



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: Wagner Pit	MINE/PROSPECTING ID#: M-2010-002	MINERAL: Sand and gravel	COUNTY: Moffat
INSPECTION TYPE: Monitoring	INSPECTOR(S): Amy C. Yeldell	INSP. DATE: September 9, 2015	INSP. TIME: 10:30
OPERATOR: Wagner Rock LLC	OPERATOR REPRESENTATIVE: None	TYPE OF OPERATION: 110c - Construction Limited Impact	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$10,200.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: <i>Amy Yeldell</i>	SIGNATURE DATE: September 16, 2015

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: Availability Of Records

PROBLEM/POSSIBLE VIOLATION: Problem: The Division has no evidence that the operator has a valid well permit, substitute water supply plan, or approved water augmentation plan for the exposed groundwater at the site. This is a problem related to 34-32.5-116(4)(h) of the Colorado Revised Statutes and 3.1.6(1)(a) of the Construction Materials Rules and Regulations governing injury to existing water rights.

CORRECTIVE ACTIONS: The operator shall demonstrate that the operation is in compliance with the Office of the State Engineer, or backfill the pits to at least two feet above the groundwater surface by the corrective action date specified.

CORRECTIVE ACTION DUE DATE: 11/17/15

INSPECTION TOPIC: Revegetation

PROBLEM/POSSIBLE VIOLATION: 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 approved weed control plan and provide proof to the Division that this has been done. If a weed control plan is not already in place, the operator shall develop a weed control and

management plan in accordance with Section 3.1.10 (6) of the Rule. This plan should be developed in consultation with the county extension agency, or weed control district office and should include specific control measures to be applied, a schedule for when control measures will be applied and a post-treatment monitoring plan. This weed control plan shall be submitted to the Division as a Technical Revision to the approved plan with the appropriate Technical Revision fee of \$216.00 by the corrective action date.

CORRECTIVE ACTION DUE DATE: 11/17/15

OBSERVATIONS

This inspection was conducted as part of the Colorado Division of Reclamation, Mining and Safety normal monitoring program. The Wagner Pit is a 110c permitted site that includes a total of 8.2 permitted acres of which approximately 1.5 acres is currently disturbed. The pit is accessed by a private road from East 1st Street in Craig. Jay Wagner declined to be present during the inspection. Amy Yeldell of the Division conducted the inspection and afterwards went to the Wagner shop to discuss her findings with the operator.

The mine identification sign and affected area boundary markers are in place and in compliance with Rule 3.1.12. The sign is located at the entrance and the entire permit boundary is fenced in.

The site is currently inactive. In discussion with the operator after the inspection he noted that periodically material is excavated from the eastern pit and hauled to his other permitted pit, Wagner Rock M-1999-018 for processing. Mining is moving from west to east and two-thirds of the site is undisturbed. A mobile processing plant was on site however it did not appear to have been operational in quite some time based on how the vegetation had taken over.

No fuel or other hazardous material are stored on location. No buildings or other permanent structures have been erected.

Two small pits with exposed ground water are located in the western corner of the permit boundary. A berm divided the two pits and a culvert at the top connects them. The pits are currently sloped at a 2:1. Final reclamation calls for one small pond (<2 acres) centrally located with 3:1 slopes.

The Division only has record of the gravel well pit permit application included with the 110c permit application. This is cited as a problem. Please provide the Division with the issued permit by the corrective action date. Be advised that failure to provide proof of water rights may result in the Division having to bond for backfilling in any areas with exposed ground water which would result in an increase to the current bond held.

There is virtually no stockpiled material. The only pile present is rock material brought in from Wagner Rock and used to stabilize the ground. A windrowed topsoil/overburden berm is located on the southern boundary and is reclaimed and stable.

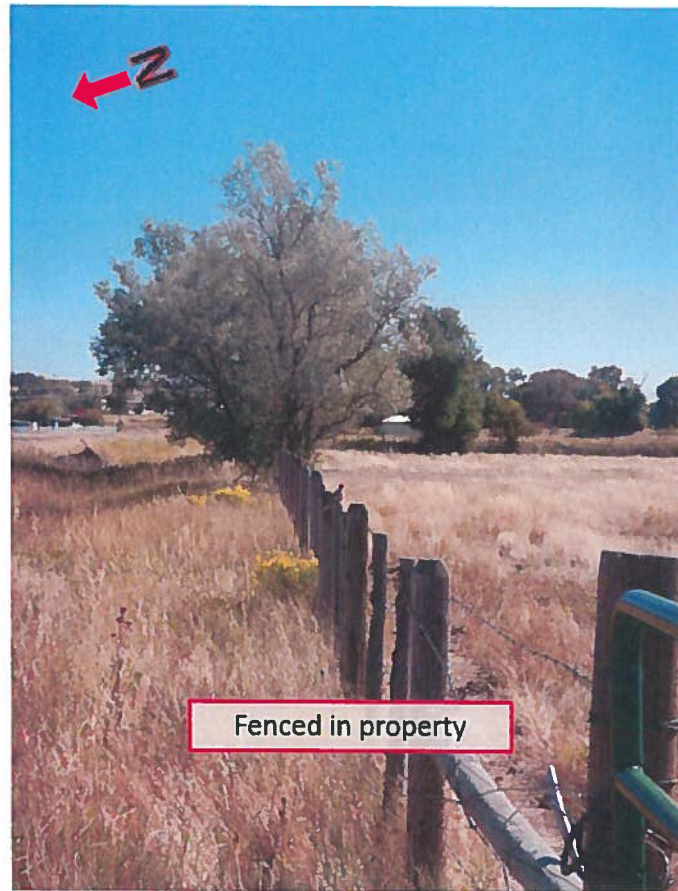
Weeds are present in the disturbed portions of the permit boundary. In phone conversations the operator indicated that all weeds had been treated. Visual inspection by staff found untreated weeds such as; tamarisk, thistles, cheat grass, common Mullen and Russian thistle to be present. This is cited as a problem. This late in the year it is likely too late to effectively treat many of the weeds but the operator is encouraged to make an effort where applications may be effective. The operator shall implement a weed management plan to more aggressively manage the various state listed noxious weeds. Please submit a weed management plan in the form of a technical revision by the corrective action date.

In an effort to ensure the Financial Warranty adequately, reflects the actual current cost of fulfilling the requirements of the approved reclamation plan the Division will be updating the reclamation cost estimate.

Responses to this inspection report should be directed to: Amy Yeldell at the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203. Direct contact can be made by phone at 970-254-8511 or via email at amy.yeldell@state.co.us

PHOTOGRAPHS





Fenced in property



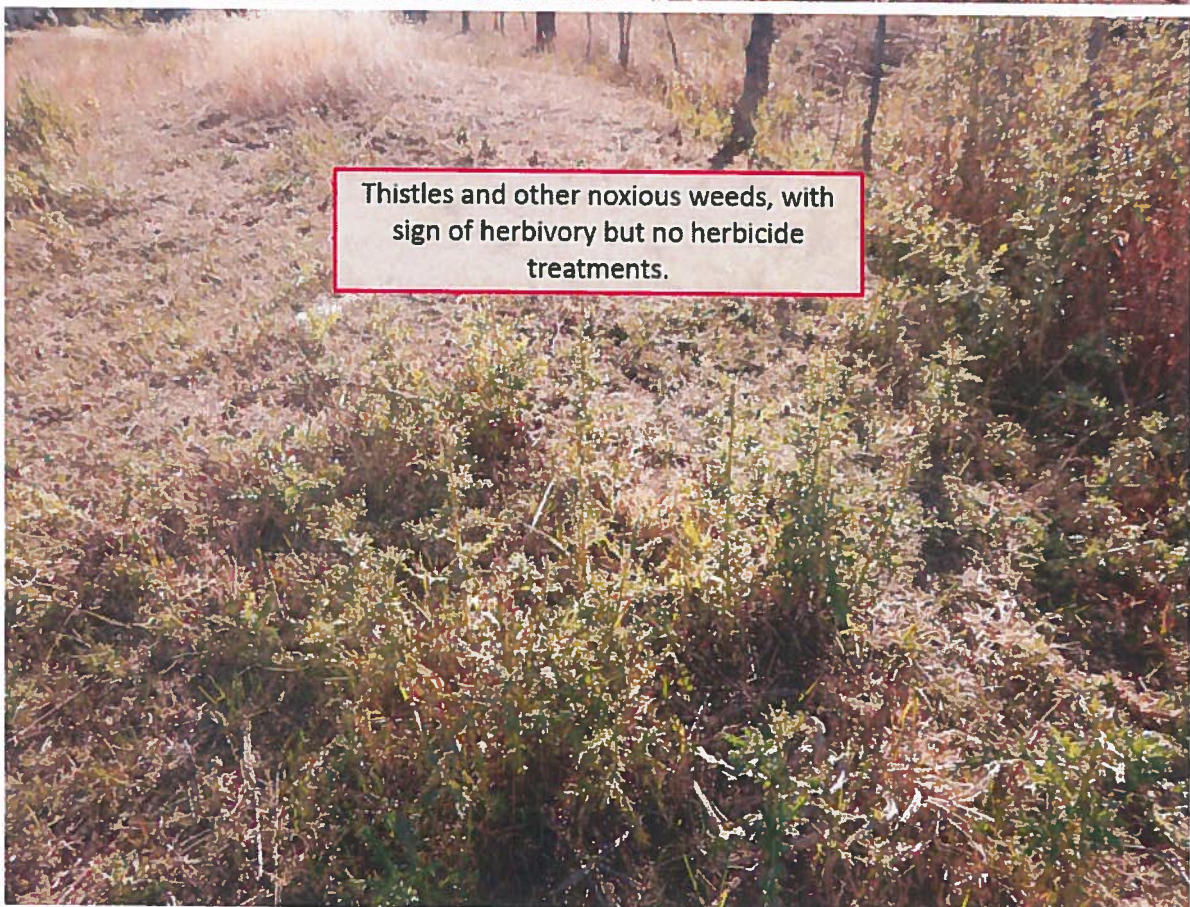
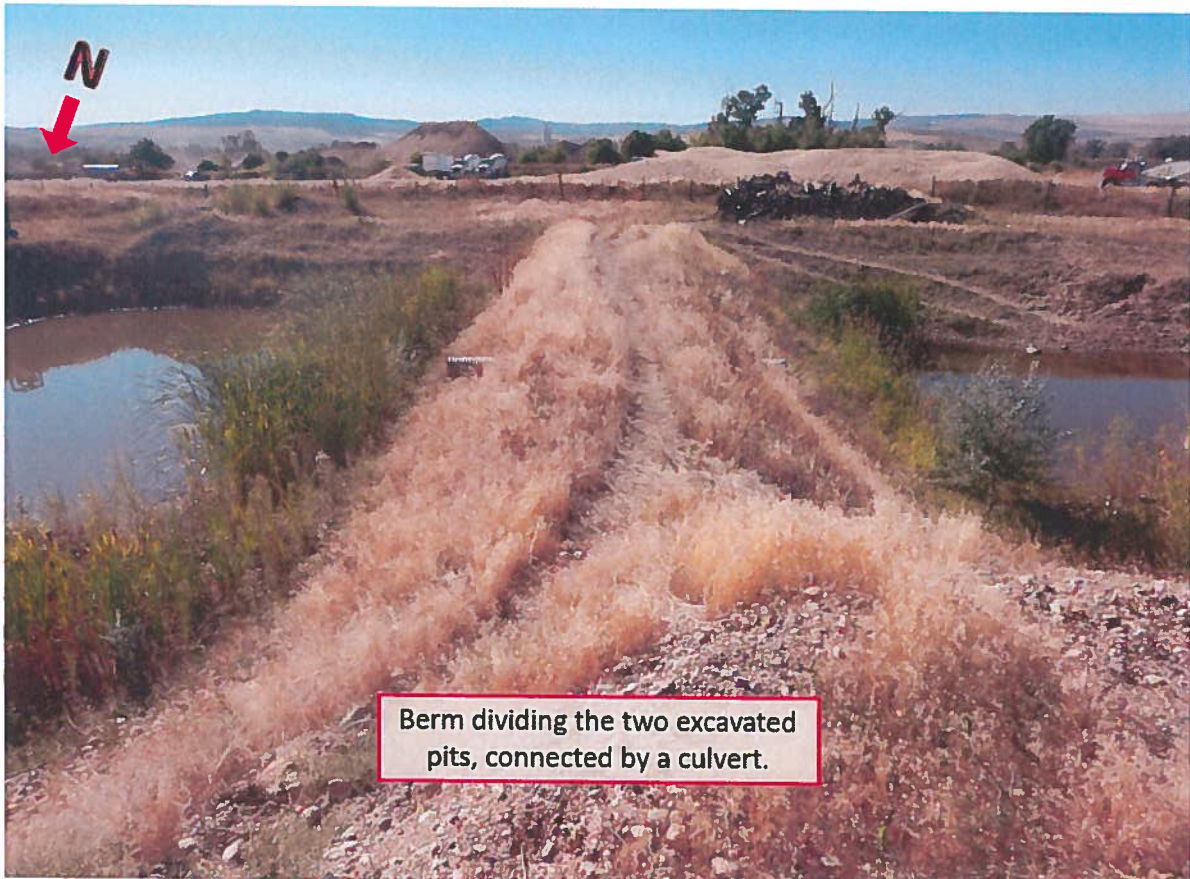
Mostly undisturbed eastern
portion of permit boundary

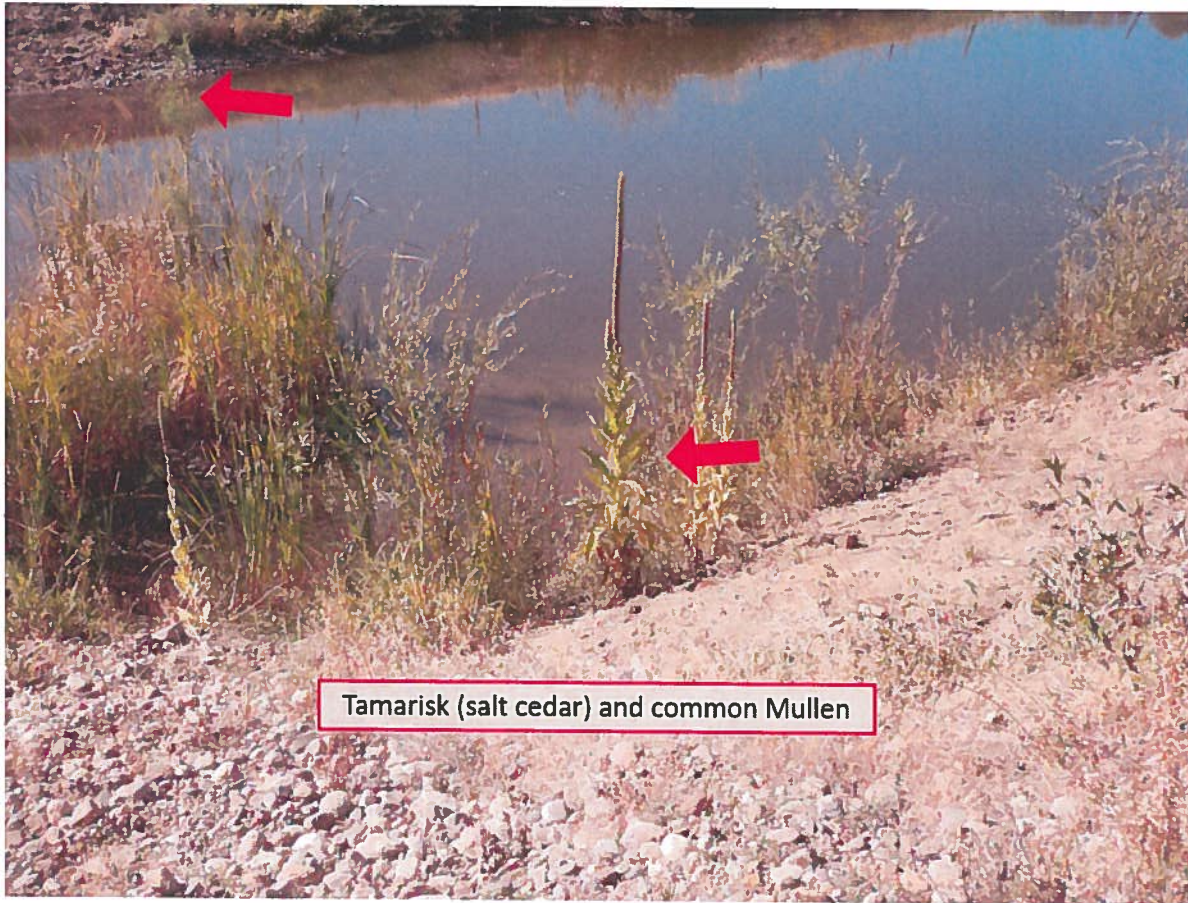


Inactive processing plant and pump



Eastern excavated pit. Some natural volunteer revegetation.





GENERAL INSPECTION TOPICS

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

(AR) RECORDS----- <u>PB</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>PB</u>
(SM) SIGNS AND MARKERS----- <u>Y</u>	(SW) STORM WATER MGT PLAN---- <u>Y</u>	(CI) COMPLETE INSP---- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</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>NA</u>	(ST) STIPULATIONS----- <u>Y</u>

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

Inspection Contact Address

Jay Wagner
Wagner Rock LLC
96400 E Hwy 40
Craig, CO 81625

Enclosure

Ec:
Russ Means, Senior EPS / Field Office Supervisor, Grand Junction DRMS