

J and K Limestone Products

4469 N. CR. 108

Mosca, CO 81146

719.378.2520

cooleyandsons@gmail.com

I am in receipt of the Mineral Program Inspection and Corrective Actions report from the Villa Grove site visit on August 9, 2016, for J and K Limestone. I purchased the J and K Limestone Pit from Jim and Karla Willschau in October of 2015, and the referenced trash and other debris referenced in your report was onsite at the time of purchase. I will work diligently to cleanup the referenced trash and other debris, but would like to request a 90 day extension from the October 31, 2016, deadline to get the pit conditions into compliance with the Division of Reclamation, Mining, and Safety.

The imported concrete stored at the pit will be removed and taken to our construction yard; the paper trash debris will be taken to the Saguache County Landfill; and any metal waste will be taken to Colorado Recycling, Monte Vista, Colorado, or Star Steel, Alamosa, Colorado for recycling. Pictures will be taken and submitted to you via email post site cleanup.

We are obtaining a written affidavit from Jim Willschau regarding the imported fill material which was also located onsite at the time that I purchased the pit from him. I have completed the technical revision cover sheet and have issued payment to be submitted with that request. Upon receipt of his letter, I will email the entire documents to you and "Certified Mail" the originals. Please anticipate those documents this week.

Thank you for reviewing our approach to remove excess spoil and waste from the pit. Please contact me with any questions.

Sincerely,



James Cooley

Owner



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: J and K Limestone Products-Villa Grove Pit	MINE/PROSPECTING ID#: M-2000-116	MINERAL: Gravel, sand and agg	COUNTY: Saguache
INSPECTION TYPE: Monitoring	INSPECTOR(S): Amy C. Yeldell	INSP. DATE: August 9, 2016	INSP. TIME: 15:20
OPERATOR: J and K Limestone Products, LLC	OPERATOR REPRESENTATIVE: None	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$80,423.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS:	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: August 31, 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.

INSPECTION TOPIC: Availability Of Records
PROBLEM/POSSIBLE VIOLATION: Problem: The site is utilizing off-site fill without prior approval by the Division per 3.1.5(9) of the Rule.
CORRECTIVE ACTIONS: The operator shall remove imported fill material OR provide a notarized affidavit, stating that the fill is, in fact, inert and addressing all requirements pursuant to Rule 3.1.5(9), which describes the intended use of inert/off-site fill by the corrective action date.
CORRECTIVE ACTION DUE DATE: 10/31/16

INSPECTION TOPIC: Excess Spoil & Dev. Waste
PROBLEM/POSSIBLE VIOLATION: Problem: Trash and refuse was noticed on the site. This is a problem at this time for failure to dispose of refuse in a manner that controls unsightliness or deleterious effects of such refuse pursuant to C.R.S. 34-32.5-116(4)(e).
CORRECTIVE ACTIONS: The operator shall submit a written notice to the Division with photo documentation, that the trash has been removed from the site by the corrective action date.
CORRECTIVE ACTION DUE DATE: 10/31/16

OBSERVATIONS

This inspection was conducted as part of the Colorado Division of Reclamation, Mining and Safety normal monitoring program. The J and K Limestone Products-Villa Grove Pit is a 112c gravel operation that consists of 38.65 acres. Due to a miscommunication the operator was not present at the time of the inspection. He was at his other pit which was located more than an hour away however phone contact was made prior to entering the site and he was aware of the inspection. Lucas West and Amy Yeldell of the Division conducted the inspection. The site is located in Saguache County approximately three miles south of Villa Grove, Colorado and is accessed from Highway 285.

The mine identification sign and affected area boundary markers are in place and in compliance with Rule 3.1.12. The mine sign was located at the main entrance from Highway 285. The permit boundary is delineated by t-posts and wire fencing on all four sides.

The site was inactive at the time of the inspection. Several pieces of equipment were observed on site and a load of gravel was being hauled at the time of the inspection.

Several large stockpiles of material were observed. Stockpiles appeared to be stable and free of erosion. Staff was unable to identify which pile was the topsoil salvaged for reclamation. Areas under the stockpiles are compacted and will need to be ripped.

There are two main highwalls. Each are approximately 10 to 15 feet tall by 200 linear feet long. There is one main pit excavation. Most slopes are properly regraded and reclaimed. Some high walls exist throughout the pit. Areas with highwalls slopes range from near vertical to 2:1.

There is a large pile of recycled asphalt in the bottom of the pit. A well as another large pile in the northeast portion of the permit area. A few other small asphalt piles were observed throughout the site. Per the approved mining plan inert fill is not permitted. This is cited as a problem. The operator shall remove all imported material by the corrective action date. Or the operator shall submit a technical revision to the mining plan by the corrective action date. In order to import material the operator must provide the office with notice per Rule 3.1.5 (9). "The notice shall include but is not limited to: a narrative that describes the approximate location of the proposed activity; the approximate volume of inert material to be backfilled; a signed affidavit certifying that the material is clean and inert, as defined in Rule 1.1(20); the approximate dates the proposed activity will commence and end, however, such dates shall not be an enforceable condition; an explanation of how the backfilled site will result in a post-mining configuration that is compatible with the approved post-mining land use; and a general engineering plan stat how the material will be place and stabilized in a manner to avoid unacceptable settling and voids."

Excessive amounts of refuse was observed in a waste pile which included metal trash and cement with rebar. This is cited as a problem. Please remove the pile by the corrective action date. Provide the Division with photo documentation that the pile has been removed. It is noted that cement with exposed rebar cannot be buried on site due to safety hazards. An inert fill affidavit is required prior to importing any material.

Overall the pit has large amounts of volunteer vegetation such as rabbit brush and other well adapted grasses and forbs. Some areas of drill seed / reclamation were observed.

Weed such as knapweed, Russian thistle and various thistle species were observed. Evidence of some weed spraying was observed however it appeared to be ineffective in some areas. The operator is encouraged to treat all noxious weeds prior to them setting out to seed.

No buildings fuel storage were observed on site.

A poorly constructed secondary fuel containment was observed. It consisted of a liner with an earth berm around it. In several instances the liner appeared to have been punctured and/or the berm appeared to be inadequate to it contain fluids in the instance of a spill. The operator is encouraged to repair, upgrade or replace their containment prior to bringing materials on-site.

The Division currently holds a financial warranty amount of \$80,423 for this site. The bond was last updated in 2006. 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. The Division will allow time for the corrective actions to be addressed. Otherwise we will need to bond for removal of imported material and refuse which will significantly impact the estimate total. The operator will be notified under a separate cover if the Division determines that the current financial warranty amount is insufficient.

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

