

Iverson 2022 Supplemental information

17. This permit is no longer covered under a Martin Marietta Substitute Water Supply Plan. The State Engineer's Office determined in 2018, that the water obligation is the responsibility of the property owner, Tim and Jeanne Iverson. They filed their own Substitute Water Supply Plan and we removed this permit area from our Substitute Water Supply Plan for 2018-2019. They have since withdrew their application. Martin Marietta has notified property owner of breach of contract and filed a civil action in the United States District Court of the District of Colorado and are currently going through depositions.

20. Our lease with the property owners expired September 30, 2019 and had two additional years after the expiration to complete reclamation per Paragraph 19 of the lease. The reclamation was completed and the upland was released from the permit. Martin Marietta no longer has a valid right of entry.

21. Mining is complete, dewatering pumps have been removed, water has been allowed to fill back in, and annual groundwater monitoring has ceased.