




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: Morton Lakes	MINE/PROSPECTING ID#: M-2008-082	MINERAL: Sand and gravel	COUNTY: Weld
INSPECTION TYPE: Monitoring	WEATHER: Clear	INSP. DATE: May 23, 2023	INSP. TIME: 12:00
OPERATOR: Ready Mixed Concrete Company, LLC	OPERATOR REPRESENTATIVE: Stuart Ernst	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: High Priority	BOND CALCULATION TYPE:	BOND AMOUNT: \$10,521,378.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
INSPECTOR(S): Eric Scott Michael Cunningham	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: May 30, 2023	

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----- <u>NA</u>	(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>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>N</u>	(FW) FISH & WILDLIFE----- <u>NA</u>	(RV) REVEGETATION---- <u>NA</u>
(SM) SIGNS AND MARKERS----- <u>NA</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>Y</u>	(ST) STIPULATIONS----- <u>NA</u>
(AT) ACID OR TOXIC MATERIALS----- <u>NA</u>	(OD) OFF-SITE DAMAGE----- <u>Y</u>	

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

OBSERVATIONS

This was a high-priority monitoring inspection conducted by Eric Scott and Michael Cunningham of DRMS for the Morton Lakes 112c sand and gravel site. On May 23, 2023 DRMS was informed by Jorge Vidal of the Division of Water Resources that flooding of Big Dry Creek earlier in the month had resulted in a breach of the south side of Cell 5 of the Morton Lakes site and subsequent pit capture of the creek. Mr. Vidal was concerned that, due to the creek flowing through Cell 5 to reach the South Platte River instead of around it, the head-gate of the Lupton Meadows irrigation ditch was bypassed and not receiving water (photo 3).

DRMS contacted permittee representatives Alex Schatz and Steve Kelton of RMCC the morning of May 23 to obtain additional information. Mr. Schatz informed DRMS that the breach of Big Dry Creek occurred on May 12 due to historic high flows from heavy rains in the area. He also provided drone photographs of the area taken immediately after the event showing the conditions at the time. Mr. Schatz informed DRMS that the breach of Big Dry Creek occurred on property to the south of the site owned by the City of Aurora. Overland flooding then reached the south side of Cell 5 as creek flows tried to find a path to the South Platte River. Flooding into Cell 5 resulted in head-cutting back to the main creek channel, which then led to stream capture, as the cell filled and flood waters created a path back to the channel of Big Dry Creek on the north end of Cell 5. The siltation cells and cell 7A were also breached and filled, but the damage in those areas was much less severe.

Cell 6, located north of Cell 5 and the Big Dry Creek channel, and Cell 4, which is now a completed storage reservoir on the east side of the South Platte River owned by United Water, were not impacted by flood damage,

On May 24, 2023, DRMS met RMCC representative Stuart Ernst at the site office at approximately 11:45 to tour the site. Mr. Ernst and DRMS proceeded to Cell 7A and observed that the water had already been pumped from the siltation areas south of Cell 7A, and Cell 7A, and repairs of the overflow damage breach areas of these cells was underway. Because Cell 7A is not fully mined on the downstream side, and the siltation areas are not deep, the overflow/head-cutting damage was not severe in this area (photos 1, 2). The Cell 7A slurry wall may not have been compromised, but RMCC will need to discuss and verify any retesting/recertification requirements with the State Engineer's Office (SEO).

DRMS proceeded to the north end of Cell 5 where the flow of Big Dry Creek was exiting that cell back to its channel and then to the South Platte River. Because the north portion Cell 5 was in the process of being backfilled, damage in this area was not severe, although repairs here will certainly be needed once Big Dry Creek has been returned to its channel (photo 4).

DRMS proceeded to the site of the breach of Big Dry Creek south of Cell 5 and noted the damage in the area where the creek is now flowing through Cell 5 instead of its previous channel (photos 5,6). The majority of the damage to the site is located along the south side of Cell 5 where approximately 1000' of the south cell wall and slurry wall will need to be repaired/replaced. The Cell 5 slurry wall will need to be recertified by SEO when these repairs are complete. DRMS left the site at approximately 14:30. On May 30, DRMS was been informed that the breach located on the City of Aurora property has been repaired and the flow of Big Dry Creek has been returned to its channel. This should restore proper flow at the inlet of the Lupton Meadows irrigation ditch.

DRMS asks that RMCC keep DRMS apprised of on-site repair activity as well as activity on the adjacent property to the south which may impact the permit area.

Inspection Contact Address

Alex Schatz
Ready Mixed Concrete Company, LLC
11778 Highway 52
Fort Lupton, CO 80621

PHOTOGRAPHS



Photo 1 – Inlet breach in SE corner of Cell 7A



Photo 2 –Outlet breach in NW corner of Cell 7A



Photo 3 – No flow entering headgate of Lupton Meadows ditch at time of inspection due to stream capture.



Photo 4 – Flow of Big Dry Creek leaving north end of Cell 5 at time of inspection.



Photo 5 – Breach of creek bank on Aurora property. Dry ground in lower photo is the proper creek bed, but Big Dry Creek now flowing through breach into south side of Cell 5.



Photo 6 – Dry channel of Big Dry Creek leading into south side of Morton Lakes site after stream capture by Cell 5.