



Girardi - DNR, Chris <chris.girardi@state.co.us>

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## Martinez Permit - Corrective Actions

1 message

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**Girardi - DNR, Chris** <chris.girardi@state.co.us>  
To: Weber Sand and Gravel <webersandgravel@gmail.com>  
Cc: Jared Ebert - DNR <jared.ebert@state.co.us>

Mon, Dec 29, 2025 at 12:20 PM

Good afternoon,

Attached to this email is correspondence from the Division regarding the inspection corrective actions cited in the November 2025 Inspection Report for the Martinez permit, file no. M-2007-010.

A hard copy will not be sent unless requested. Please feel free to contact me if you have any questions.

Sincerely,

Chris Girardi

Environmental Protection Specialist



P: (720) 793-3041

Physical: 1313 Sherman Street, Room 215, Denver, CO 80203

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**InspectionCorrectiveActions\_MartinezPermit\_M2007010.pdf**  
351K



**COLORADO**  
Division of Reclamation,  
Mining and Safety  
Department of Natural Resources

December 29, 2025

Kathy and Andy Weber  
Weber Sand & Gravel, Inc.  
2980 E. Hwy. 160  
Pagosa Springs, CO 81147

**Re: Corrective Actions, Martinez Permit, Permit No. M-2007-010**

Dear Mr. Weber:

On November 4, 2024, the Division of Reclamation, Mining and Safety (“Division” or “DRMS”) performed a routine monitoring inspection of the Martinez Permit, file number M-2007-010. As a result of the inspection, the Division cited problems, see below, that had corrective action due dates. The Division notes the following regarding the corrective action items cited as a result of the November 2025 inspection.

**1. INSPECTION TOPIC: Signs and markers**

**PROBLEM:** The mine identification sign was not posted at the entrance of the mine site. This is a problem for failure to post a 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.

**DIVISION RESPONSE:** The Operator has provided photo documentation that the mine identification sign has been replaced. This problem is considered abated.

**2. INSPECTION TOPIC: Right of Entry**

**PROBLEM:** In the 2025 Annual Report, the operator indicated the legal right to enter is no longer valid. This issue is cited as a problem for failure to maintain legal right of entry pursuant to Rule 6.4.14.

**OPERATOR RESPONSE:** The mining operation was terminated several years ago after the death of John O. Martinez. We have been unable to work with any of the family members since then, hence nothing has been worked at the mining site since then. And we have not entered the property since then. We are trying to get ahold of one of the heirs to get a letter giving us Right of Entry so we can get started on the Final Reclamation. We hope to have that before January 12, 2026.



**DIVISION RESPONSE:** Please request an extension if additional time is needed to obtain legal right of entry from the landowner.

**3. INSPECTION TOPIC:** General Compliance with Mine Plan

**PROBLEM:** The first period of Temporary Cessation (TC-1) has expired as of December 1, 2018. Despite recent annual report submittals stating recent activity less than 180 days from the report submittal date, historical Google Earth Imagery reveals that no observable earthwork, mining, or reclamation has been conducted between 2013 and 2025. The Operator was never granted approval of a second term of Temporary Cessation. In accordance with Rule 1.13.9, in no case shall Temporary Cessation be continued for more than ten (10) years without terminating the mining operation and fully complying with the Reclamation Plan requirements of the Act and the rules. Therefore, the Operator must terminate the mining operation and begin reclamation.

**OPERATOR RESPONSE:** Weber Sand & Gravel, Inc. intends to start Final Reclamation on the Martinez Pit by January 15, 2026 or earlier if we are able to retain the Right of Entry sooner.

**DIVISION RESPONSE:** The Operator has provided the requested notice prior to the corrective action due date. This problem is considered abated.

Please submit a response addressing Inspection Topic 2 by **January 12, 2026**. The Operator will be required to request an extension of the current decision date if additional time is needed.

If you have any questions, please contact me by email at [chris.girardi@state.co.us](mailto:chris.girardi@state.co.us).

Sincerely,



Chris Girardi  
Environmental Protection Specialist

cc: Jared Ebert; DRMS