



# COLORADO

## Division of Reclamation, Mining and Safety

Department of Natural Resources

March 20, 2023

Noah Mineo  
Riverbend Industries Inc.  
425 South Financial Place, Suite 3100  
Chicago, IL 60605

**RE: Pikeview Quarry, Permit No. M-1977-211, Incomplete Application for  
Transfer of Permit and Succession of Operators (SO-2)**

Dear Mr. Mineo:

On March 13, 2023, the Division of Reclamation, Mining and Safety (DRMS) received the Application Form for Transfer of Mineral Permit and Succession of Operators from Continental Materials Corporation to Riverbend Industries Inc. for the Pikeview Quarry, Permit M-1977-211. The following items are incomplete and need to be provided for the application to be processed:

1. Demonstration of Legal Right to Enter – According to our records and the El Paso County Assessor, ownership of the Permit Area is split between: a) Castle Concrete Company, b) US Forest Service (Federal government), and c) the City of Colorado Springs. The documentation provided with this SO-2 Application to demonstrate legal right of entry for both the Forest Service and the City of Colorado Springs reference Castle Concrete Company, not Riverbend Industries. Whereas the documentation demonstrating legal right of entry for the privately owned area references only Continental Materials Company and Riverbend Industries; no mention is made to Castle Concrete Company. As such, no legal right of entry has been demonstrated for the prospective successor, Riverbend Industries to any of the three separately owned areas in the permit. Please provide the following:
  - a. Documentation demonstrating that agreements between Castle Concrete Company and both the US Forest Service and the City of Colorado Springs apply to, or also include, Riverbend Industries.
  - b. Documentation demonstrating that Riverbend Industries has a legal right to enter lands owned by Castle Concrete Company (this might be the same document provided to address 1a above).
2. Authority to Execute Financial Warranty Documents – No affidavit was provided with the SO application demonstrating Noah Mineo has the authority to execute financial warranty



documents on behalf of Riverbend Industries. Please complete and return the attached “Affidavit of Authority to Execute Financial Warranty Documents” for Noah Mineo.

3. Other DRMS Permit Documents – Name change bond riders for both the Grisenti Farms Gravel Pit (M-2001-005) and the Barnhart Pit (M-1984-008) were submitted with this SO Application. As these are separate permits, any changes need to be submitted separately under those respective permit numbers. The DRMS has filed these two name change riders under their respective permit files, but the intent of including these documents in the Pikeview Quarry SO application remains unclear. Please provide the following:
- A response letter separate from that for the Pikeview Quarry SO, clarifying whether an SO application process is pending for the Grisenti Farms Gravel Pit (include the File No: M-2001-005) or provide third party bond forms for Riverbend Industries.
  - In yet another separate response letter, clarify whether an SO application process is pending for the Barnhart Pit (include the File No: M-1984-008) or provide third party bond forms for Riverbend Industries.

**Please respond to the items above within 60 days, or by May 19, 2023.** All completed permit documents are required to be submitted for consideration of your Request for Transfer of Mineral Permit and Succession of Operators Application to be considered complete for the purpose of filing. If on the decision date, outstanding items remain, your application will be denied and the file terminated. The DRMS reserves the right to further supplement this document with additional items and details as necessary.

Please contact Tim Cazier (303) 328-5229 or by email at [tim.cazier@state.co.us](mailto:tim.cazier@state.co.us) if you have any questions.

Sincerely,



Timothy A. Cazier, P.E.  
Environmental Protection Specialist

Attachment: Affidavit of Authority

cc: Sara Stevenson-Benn, DRMS  
Michael Cunningham, DRMS  
Amber Michels, DRMS  
DRMS file  
Noah Mineo, Riverbend Industries  
Jerry Schnabel, Castle Concrete Company