




**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.

<b>MINE NAME:</b> Kurtz Resource Recovery & Land Development	<b>MINE/PROSPECTING ID#:</b> M-1999-006	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> Weld
<b>INSPECTION TYPE:</b> Monitoring	<b>WEATHER:</b> Clear	<b>INSP. DATE:</b> May 9, 2025	<b>INSP. TIME:</b> 09:00
<b>OPERATOR:</b> Raptor Materials LLC	<b>OPERATOR REPRESENTATIVE:</b> Quentin Borum	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	
<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> Complete Bond	<b>BOND AMOUNT:</b> \$431,000.00	
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None	
<b>INSPECTOR(S):</b> Patrick Lennberg	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> June 2, 2025	

**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:** Financial Warranty

**PROBLEM:** The financial warranty is not adequate to reclaim the site in accordance with the approved reclamation plan. This is a failure to maintain the proper financial warranty amount to complete reclamation of the affected lands pursuant to C.R.S. 34-32.5-117(4)(b) of the Act.

**CORRECTIVE ACTIONS:** Pursuant to Rule 6.4.12, the Operator shall submit an updated Exhibit L which details all information necessary to calculate the costs of reclamation, broken down into the various major phases of reclamation within 30 days of the signature date of this inspection report.

**CORRECTIVE ACTION DUE DATE:** 7/02/25

**INSPECTION TOPIC:** Gen. Compliance With Mine Plan

**PROBLEM:** The current mining and reclamation plans need to be updated and clarified pursuant to C.R.S. 34-32.5-112 (1)(c)(VI) and (2). The operator must provide sufficient information to describe or identify how the Operator intends to conduct the operation and a satisfactory explanation of all general requirements for the type of reclamation proposed to be implemented by the Operator.

**CORRECTIVE ACTIONS:** The Operator shall submit an amendment application, with the required revision fee, to update and clarify the current approved mining and reclamation plans to reflect existing and proposed activities by the corrective action date.

**CORRECTIVE ACTION DUE DATE:** 8/31/25

**INSPECTION TOPIC:** Revegetation

**PROBLEM:** There are state-listed noxious weeds present on site. This is a problem for failure to employ weed control methods for state listed noxious weed species within the permitted area, and to reduce the spread of weeds to nearby areas as required by Section 3.1.10 (6) of the rule.

**CORRECTIVE ACTIONS:** Implement the approved weed control plan and provide proof to the Division that this has been done by the corrective action date.

**CORRECTIVE ACTION DUE DATE:** 8/01/25

**INSPECTION TOPIC:** Signs & Markers

**PROBLEM:** The mine identification sign was posted at the entrance of the mine site but did not have up-to-date information. This is a problem for failure to post an accurate mine identification sign as required by Section 3.1.12(1) of the rule. The Operator shall, at the entrance of the mine site post a sign, which shall be clearly visible from the access road, with a minimum size equaling one hundred and eighty-seven (187) square inches, such as eleven (11) inches in height and seventeen (17) inches in width, with appropriate font size, with the following: the name of the Operator, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and the permit number.

**CORRECTIVE ACTIONS:** The Operator shall, at the entrance of the mine site, post a sign which shall be clearly visible from the access road with the following: the name of the Operator, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and the permit number. The operator shall submit photo documentation that a proper sign has been posted by the corrective action date.

**CORRECTIVE ACTION DUE DATE:** 7/02/25

## **OBSERVATIONS**

The Kurtz Resource Recovery and Land Development Project (site) permit no. M-1999-006 was inspected by Patrick Lennberg with the Division of Reclamation, Mining, and Safety (Division/DRMS). The inspection was completed as part of the Division's routine monitoring program. The site was last inspected by the Division on November 1, 2018. Quentin Borum representing the Operator, Raptor Materials LLC, accompanied me during the inspection. The weather was clear and mild.

The site is 112c Construction Materials permit for 295.4 acres. The permit area is in Weld County, approximately 3.8 miles southwest of Platteville, CO. The site is accessed from the north off Hwy 66. The post-mining land use for this site is general agriculture with open water ponds. The affected lands are owned by the Operator. A mine sign was posted along the primary mine entrance as required by Rule 3.1.12, however the information on the sign lists the previous Operator Varra Companies Inc. The Division is citing a problem, pursuant to Rule 3.1.12, the mine sign needs to be updated with current Operator's name by the corrective action due date listed above.

The site has been transferred, through the Succession of Operator process, from one operator to another on two separate occasions. Once in 2011 when the permit was transferred from Sand Land, Inc. to Varra Companies, Inc. and again in 2022 when it was transferred from Varra Companies, Inc. to the current Operator Raptor Materials Inc.

The site was active at the time of inspection and is divided into four tracts, Tracts A, B, C and D.

Tract A is in the southern portion of the permit area and is approximately 140 acres in size. In the southwestern portion of the tract a conveyor line enters the site. The conveyor belt brings mined material from permits located south of the site to be processed by a wet processing plant located in Tract B. Also located in this area is a series of sedimentation ponds used by the processing plant. In the northeastern area of tract, north of the sedimentation ponds, is an area that is receiving material that is being stockpiled to be recycled in the future. The Operator will bring in another contractor to process, crush and screen, the recycled material. The remaining portion of the tract consists of a mined-out cell. In 2009 the Operator submitted and got approval for TR-2. The revision decreased the number of open water ponds at the site from five (5) to two (2). Tract A was to have three ponds and that was reduced to one and Tract B was to have two and that was reduced to one. Included in TR-2 Tract A was to have three oil and gas peninsulas into the open water pond. It appears that two of the three have been plugged and abandoned and will no longer be part of the reclamation of Tract A. The sedimentation ponds are to be backfilled, according to the 2018 inspection report, and the western portion of the tract, that was to be pond area, has been backfilled. Finally, the pond walls that have been established have been lined with clay material making the pond area into a developed water resources pond. About 70% of the pond's perimeter has been lined to date.

Tract B located north of Tract A is the location of the wet processing plant, mining cells and a very large stockpile of waste concrete sand material. This is the same location as material described in the 2014 inspection report that had an estimated volume of 500,000 cubic yards. The Division believes that volume is similar to what is currently at this location. As mentioned above, TR-2 changed the number of ponds from two to one but during the inspection the Operator stated that they have to mine in different cells and the area will be location of multiple ponds. It is unclear if these ponds will be clay lined or open water ponds like what was

approved as part of the original permit application. The large stockpile of sand was sold by the previous Operator, but the current Operator has not been able to sell the same quantity of material, and the pile is getting larger. Currently there is no clear plan for the sand material.

Tract C is located west of Tract A and southwest of Tract B. Mining is complete at this location and the mined-out area has been filled with groundwater. The approval of TR-3 in 2011 approved the mining and reclamation of this tract as an open water pond. As indicated in the 2018 inspection, the pond was partially lined with clay material, and it is unclear if lining of the pond was completed. However, since the pond has been filled with groundwater it probably was never completely lined. The eastern portion of the tract, adjacent to the roadway, has a highwall that remains and is near vertical. The approved plan requires all side slopes to be reclaimed at a minimum 3H:1V slope. Along the southern portion of the tract concrete culverts have been dumped into the pond. While the Division did not inspect the culverts closely it is assumed that they are reinforced with rebar. Rebar is not allowed to be backfilled in areas where it may be inundated by groundwater. During the inspection the Operator stated that Tract C was now going to be backfilled.

Tract D is in a triangular area in the north of the permit area west of Tract B. Mining in this area is complete and is slowly being backfilled. The area is being used by a concrete production contractor supplying concrete to a nearby project.

During the inspection the Division noted many Russian Olive trees and Tamarisk (salt cedar) trees throughout the permit area. These are Colorado List B noxious weed species. In 2005 the Division approved TR-1 to address management of these species. The Division is citing this as a problem for failure to implement the currently approved Weed Control and Management Plan.

The currently calculated financial warranty for the site is \$431,100.00. The warranty amount is not sufficient for the State to reclaim the site and has been cited as a problem within this report. Given the level of disturbance and the volume of stockpiled material at the site the Operator will be required to submit a new reclamation cost estimate. Pursuant to Rule 6.4.12, the Operator shall submit an updated Exhibit L which details all information necessary to calculate the costs of reclamation, broken down into the various major phases of reclamation by the corrective action due date.

Since 2014 the Division has informed the Operator that mining and reclamation is not being conducted at the site in accordance with the approved plans. Specifically, the open water ponds are being reclaimed to developed water storage facilities. The construction of developed water resource reservoirs is a significant change to the post mining land-use and will require an amendment to the reclamation permit, as mentioned in the 2014 and 2018 inspection reports. The Operator will have to submit an amendment application to address this item by the corrective action due date.

Photographs taken during the inspection are attached.

If you have any questions regarding this report please contact me by email at [patrick.lennberg@state.co.us](mailto:patrick.lennberg@state.co.us).

**Inspection Contact Address**

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**PHOTOGRAPHS**



**Photo 1:** Mine sign at primary mine entrance, note wrong operator (Varra Co., Inc.) listed



**Photo 2:** Stockpile of concrete sand located in Tract B, ~500,000 cy





**Photo 3:** Looking east across Tract A, mined out area and partially lined side slopes



**Photo 4:** Typical example of established Russian-Olive Tree and Salt Cedar





**Photo 5:** Material being stockpiled in Tract A to be recycled



**Photo 6:** Looking north across Tract A mined out area, sand stockpile in background





**Photo 7:** Looking west across Tract A, area in center of picture has been backfilled or not planned for mining



**Photo 8:** Numerous Russian-Olive trees established within Tract A





**Photo 9:** North end of the sedimentation ponds looking south



**Photo 10:** Eastside of Tract C near vertical highwall



**Photo 11:** Looking south across Tract C at concrete pipes dumped into pond



**Photo 12:** Looking west across Tract C





**Photo 13:** Looking east across the southern most sedimentation pond, note Russian-Olive Trees



**Photo 14:** Looking north along conveyor corridor entering permit in the southwestern corner





**Photo 15:** Concrete batch plant set-up in Tract D



**Photo 16:** Backfilling in Tract D





**Photo 17:** Wet processing plant in Tract B



**Photo 18:** Looking south across Tract A from sand pile





**Photo 19:** Looking west across Tract B, a mined cell in foreground and conveyor and processing plant background



**Photo 20:** Looking north across Tract B, cell being mined in foreground and primary mine entrance background



### GENERAL INSPECTION TOPICS

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

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