




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: Krehmeyer Pit	MINE/PROSPECTING ID#: M-2005-070	MINERAL: Sand and Gravel	COUNTY: Phillips
INSPECTION TYPE: Monitoring	INSPECTOR(S): Elliott R. Russell	INSP. DATE: April 20, 2016	INSP. TIME: 13:15
OPERATOR: Ritchey's Redi-Mix Concrete, Inc.	OPERATOR REPRESENTATIVE: Jerry Ritchey	TYPE OF OPERATION: 110c - Construction Limited Impact	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$7,400.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Cloudy	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: April 29, 2016

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.

GENERAL INSPECTION TOPICS

The following list identifies the environmental and permit parameters inspected

(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>Y</u>
(SM) SIGNS AND MARKERS----- <u>Y</u>	(SW) STORM WATER MGT PLAN---- <u>NA</u>	(CI) COMPLETE INSP---- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>NA</u>	(SC) SEDIMENT CONTROL----- <u>Y</u>	(RS) RECL PLAN/COMP-- <u>Y</u>
(AT) ACID OR TOXIC MATERIALS----- <u>NA</u>	(OD) OFF-SITE DAMAGE----- <u>PV</u>	(ST) STIPULATIONS----- <u>NA</u>

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

PROBLEMS/POSSIBLE VIOLATIONS

INSPECTION TOPIC: Off-site Damage

POSSIBLE VIOLATION: The operation has affected approximately seven acres outside of the approved permit boundary. Pursuant to C.R.S. 34-32.5-123(2), this is a possible violation of C.R.S. 34-32.5-109(1) for failure to first obtain from the board or office a reclamation permit prior to engaging in a new operation.

CORRECTIVE ACTIONS: This possible violation has been scheduled to be considered by the Mined Land Reclamation Board, during the June 22-23, 2016 Board meeting. Official notice of the schedule and other details for the MLRB hearing will be provided under a separate document to be sent via certified mail to the operator.

CORRECTIVE ACTION DUE DATE: 6/22/16

OBSERVATIONS

This inspection was conducted as part of the Division's routine monitoring program for permitted operations. The Krehmeyer Pit is a Construction Material Limited 110c Operation Reclamation Permit and is approved to affect 9.9 acres of land, for excavation of alluvial materials from Sandy Creek, an ephemeral channel. The permit area is approximately 250 feet wide, centered on Sandy Creek, and 1,700 feet in length. Affected lands will be reclaimed to support a wildlife habitat post-mining land use. This report is accompanied by seven photographs, two mine plan maps, and one Google Earth image.

The mine site identification sign was posted along County Road 16 and was in compliance with Rule 3.1.12(1). The permit boundary was delineated by a metal t-posts. The Division observed evidence of recent reclamation activities and one front-end loader and one bulldozer was on-site.

The west end of the operation mined material from within the creek. At the east end, the operation has advanced through the northern creek bank, outside of the approved permit boundary and into the adjacent field on the north side of the creek. The native elevations of the creek channel immediately downstream of the mine site are higher than the elevation of the excavated areas and without the northern creek bank intact, creek flow may be diverted from the natural channel and flow down the excavated area. Thus, the off-site excavation has potential to disrupt the natural flow of the native channel.

Based on field observations and a review of a February 26, 2016 Google Earth aerial image, the Division has determined that the Operator has disturbed approximately 13.3 acres with 7.2 acres outside of the approved permit boundary. The Division considers mining more than 2 acres outside of the approved permit boundary as a violation for mining without a permit. The Division has attached an Inspection Map (Google Earth image) as a reference. This map delineates the following:

- Green line - the approximate approved permit boundary which was determined from the approved Mining Plan Map (attached as *9-4-2005 Mining Plan Map M2005070*).
- Red Line - the approximate limits of the mine site disturbance which was determined from a review of the February 26, 2016 Google Earth aerial image and the April 20, 2016 site inspection observations.
- Yellow Line – the approximate proposed 2007 expansion boundary which was determined from the Conversion Application Site Map (attached as *7-7-2007 CN Site Map M2005070*). This is described in more detail in the following paragraph.

On June 22, 2007, the Division received a 112c Conversion Application for the Krehmeyer Pit, which proposed to add 22.7 additional acres on the north side of the creek. The Division responded to the Operator stating that C.R.S. 34-32.5-110(5)(a) requires an operator to hold a 110c permit for two consecutive years or more before

the permit can be converted into a 112c. The Operator had two options: 1) Withdraw the 112c Conversion Application and resubmit the application as a new 112c application, or 2) Withdraw the 112c Conversion Application and re-file the application after January 26, 2008. The Operator chose to withdraw the 112c Conversion Application on July 12, 2007, and stated a new 112c permit application would be submitted. The Division has not receive a new application or a re-filed 112c Conversion Application after January 26, 2008.

This concludes the Division's Inspection Report; a subset of photographs taken during the time of the inspection are included below. If you need additional information or have any questions, please contact me at Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at **303-866-3567 x8132**, or by email at elliott.russell@state.co.us.

Inspection Contact Address

Jerry Ritchey
Ritchey's Redi-Mix Concrete, Inc.
509 S Idlewild St
Yuma, CO 80759

Enclosure: 4-20-2016 Inspection Report Map M2005070
9-4-2005 Mining Plan Map M2005070
7-7-2007 CN Site Map M2005070

CC: Wally Erickson; DRMS

PHOTOGRAPHS



Mine identification sign posted at County Road 16; looking north.



Southwest boundary marker; looking north across Sandy Creek.



Northwest boundary marker; looking south across Sandy Creek.



Excavated creek channel (western portion of the site); looking southwest from the southern creek bank.



Excavated field (eastern portion of the site); looking northwest.



Excavated field (eastern portion of the site); looking northeast.



Eastern portion of the site, undisturbed creek channel (left) and excavated field (right) separated by a long stockpile/berm; looking southwest.




Krehmeyer Pit (M-2005-070)

Aerial Image Date: 2/26/2016
Prepared by ERR on 4/25/2015



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Legend

-  Approved Permit Boundary (9.9 acres)
-  Disturbance Boundary (13.3 acres)
-  Proposed 2007 Expansion (WD 7/12/2007)

1000 ft

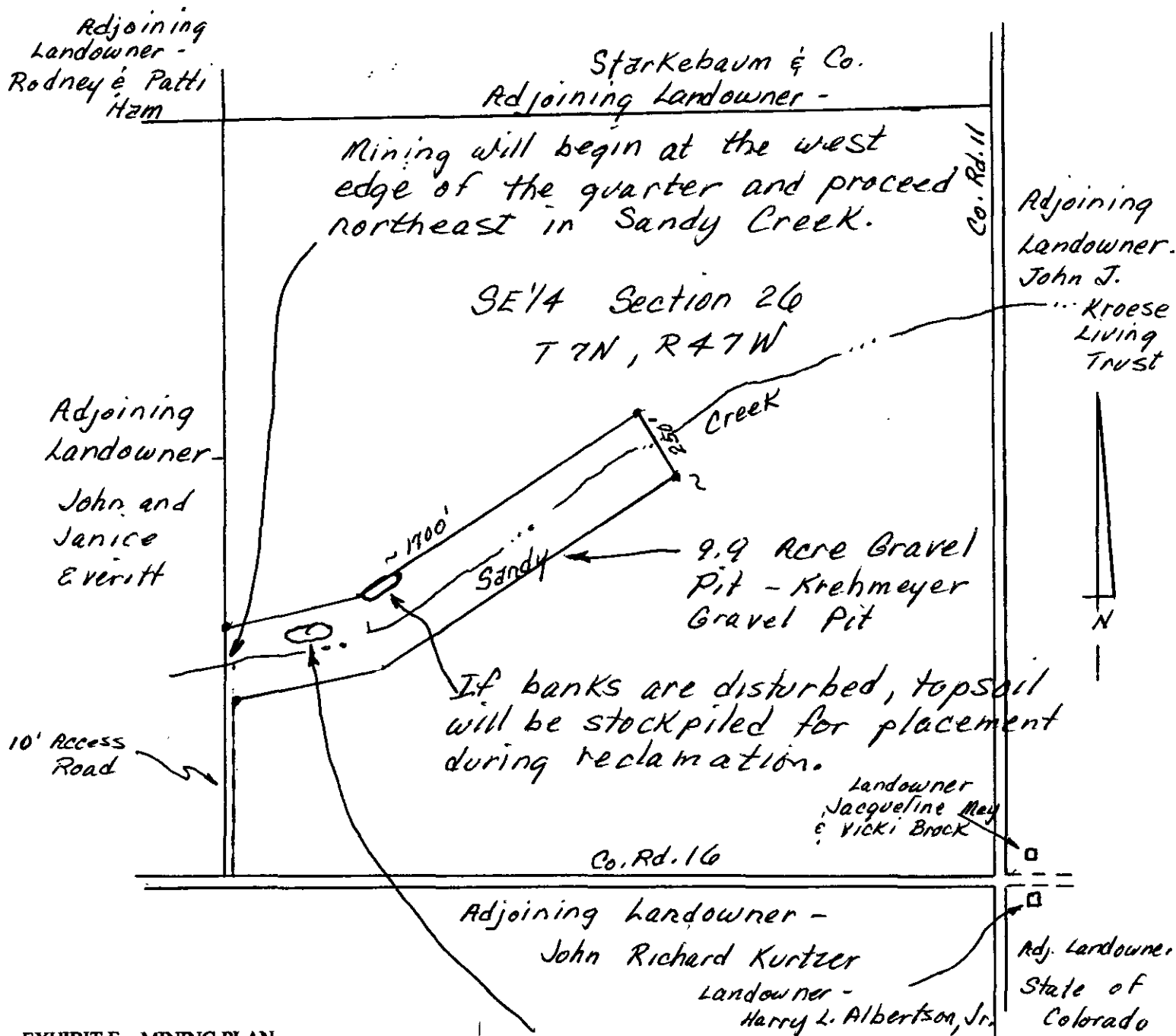


EXHIBIT E - MINING PLAN

OPERATOR - Ritchey's Red-Mix Concrete, Inc.
 SCALE 1" = 500'
 DATE September 24, 2005
 SECTION 26, SE 1/4
 TOWNSHIP 7N
 RANGE 47W
 COUNTY Phillips County
 Prepared by Randy Schaefer
 Krehmeyer Pit

If gravel is stockpiled during mining, it will be placed in line with the drainage so as not to block any flows after a heavy rainfall.

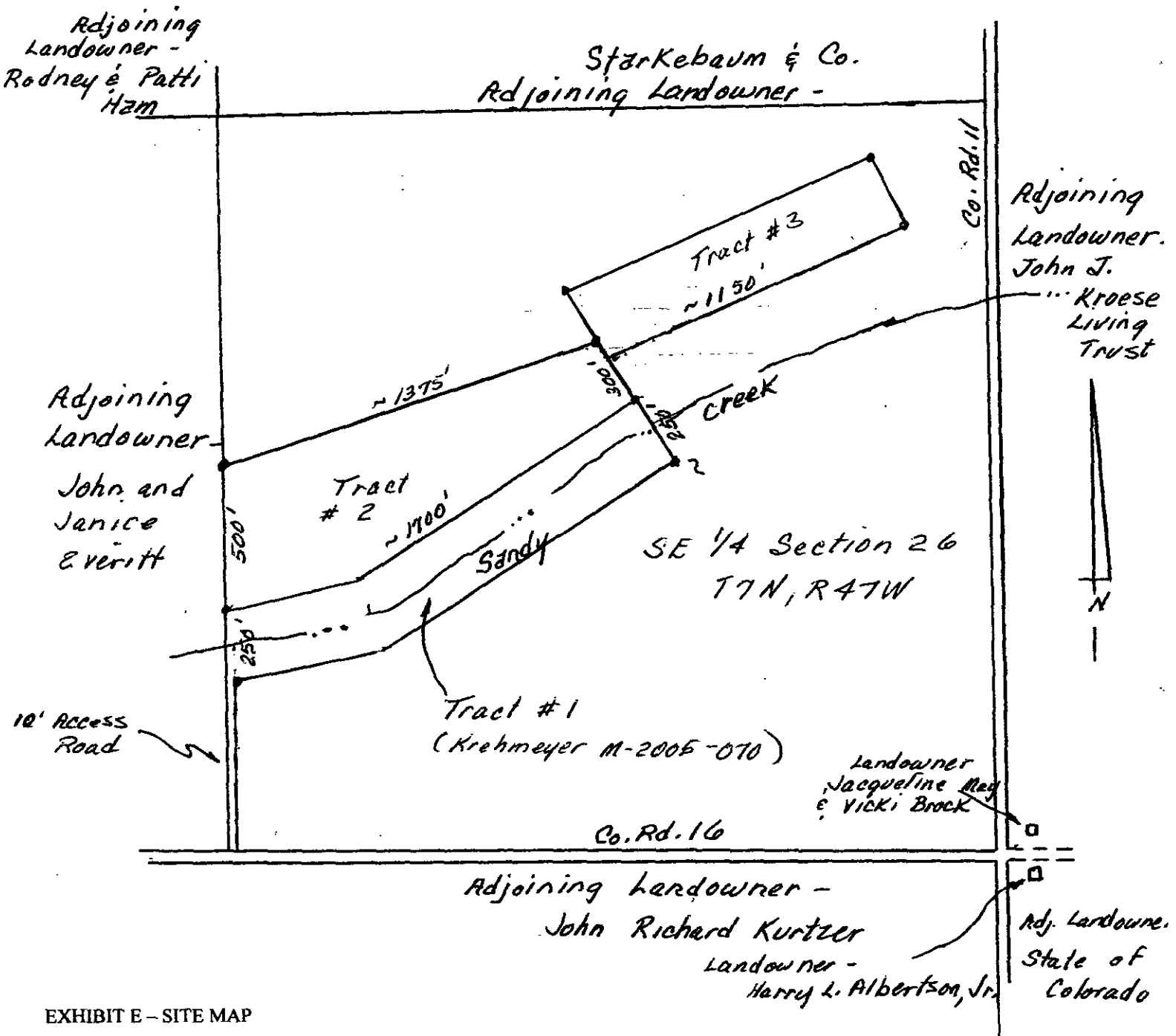


EXHIBIT E - SITE MAP

OPERATOR - Ritchey's Red-Mix Concrete, Inc.
 SCALE 1" = 500'
 DATE April 7, 2007
 SECTION 26, SE 1/4
 TOWNSHIP 7N
 RANGE 47W
 COUNTY Phillips County
 PREPARED BY *Gandy Schaffer*
 Krehmeyer Pit #2