6), C.R.S. should be served on the Board at: 1313 Sherman Street, Room 215, Denver, CO 80203, Attention: Johnie Abad.

CERTIFICATE OF SERVICE

This is to certify that I have duly served the within FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND ORDER upon all parties herein by depositing copies
of same in the United States mail, first-class postage prepaid, at Denver, Colorado,
this 5th day of December 2014 addressed as follows:

Rudy Torres
Riverside Aggregates, LLC
1750 County Road HH
Lamar, Colorado 81052

By inter-office or electronic mail to:

Amy Eschberger
Division of Reclamation, Mining & Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

By inter-office or electronic mail to:

Tom Kaldenbach
Division of Reclamation, Mining & Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

By intra-office or electronic mail to:

John J. Roberts
Senior Assistant Attorney General
Department of Law
Business and Licensing Section
Ralph L. Carr Colorado Judicial Center
1300 Broadway, 8th floor
Denver, CO 80203



Board Secretary