



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: Mundell Estate No. 32	MINE/PROSPECTING ID#: M-1995-019	MINERAL: Gravel	COUNTY: Baca
INSPECTION TYPE: Monitoring	INSPECTOR(S): Amy Eschberger	INSP. DATE: November 20, 2014	INSP. TIME: 09:30
OPERATOR: Baca County	OPERATOR REPRESENTATIVE: Jason Freiburger and Race Chenoweth	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: None	BOND AMOUNT: \$0.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: <i>Amy Eschberger</i>	SIGNATURE DATE: July 9, 2015

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>Y</u>	(FN) FINANCIAL WARRANTY----- <u>NA</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>Y</u>	(SF) PROCESSING FACILITIES----- <u>NA</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- <u>Y</u>	(SP) STORM WATER MGT PLAN---- <u>Y</u>	(SB) COMPLETE INSP---- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>Y</u>	(SC) EROSION/SEDIMENTATION--- <u>Y</u>	(RS) RECL PLAN/COMP-- <u>Y</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

OBSERVATIONS

This was a normal monitoring inspection of the Mundell Estate No. 32 site (Permit No. M-1995-019) conducted by Amy Eschberger of the Division of Reclamation, Mining and Safety (Division). Mr. Jason Freiburger and Mr. Race Chenoweth represented the operator, Baca County during the inspection. The site is located approximately 11 miles northeast from Walsh, CO, on land owned by Mamie and Felix Mundell Trust, Jane Louise Mundell, Trustee. Access to the site is from the east off of Co Rd 52. The site is situated just south of, and approximately 20 feet above Bear Creek. This creek only flows during big storm events. The approved post-mining land use is rangeland.

This is a 112c operation permitted for 40 acres to mine sand and gravel for use in county road maintenance. The maximum mining depth is approximately 15 feet. The maximum allowed disturbed acreage at any time is 20 acres (as of TR-01, approved 01/07/2008). The operation began mining in the northernmost portion of the site under a 110c permit before the conversion (CN-01) was approved on 12/17/2001. The county began reclaiming this northernmost disturbance in 2006. Mining has proceeded to the south. The operation maintains a minimum 100 foot buffer from Bear Creek as stated in the approved mining plan.

At the time of the inspection, the weather was clear, cool and sunny, and the ground was dry. A permit identification sign was posted at the main entrance to the site off of Co Rd 52 (**Photo 1**). This sign included the permit number, and operator name; however, pursuant to Rule 3.1.12(1), it should also include a statement that the permit was issued by the Colorado Mined Land Reclamation Board (MLRB). The permit boundary corners were marked by metal posts painted yellow (**Photo 2**). The mine was not active during the inspection, and no material stockpiles remain. This permit has been approved for intermittent status, which allows the site to be active for less than 180 days per year. However, according to Annual Reports submitted by the operator, the site has been inactive since 2006. Since then, the county has only conducted reclamation activities on site. The Division informed Mr. Freiburger and Mr. Chenoweth during the inspection that, per C.R.S. 34-32.5-103(11)(b) and Rule 1.13.5(1), operators must file a notice of Temporary Cessation (see enclosed form) whenever they intend to, or do, temporarily cease production for more than a one year period. Because Mr. Freiburger and Mr. Chenoweth indicated that the county intends to mine this site again within the year, a Problem will not be cited in this report for the years of inactivity. However, this matter will be followed up on during the next inspection.

The Division estimates that approximately 11 acres have been disturbed (and not yet reclaimed) by this operation (see enclosed Google Earth image of site). This amount of disturbance is well within the maximum allowed disturbance of 20 acres. The northern portion that was previously mined was graded to match the surrounding topography, and vegetation in this area is well established, including native grasses, yucca, sand sagebrush, and brome snakeweed (**Photos 3 and 4**). Current disturbance includes a horseshoe shaped pit located in the center of the permit area, and a topsoil stockpile stored at the northern edge of the pit. The highwall along the eastern edge of the pit is approximately 10-12 feet in height with slope gradients of 1H:1V to 2H:1V (**Photos 5 and 6**). The southern and western mined walls have been graded to 3H:1V or flatter (**Photos 7-9**). All mined slopes appeared to be stable, showing no evidence of erosion. The topsoil stockpile appeared to be stable with vegetative cover (**Photo 10**). Native vegetation has begun to establish throughout the site due to the length of inactivity. No problems with state-listed noxious weeds were observed.

The approved reclamation plan calls for grading all slopes to 3H:1V or flatter, replacing a minimum of 6 inches of topsoil on disturbed areas, and revegetating the site to rangeland. The dirt access road will not be reclaimed.

PHOTOGRAPHS



Photo 1. View of permit sign posted at main site entrance off of Co Rd 52. This sign should also include a statement that the permit was issued by the MLRB.



Photo 2. View looking south, showing metal post marking northeastern corner of permit boundary.

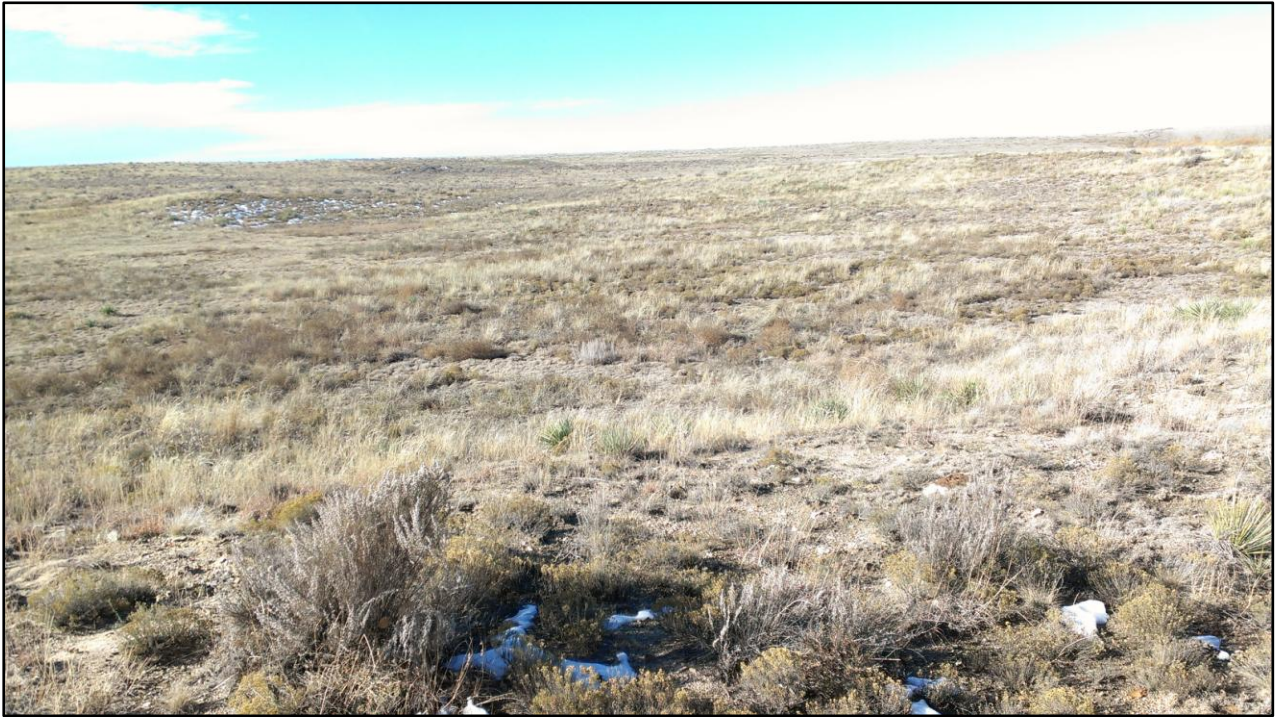


Photo 3. View looking southwest across reclaimed northern portion of site. Note slopes graded 3H:1V or flatter and establishment of native vegetation.



Photo 4. View looking southeast across reclaimed northern portion of site. Note slopes graded 3H:1V or flatter and establishment of native vegetation.



Photo 5. View looking east from center of pit, showing eastern highwall approximately 10-12 feet in height, with slope gradients of approximately 1H:1V. Note native vegetation establishing on pit floor.



Photo 6. View looking southeast from center of pit, showing eastern highwall approximately 10-12 feet in height, with slope gradients of approximately 1H:1V to 2H:1V. Note native vegetation establishing on pit floor.



Photo 7. View looking south from center of pit, showing southern mined slope (in distance) with slope gradients of 3H:1V or flatter. Note native vegetation establishing across pit floor and pit walls.



Photo 8. View looking southwest, showing western mined slope with slope gradients flatter than 3H:1V. Note native vegetation establishing across this area.



Photo 9. View looking southeast, showing western mined slope with slope gradients of 3H:1V or flatter. Note native vegetation establishing across this area.



Photo 10. View looking northwest, showing topsoil stockpile stored at northern edge of pit. Note stockpile stable with vegetative cover.

Inspection Contact Address

Glen Ausmus
Baca County
741 Main St., Suite 1
Springfield, CO 81073

Enclosure(s): Temporary Cessation Notice form
Google Earth image of site

CC: Cindy Parsons
Baca County Administrator
741 Main St., Suite 1
Springfield, CO 81073

Wally Erickson, DRMS



COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY

1313 Sherman Street, Room 215, Denver, Colorado 80203 Phone (303) 866-3567

TEMPORARY CESSATION NOTICE

(mining activities temporarily cease for more than a one-year period)

Today's date: _____

Permit number: M- _____ Site name: _____

County: _____ TC number: _____ (DRMS use only)

Permittee making request: _____

Operator (if other than permittee): _____

Date the initial five-year period of Temporary Cessation begins: _____

Reason mining activities (materials extraction, processing, hauling) have ceased:

Description of plan to resume operations:

Description of plan to meet performance standards of Rule 3.1 during temporary cessation (reclamation, weed control, monitoring, signs, markers, etc.):

Number of affected acres: _____

Amount of financial warranty (bond) on deposit with the state: \$ _____

Required fees for Temporary Cessation by permit type (please mark the correct fee and submit it with this request for Temporary Cessation):

<u>Permit type</u>	<u>Required TR fee</u>	<u>Submitted</u> (mark only one)
Construction Materials	\$144	<input type="checkbox"/>
Hard Rock/ Metal Mining	\$115	<input type="checkbox"/>

The above-referenced permit has entered Temporary Cessation. This site has reserves remaining to be mined.

Operator's signature: _____

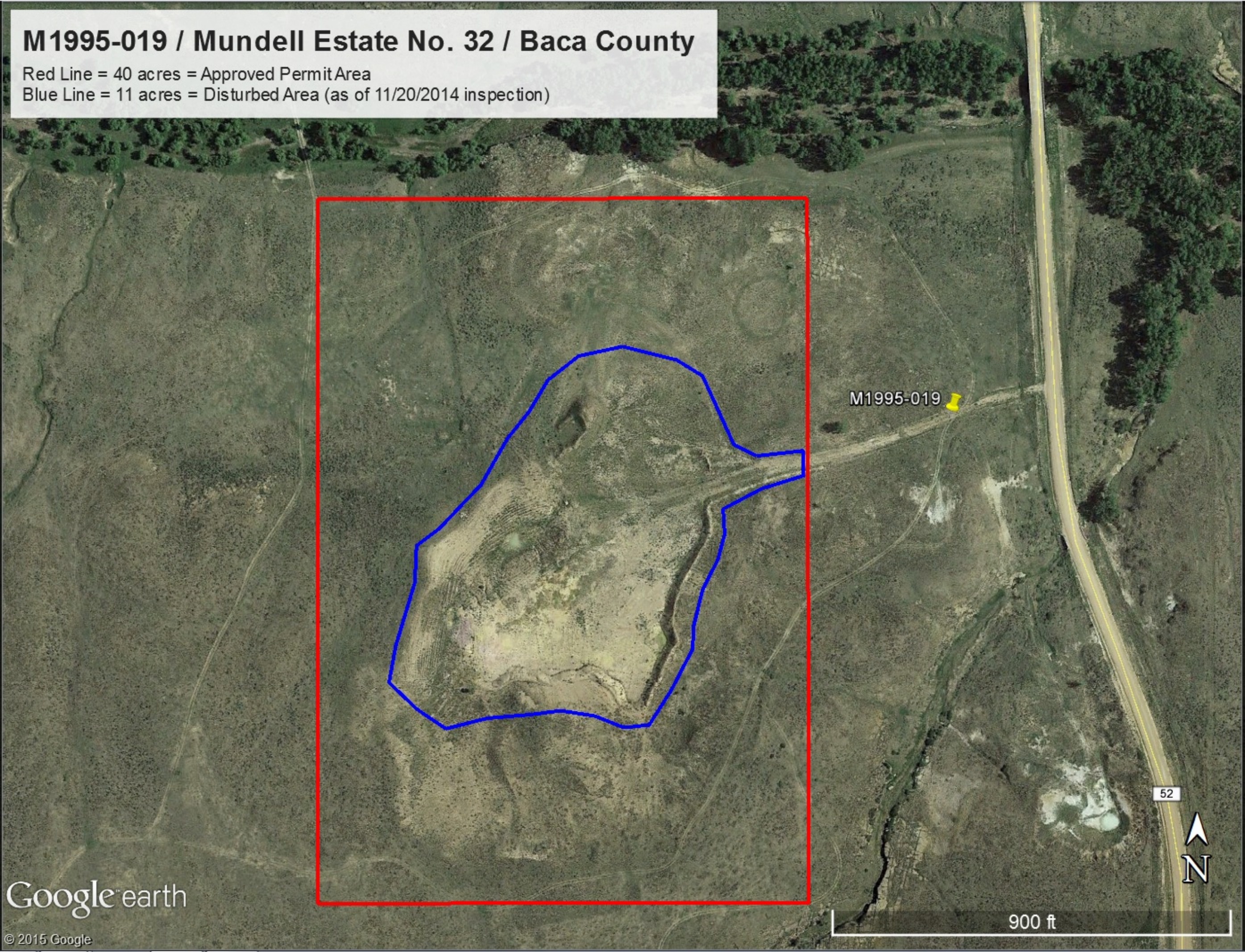
Please note:

1. While in Temporary Cessation, the operator must continue to comply with the Rules and Act, including maintaining the site, and must continue to file an annual report and annual fee.

M1995-019 / Mundell Estate No. 32 / Baca County

Red Line = 40 acres = Approved Permit Area

Blue Line = 11 acres = Disturbed Area (as of 11/20/2014 inspection)



M1995-019

52



900 ft