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FEB 27 2015

DIVISION OF RECLAMATION,  
MINING & SAFETY-MINERALS  
FEE REPORT MAP

Page 2 of 3

## 112c Annual Report

Permittee Name:	McAtee Construction Company	Permit Number:	M-1976-056
Operation Name:	Riverside Pit	County:	Logan
Annual Fee Due:	\$791.00	Anniversary Date:	February 22, 2015
Permit Acreage:	86.40	Current Bond Amt:	\$131,200.00

According to C.R.S. 34-32.5-116 or 34-32-116, each year, on the anniversary date of the permit, an operator shall submit the Annual Fee, an Annual Report and Map showing the extent of current disturbances to affected land, required monitoring information, reclamation accomplished to date and during the preceding year, any new disturbance that is anticipated to occur during the upcoming year, any reclamation that will be performed during the upcoming year, the dates for the beginning of active operations, and the date active operations ceased for the year.

Information contained in this report will be reviewed by the Division upon receipt and prior to the next compliance inspection of the site. If, while completing this report, you learn that your site is not in compliance with the rules and the act, it is advisable that the issues be rectified promptly to avoid possible enforcement action.

- Is the site identification sign posted in accordance with Rule 3.1.12(1). YES ~~XX~~
- Is the affected area boundary clearly marked in accordance with Rule 3.1.12(2). YES ~~XX~~
- Is the mine site in final reclamation (all material extraction and stockpile removal is complete)? ~~XXX~~ NO  
If "YES," please note time limits related to completion of reclamation, Rule 3.1.3.
- What was the date of last excavation, processing or hauling activity at the mine? 1/26/2015
- Does the mine operate more than 180 days per year? YES ~~XX~~  
If "NO", please review Rule 1.13 to assure that your mine is in compliance.
- Has this mine been granted: a) approval of TEMPORARY CESSATION Status? ~~XXX~~ NO  
b) approval for INTERMITTENT OPERATION? YES ~~XX~~
- Number of acres currently affected (mining + incomplete and or unreleased reclamation). 52.91
- Number of acres that were newly affected during the current report year. 0
- Number of acres that were reclaimed during the current report year. 0.47
- Estimated new acreage to be affected in the next report year. 3.00
- Estimated acres to be reclaimed in the next report year. 0
- Total acres** in various stages of reclamation, since permitted mining activities began:

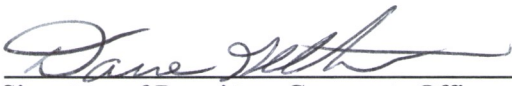
Total acres backfilled:	0.87	Total acres seeded w/ approved mix:	3.37	Total acres w/topsoil replaced:	3.37	Total acres mulched w/ approved mulch:	na
Total acres graded:	18.60	Total acres fertilized w/ apvd fertilizer:	NA	Topsoil replacement depth (in.):	6"	Mulch application rate (tons/ac):	na
Seed application method:	Drilled	Fertilizer application method:	NA	Mulch application method:	NA		

13. Is weed control being conducted in accordance with an approved Weed Control Plan? YES ~~XXO~~ ~~XXA~~  
If "YES", indicate the weed species, control area, control type, application rate and treatment date on the report map.
14. Is adequate topsoil reserved for reclamation, based on your approved permit? YES ~~XXO~~ ~~XXA~~  
If "NO", please explain:
15. Is the reserved topsoil vegetated/stabilized in accordance with Rule 3.1.9(1)? YES ~~XXO~~ ~~XXA~~  
If "NO" please explain:
16. If mining has exposed groundwater, is the site in compliance with the approved mining plan and Office of the State Engineer (Well Permit, S.W.S.P., and/or Permanent Augmentation Plan)? YES ~~XXO~~ ~~XXA~~
17. Are all hazardous materials stored within approved spill containment structures? YES ~~XXO~~ ~~XXA~~
18. Is your financial warranty value sufficient to cover the cost to complete reclamation? YES ~~XXO~~ ~~XXA~~
19. Is your basis for legal right to enter still valid? YES ~~XXO~~
20. Does your permit require you to submit monitoring information annually? ~~XXX~~ NO ~~XXA~~  
If "Yes", please attach the required monitoring results to this Annual Report.
21. As required by Colorado Mined Land Reclamation Act and/or Colorado Land Reclamation Act for the Extraction of Construction Materials (C.R.S. 34-32-116 or 34-32.5-116), attach a map to this report that accurately depicts the permit boundary, current affected area boundary and location of the acreages specified in items 7- 12 and 14.  
UPDATED MAP ATTACHED: YES

Division records indicate the following permittee contact information. If this information is not current, please type or print **current** contact information:

Permittee Contact:	Darren Gebhart	
Permittee Company:	McAtee Construction Company	
Address:	P.O. Box 1908 Sterling, CO 80751	Note: Additional information provided on attached page.
Phone Number:	(970) 521-0651	
Fax Number:	(970) 522-9725	
Email Address:	CF.PR.email	dgebhart@simoncontractors.com ✓

I, the undersigned, hereby state that the information provided in this report is true and accurate, and that site operations are being conducted in accordance with the Division approved mining and reclamation plans.

  
Signature of Permittee, Corporate Officer, Owner, or Documented Designee

2-18-15  
Date



# McATEE CONSTRUCTION COMPANY

## *RIVERSIDE PIT* *m-1976-056*

### SITE MAP — EAST AREA

#### 2015 ANNUAL REPORT MAP

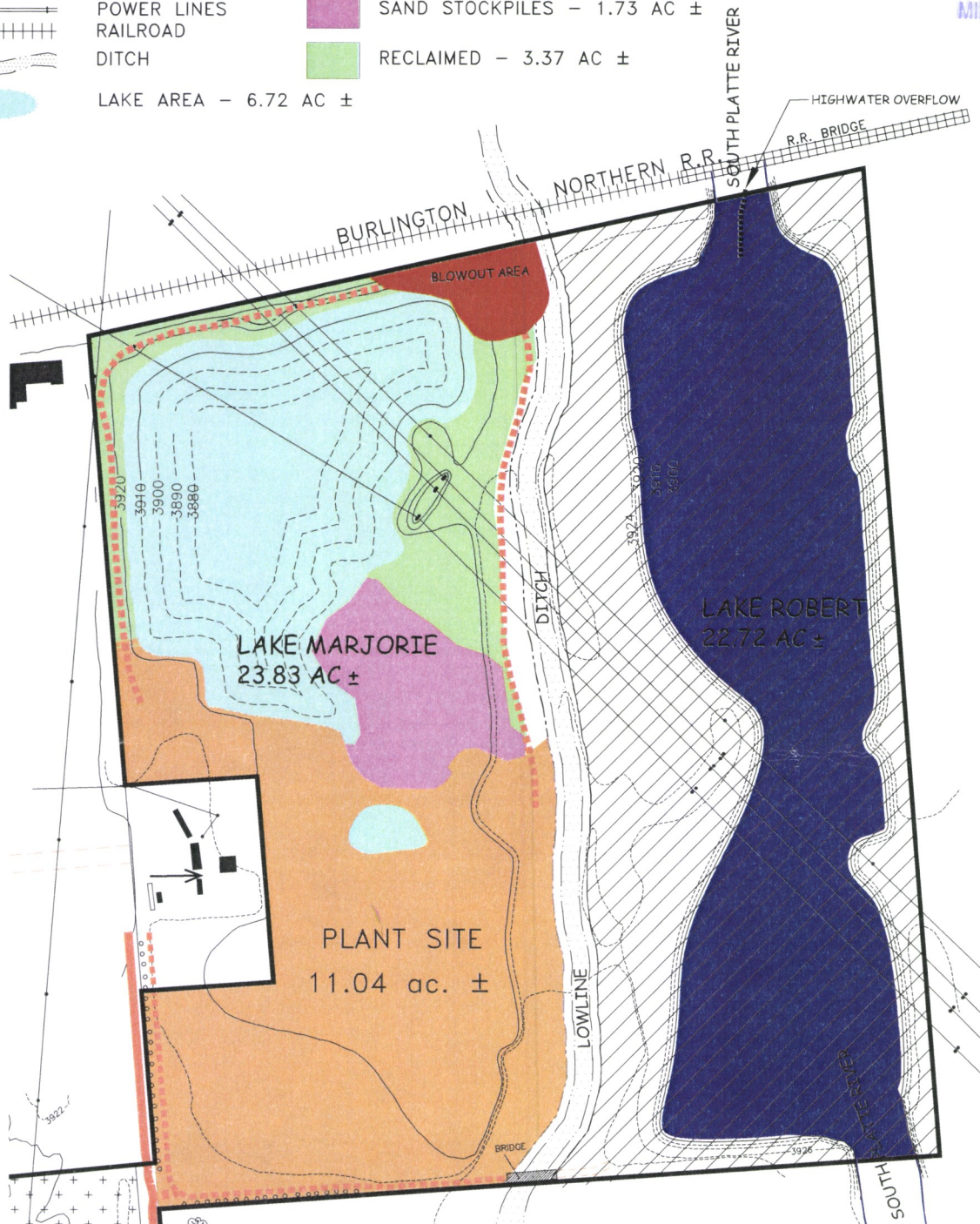
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DIVISION OF RECLAMATION  
MINING AND SAFETY

#### LEGEND

	AFFECTED LANDS / PERMIT LINE		AREA DESTROYED BY SEPTEMBER 2013 FLOOD
	DIKE		SAND STOCKPILES — 1.73 AC ±
	ROADS		RECLAIMED — 3.37 AC ±
	FENCE		
	POWER LINES		
	RAILROAD		
	DITCH		
	LAKE AREA — 6.72 AC ±		










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# McATEE CONSTRUCTION COMPANY





## RIVERSIDE PIT

### SITE MAP – WEST AREA

#### LEGEND

-  AFFECTED LANDS / PERMIT LINE
-  DIKE
-  ROADS
-  FENCE
-  POWER LINES
-  DITCH
-  LAKE AREA— 8.84 AC ±

#### 2015 ANNUAL REPORT MAP

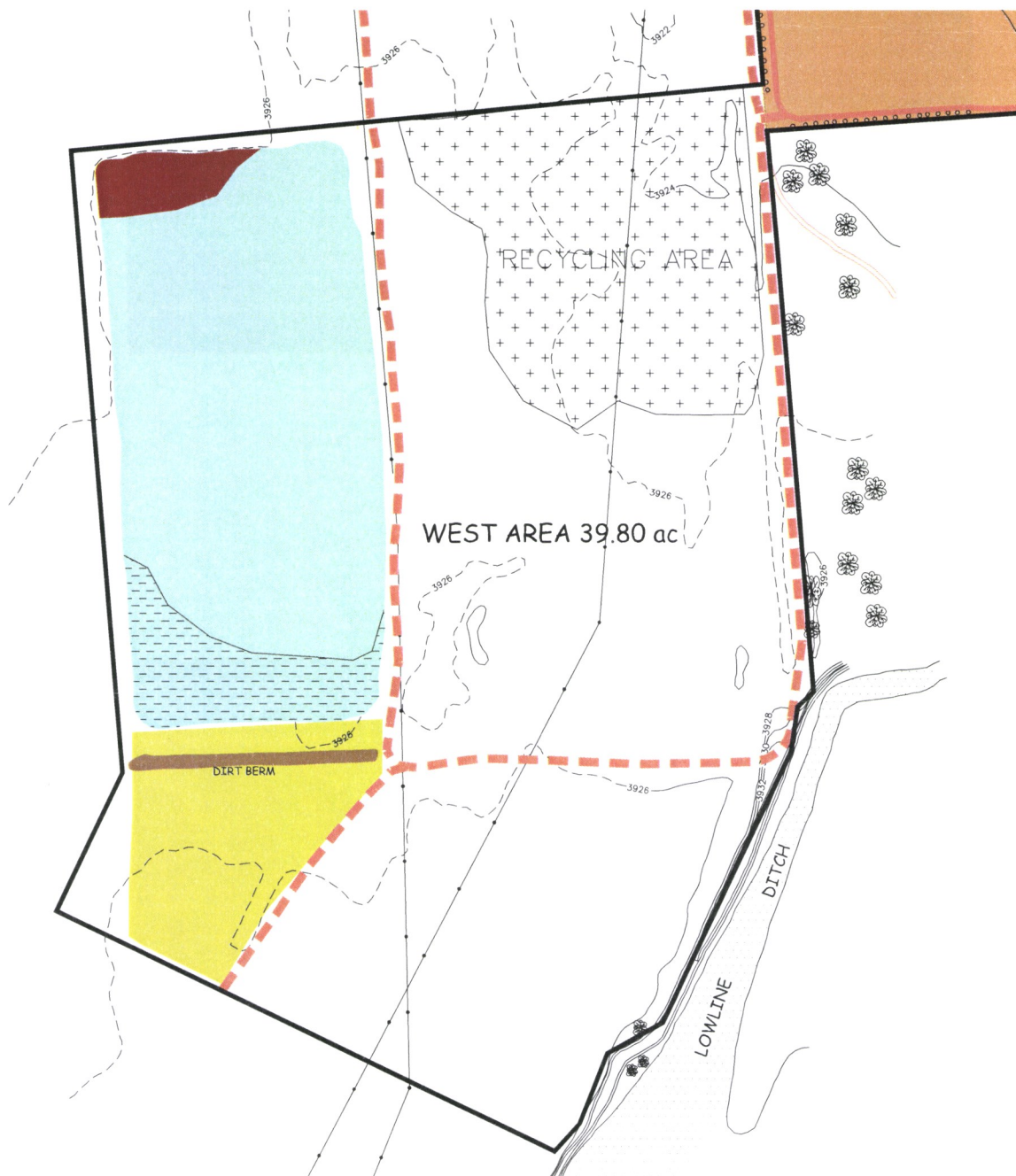
-  BACKFILLED 2014 – 0.47 AC. ±
-  MINED AREA 2014 – 1.36 AC. ±
-  RECYCLE STORAGE AREA – 5.71 AC ±
-  STRIPPED AREA 2.86 AC. ±

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12/27/2015

DIVISION OF RECLAMATION  
MINING AND SAFETY

m-1976-056



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SHEET 2 OF 2





6-6-2014.jpg



7-31-2014.jpg



9-8-2014.jpg



2-9-15.JPG



McAtee Construction Co.

JOB/SUB JOB NO.	CO	VENDOR	REFERENCE	CHECK NO
	00257	10072248		107708

INVOICE NUMBER	DATE	DESCRIPTION	ORG AMOUNT	DISCOUNT	NET AMT
150102257	1/2/2015	#M-1976-056 Riverside	791.00		791.00
			TOTALS	791.00	0.00
					791.00

Sent check  
on 2-5-15  
#107708  
copy  
attached

DETACH AND RETAIN THIS STATEMENT

THE ATTACHED CHECK IS IN PAYMENT OF ITEM DESCRIBED ABOVE  
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

McAtee Construction Company

McAtee Construction Co.  
220 Edwards Avenue  
Sterling CO 80751

BNY Mellon, N.A.  
Philadelphia, Pa.

Date 2/5/2015

62-4  
311

CHECK NO.  
00107708

PAY: SEVEN HUNDRED NINETY ONE AND 00/100\*\*\*\*\*

VOID AFTER 90 DAYS

CHECK AMOUNT

\$\*\*\*\*\*791.00

TO THE  
ORDER OF

COLORADO DIV OF MINERALS & GEOLOGY  
1313 SHERMAN ST ROOM 215  
DENVER CO 80203

Rodrigo R. Sanja

Don G. G. G.

"00107708" 10311000471 2903938"

On September 16, 2013 the South Platte River over topped its banks south of the mine and flooded the entire area. On the west side of the Lowline Ditch the flooding inundated the area with up to 3 feet of water. When the water receded it left the mine covered with a muddy mess and we continue to evaluate the damage done to the reclamation in that area.

East of the ditch in Lake Robert was a different story. The flood level reach a height that effectively removed all the bank sloping around the lake and damaged much of the reclamation completed in that stage. As of this date the river never receded from this area and continues to flow thru Lake Robert. The attached annual report map shows the approximate river channel and designates the area where completed reclamation was destroyed. After 16 months it appears that the river will not move back to its original channel, everything east of the existing river bank was severely damaged during the flood and has been reclaimed as river bottom by nature. Included are four photos taken 6-6, 7-31, 9-8 2014 & 2-9-15 showing the river flowing thru the mine.

Notes:

(7) As noted above all of the reclamation complete in Lake Robert was destroyed by the September 2013 flood. The area along the west side has begun to return to near pre-flood conditions except where water scoured soil and vegetation from the land along the river. The area on the northeast corner of Lake Marjorie was damaged where the ditch had a blowout and the water eroded much of the vegetation in that area. The ditch company fixed the breach and the minor damage done to the lake banks has been repaired.

(9) We backfilled approximately 0.47 acres along the north side of the West Lake. No new area was reclaimed along the South Platte River in Lake Robert and remedial work continues in the Lake Marjorie area to clean up and repair the flood damage.

(10) Mining continued on the south end of the West Lake, partially mining 1.36 acres +/- and we may move into the 2.87 ac. area stripped in the past.

(13) Weed control was done in June 2014 this year in accordance with the Weed Management Plan approved in 2012 on the perimeter of the mine and spot work was done on the Plant Site areas and roadways. The Russian Olive trees removed have not returned. Weed control will continue as described in the Weed Plan.

(18) The current bond is \$131,200 and is adequate to complete reclamation on the mine.



# STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY  
Department of Natural Resources

1313 Sherman St., Room 215  
Denver, Colorado 80203  
Phone: (303) 866-3567  
FAX: (303) 832-8106



John W. Hickenlooper  
Governor

Mike King  
Executive Director

Loretta E. Pineda  
Director

January 2, 2015

Darren Gebhart  
McAtee Construction Company  
P.O. Box 1908  
Sterling, CO 80751

## Riverside Pit, Permit M-1976-056, Annual Fee Invoice and Report Request

### PLEASE READ CAREFULLY – ACTION REQUIRED

**Please attach your COMPLETED written Annual Report and Annual Report Map to this form**

Under the terms of your NOI or Reclamation Permit and Colorado Statutes, you must submit Annual Fees and Annual Reports (including a map). You must pay the Annual Fee and submit an Annual Report each year until reclamation responsibility release is granted. The Annual Fee is not a renewal fee. The Fee and Report are for LAST YEAR'S mining and reclamation season, and MUST be paid even if your operation was inactive.

**The Annual Report and Fee requirement will be considered submitted when we have received the following components:**

1. **APPROPRIATE ANNUAL FEE**
2. **COMPLETED ANNUAL REPORT**
3. **ASSOCIATED MAP as required by rule**

If you have requested reclamation responsibility release from the Division of Reclamation, Mining and Safety ("Division") but your permit is not released by the anniversary date listed below, the Annual Fee MUST be paid. If the permit is released before the anniversary date, then by Statute, it is not necessary to pay an Annual Fee or submit an Annual Report for that year.

Division records indicate the \$791.00 fee is due for the following:

Permit: M-1976-056  
Operation Name: Riverside Pit  
Anniversary Date: February 22, 2015  
Total Fee Due: \$791.00 (Due on or before your Anniversary Date)

Return the enclosed Annual Report FORM, a MAP, and a CHECK or MONEY ORDER made payable to: Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203. If your records indicate these documents and fees have already been submitted, please notify the Division.

If you have additional comments and/or information that should be provided to the Division, please provide it below or attach it to this form along with your written report and map. Annual Report instructions are enclosed. If you have any questions, please feel free to contact Jim Dupler (303)866-3567 x8119 or Christine Brookshire (303)866-3567 x8132. Thank you for your cooperation in this matter.

**IF THE ANNUAL FEE SUBMITTALS ARE NOT RECEIVED ON OR BEFORE YOUR ANNIVERSARY DATE, THE ENFORCEMENT PROCESS WILL AUTOMATICALLY BE INITIATED. ENFORCEMENT ACTIONS MAY RESULT IN CIVIL PENALTIES AND/OR REVOCATION OF YOUR PERMIT.**