




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

The Division of Reclamation, Mining and Safety 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: Riverbend Operation	MINE/PROSPECTING ID#: M-2000-016	MINERAL: Sand and gravel	COUNTY: Weld
INSPECTION TYPE: Monitoring	WEATHER: Clear	INSP. DATE: April 3, 2023	INSP. TIME: 10:00
OPERATOR: Martin Marietta Materials, Inc.	OPERATOR REPRESENTATIVE: Julie Mikulas	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Citizen Complaint	BOND CALCULATION TYPE: Partial Bond	BOND AMOUNT: \$3,150,000.00	
DATE OF COMPLAINT: March 27, 2023	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
INSPECTOR(S): Peter Hays	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: April 14, 2023	

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: Availability Of Records

PROBLEM: On March 26, 2023, the Division of Reclamation, Mining and Safety (Division/DRMS) received the monthly groundwater elevation data with the 2023 Annual Report for the Riverbend Operation. The monitoring well data from the replacement wells; NO- MW06, NO-MW07, RI-MW11 and RI-MW12 were not submitted with the annual report.

CORRECTIVE ACTIONS: Please provide all available groundwater elevation data for the replacement wells with a location map within 14 days from the date of this letter, April 25, 2023.

CORRECTIVE ACTION DUE DATE: 4/25/23

OBSERVATIONS

The Riverbend Operation site was inspected by Peter Hays with the Division of Reclamation, Mining and Safety (Division/DRMS) in response to a citizen complaint (CT2) received on March 27, 2023 from a nearby landowner, Mr. Bill Stieber. Mr. Stieber's address is 11573 CR 6, Ft. Lupton, CO. The complaint was forwarded to the Operator on March 28, 2023.

Mr. Stieber's property was inspected by the Division prior to the inspection of the Riverbend Operation. Ms. Julie Mikulas with Martin Marietta Materials, Inc. was present during the inspection. An inspection map based on the available Google Earth image and the observations from this inspection is attached for reference.

The complaint stated the dewatering of the Rittenhaus (Cell 1) and Norden (Cell 1 / Phase 2) gravel pits dried up the water well at the Stieber house. Four (4) groundwater wells are located on the property according to Mr. Stieber including; three (3) residential wells and one (1) stock well. The wells are unregistered according to the Division's search of the Division of Water Resources (DWR) well permit database.

The well in Mr. Stieber's residence, the house located north of and closest to WCR 6 on the property, was measured during the inspection. The well is located in the northwest corner of the basement. The Division estimated the distance from the ground elevation to the basement floor elevation at five (5) feet. The well depth and depth to water were measured by the Division with a water meter. The depth to water was measured at 5'-4" below the basement floor (10'-4" from the exterior ground elevation). The total well depth was measured at 6'-0" below the basement floor (11'-0" from the exterior ground elevation). Mr. Stieber stated the well has supplied water to the residence for 100 years.

The Stieber well is located approximately 0.50 miles west of Cell 1 (Rittenhaus) and 0.75 miles southwest of Cell 1 / Phase 2 (Norden). The South Platte River is located between the well and Cell 1. The Fort Lupton Ditch is located between the well and Cell 1 / Phase 2. The other three (3) wells on the property were not reported to be dry by the landowner. The remaining three wells were not observed by the Division during the inspection.

On March 31, 2023, the Division contacted Mr. Stieber to confirm the inspection date and time. During the call, Mr. Stieber stated Martin Marietta had already installed a cistern on the property and the first water delivery was scheduled for later in the day.

The Division observed two (2) plastic cisterns during the inspection. The black cistern was empty and not being used because the tank contained mud. The second clear cistern contained water and was plumbed into the water well pump for the residence. The cisterns were placed on the ground north of the Stieber home. Mr. Stieber stated the cistern system was working properly and the residence had adequate water. Mr. Stieber and the Operator were arranging the water delivery frequency based on the actual water usage for the home.

Section 3.2 - Proposed Mitigation Measures of Exhibit G in the approved AM1 application states:

One or more of the following mitigation measures will be used to alleviate off-site groundwater impacts. The exact measure or combination of measures will be determined by the Division, in consultation with the operator, potentially impacted parties, and the impartial expert. The operator shall pay the cost of mitigation. Mitigation measures will be implemented in the following order, as necessary, to alleviate impacts to off-site wells:

1. Delivering water by pumping and piping or by a drain system
2. Deepening of impacted off-site wells
3. Construction of new well or wells
4. Delivery of replacement water by:

- a. Pumping dewatering water to the affected party(s)
- b. Pumping from the on-site wells
- c. Delivery from the Brighton Ditch shares controlled by the operator
- d. Other sources as may be required

The impartial analysis will continue until the cause can be determined or the relative impact of the mining operation can be calculated. When the Division agrees with the findings of the impartial analysis, the mitigation may be adjusted accordingly.

The Division finds the Operator in compliance with the approved mitigation plan. The Operator implemented mitigation measure #4d with the delivery of replacement water to the Stieber residence. The Division considers the complaint investigation complete and the complaint resolved by the Operator. The Division recommends the parties continue to work together to address the groundwater concerns at the Stieber property.

On March 26, 2023, the Division received the monthly groundwater elevation data for the Riverbend Operation with the 2023 Annual Report. The monitoring well data from the replacement wells; NO- MW06, NO-MW07, RI-MW11 and RI-MW12 were not submitted with the annual report. The Division cited a problem requiring the Operator to provide all available groundwater elevation data for the replacement wells with a location map within 14 days from the date of the letter, April 25, 2023. The lack of complete groundwater elevation data for the site is cited as a problem in this inspection report.

Photographs taken during the inspection are attached. If you need additional information or have any questions, please contact me at the Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at 303.866.3567 x 8124, or by email at peter.hays@state.co.us.

Inspection Contact Address

Julie Mikulas
Martin Marietta Materials, Inc.
1800 N. Taft Hill Road
Fort Collins, CO 80251

Enclosure – Inspection Map

Ec: Jared Ebert, DRMS

PHOTOGRAPHS



View of the north side of the Stieber residence and the cistern



View of the exterior connection of the cistern to the well pump



View of the Stieber well located in the basement of the residence

GENERAL INSPECTION TOPICS

This list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each. No problems or possible violations were noted during the inspection. The mine operation was found to be in full compliance with Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials and/or for Hard Rock, Metal and Designated Mining Operations. Any person engaged in any mining operation shall notify the office of any failure or imminent failure, as soon as reasonably practicable after such person has knowledge of such condition or of any impoundment, embankment, or slope that poses a reasonable potential for danger to any persons or property or to the environment; or any environmental protection facility designed to contain or control chemicals or waste which are acid or toxic-forming, as identified in the permit.







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

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

Riverbend Operation

M-2000-016
CT2 Inspection Map
April 3, 2023

Legend

-  Cell 1
-  Cell 1 / Phase 2
-  MMM Riverbend West
-  Overburden / Topsoil Stockpile
-  Permit Boundary - 1,196 Ac
-  Stieber Well #1

