




MINERALS PROGRAM INSPECTION REPORT
PHONE: (303) 866-3567

The Division of Reclamation, Mining and Safety has conducted an inspection of the mining operation noted below. This report documents observations concerning compliance with the terms of the permit and applicable rules and regulations of the Mined Land Reclamation Board.

MINE NAME: West Farm Reservoirs	MINE/PROSPECTING ID#: M-2022-048	MINERAL: Sand, gravel, borrow	COUNTY: Weld
INSPECTION TYPE: Preoperation Inspection	WEATHER: Windy	INSP. DATE: December 21, 2022	INSP. TIME: 12:00
OPERATOR: L. G. Everist, Incorporated	OPERATOR REPRESENTATIVE: Lynn Shults	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Preoperation Inspection	BOND CALCULATION TYPE:	BOND AMOUNT: No Bond Held
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
INSPECTOR(S): Eric Scott Michael Cunningham	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: December 22, 2022

The following inspection topics were identified as having Problems or Possible Violations. OPERATORS SHOULD READ THE FOLLOWING PAGES CAREFULLY IN ORDER TO ASSURE COMPLIANCE WITH THE TERMS OF THE PERMIT AND APPLICABLE RULES AND REGULATIONS. If a Possible Violation is indicated, you will be notified under separate cover as to when the Mined Land Reclamation Board will consider possible enforcement action.

INSPECTION TOPIC: Insufficient Signs & Markers

PROBLEM/POSSIBLE VIOLATION: Problem: The required 11"x17" notice of permit applied for sign was present in only one location for a proposed 472 acre permit adjacent to Weld County Roads CR 21 and CR 32.5. The permit boundaries, were not sufficiently marked for the pre-operation inspection.

CORRECTIVE ACTIONS: The operator must post notice signs "as required by the Office, and of sufficient number..." In this instance, at least one notice sign meeting the rule requirements for size and content should be posted along each county road adjacent to the site where it is visible from the roadway. All additional notice signs should be posted by no later than 1/6/23.

The boundaries of the affected area (permit in this case) must be marked by monuments or other permanent markers that are clearly visible and adequate to delineate such boundaries. The permit boundary will need to be appropriately surveyed and marked according to the location and setbacks given in the provided application documents. This will be especially important where the permit is irregular and adjacent to the South Platte river. GPS data sufficient to define the surveyed permit boundary should be provided to DRMS upon completion. The permit boundary should be fully surveyed and marked no later than 2/28/23.

OBSERVATIONS

This was a pre-operation inspection for the West Farm Reservoirs site, a proposed 472.4 acre, 112c permit to be operated by L.G. Everist. The proposed permit is bounded on the east by the South Platte River, and on the west by Weld County Road 21. The site is bisected by Weld County Road 32.5. The proposed site entrance is located on the east side of WCR 21 on the south half of the proposed permit area. DRMS representatives Eric Scott and Michael Cunningham met the operator representative Lynn Shults with L.G. Everist and the permitting consultant for the Operator, Steve O'Brian of Environment Inc. at the site at approximately 12:00 and toured the proposed permit area.

The proposed permit area, along with the included and adjacent features, appear to be accurately shown on the current conditions map provided with the application. The property is currently owned by L.G. Everist, but remains in agricultural use as cropland and pastureland. If the permit is approved, these existing agricultural uses will continue until an area of the permit is ready to be actively mined (Photos 5-6). Representative photos of the pre-mining conditions have been included in this report.

Surface water was present and flowing to the river in the most significant N-S running ditch across the site (Photos 2-3). This is reportedly due to the ditch being excavated at some point in the past into the shallow groundwater at the site. At the time of this inspection (December) there is no irrigation currently active in the area, there has been no recent precipitation, and groundwater on the lower area of the proposed permit is very shallow based on existing monitoring data, so this explanation seems very reasonable.

Two items were noted during the inspection that will require corrective actions by the applicant as described on the first page of this report: insufficient notice signage, and insufficient permit boundary marking at the time of this inspection. These issues will need to be addressed as detailed in the corrective actions section of the first page of this report, and proof provided to DRMS that this has been done by the corrective action dates provided. One permit applied for notice was present adjacent to WCR 21 near the proposed site entrance (Photo 1).

DRMS and the Operator representatives also met with the property caretaker for the adjacent property to the south of the permit. This property is part of the Colorado Open Lands conservatorship, and representatives for Colorado Open Lands, Cheryl Crufre and Chris Hart, were also present for that portion of the inspection. These parties wished to meet with DRMS and the operator to discuss their potential concerns with the application. Two topics were discussed that would be considered to be jurisdictional to DRMS: potential groundwater mounding due to installation of slurry walls within the proposed permit; and preservation of an irrigation return flow pathway for irrigation water leaving the southern adjacent property (Photo 4). When active, this irrigation return flows across the proposed permit area to reach the South Platte River. These issues were also identified in the comment letter provided to DMRS by State Engineer's Office Division of Water Resources, and are also part of the normal permit review process for an application of this type.

No other potential issues were identified during this inspection. Comment letters received by other agencies are available to review using the imaged document link for this permit application on the DRMS webpage.

PHOTOGRAPHS



Photo 1 – notice of permit applied for sign at proposed site entrance on east side of WCR 21.



Photo 2 – area of flowing water in center of northern half of permit area. Taken looking NW from lower (east) side of permit.



Photo 3 – area of flowing water in center of northern half of permit area. Taken looking SE from upper terrace (west side) of permit.



Photo 4 – DRMS and Operator meeting with property owner to the south and Colorado Open Lands to discuss preserving irrigation return flow path.



Photo 5 – Pastureland currently in use in NE area (lower area) of proposed permit area.



Photo 6 – Cropland (cornfield) currently in use on SW area (upper terrace) of proposed permit area.

GENERAL INSPECTION TOPICS

The following list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each

(AR) RECORDS----- <u>Y</u>	(FN) FINANCIAL WARRANTY----- <u>NA</u>	(RD) ROADS----- <u>Y</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>NA</u>	(EX) EXPLOSIVES----- <u>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>NA</u>	(SF) PROCESSING FACILITIES----- <u>NA</u>	(TS) TOPSOIL----- <u>NA</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>NA</u>	(FW) FISH & WILDLIFE----- <u>Y</u>	(RV) REVEGETATION---- <u>NA</u>
(SM) SIGNS AND MARKERS----- <u>PB</u>	(SP) STORM WATER MGT PLAN---- <u>NA</u>	(RS) RECL PLAN/COMP-- <u>NA</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>NA</u>	(SC) EROSION/SEDIMENTATION-- <u>NA</u>	(ST) STIPULATIONS----- <u>NA</u>
(AT) ACID OR TOXIC MATERIALS----- <u>NA</u>	(OD) OFF-SITE DAMAGE----- <u>NA</u>	

Y = Inspected / N = Not inspected / NA = Not applicable to this operation / PB = Problem cited / PV = Possible violation cited

Inspection Contact Address

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