




COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY
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: Fryrear Gravel Pit	MINE/PROSPECTING ID#: M-1998-071	MINERAL: Sand and gravel	COUNTY: Yuma
INSPECTION TYPE: Monitoring	INSPECTOR(S): Eric C. Scott	INSP. DATE: November 6, 2013	INSP. TIME: 12:00
OPERATOR: Richard Fryrear	OPERATOR REPRESENTATIVE: Richard Fryrear	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: None	BOND AMOUNT: \$47,000.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: November 15, 2013

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: Signs & Markers

PROBLEM/POSSIBLE VIOLATION: Problem: The affected area boundary markers are missing or incorrectly placed. This is a problem for failure to maintain boundary markers around the affected area as required by Section 3.1.12(2) of the rule. As shown on the attached map, This issue has resulted in several acres of affected area outside of the approved permit boundary.

CORRECTIVE ACTIONS: The operator shall submit to the Division a complete permit amendment within 90 days of the date of this report. The amendment shall incorporate all currently disturbed areas into the new permit boundary. If a complete amendment is not received by the Division by the corrective action due date listed below, enforcement actions will be initiated for affecting land outside of the approved permit boundary.

CORRECTIVE ACTION DUE DATE: 2/13/14

OBSERVATIONS

This inspection was conducted by Eric Scott of DRMS as a routine monitoring inspection of the 40 acre 112c Fryrear Gravel Pit. Permittee Richard Fryrear was present during the inspection. The site is located near the northeast corner of the intersection of Yuma County Roads N and 59. The pit is located in an area that is still being actively farmed, and the site identification sign was present near the western access point to the site from road 59.

There were several steel posts placed on the property that roughly encompassed the disturbed area associated with the mining activity to date. The locations of these posts were documented using a handheld Trimble GPS unit during the inspection. The attached map shows the approximately 29 acre boundary defined by the steel posts as a light blue line. The currently approved permit boundary (40 acres) is shown on the attached map by a yellow line. The property boundary delineating the S1/2 of the S1/4 of Section 2, Township 5 North, Range 47 West is shown by a red line. As can be seen on the attached map, the locations of the marker posts observed during the inspection do not correspond with the permit boundary approved by the Division. There are currently several acres of disturbed area that are outside of the approved permit boundary shown in yellow.

As stated on the first page of this report, DRMS will allow 90 days from the date of this report for the permittee to submit a complete permit amendment to incorporate all the currently disturbed area into a new permit boundary. If a complete amendment has not been received by the Division by February 13, 2014, the Division will initiate enforcement action for the disturbance of areas outside of the approved permit boundary. Enforcement will consist of a Mined Land Reclamation Board hearing that may result in corrective actions and civil penalties if a violation is found.

Inspection Contact Address

Richard Fryrear
8085 CR 13
Haxtun, CO 80731

GENERAL INSPECTION TOPICS

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

(AR) RECORDS----- <u>Y</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>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>Y</u>	(RV) REVEGETATION---- <u>NA</u>
(SM) SIGNS AND MARKERS----- <u>PB</u>	(SP) STORM WATER MGT PLAN---- <u>NA</u>	(SB) COMPLETE INSP---- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>NA</u>	(SC) EROSION/SEDIMENTATION--- <u>NA</u>	(RS) RECL PLAN/COMP-- <u>NA</u>
(AT) ACID OR TOXIC MATERIALS----- <u>NA</u>	(OD) OFF-SITE DAMAGE----- <u>Y</u>	(ST) STIPULATIONS----- <u>NA</u>

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

M1998-071 Fryrear Pit

Google earth

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N

900 ft

