


**COLORADO**Division of Reclamation,
Mining and Safety

Department of Natural Resources

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: Westhoff Farms	MINE/PROSPECTING ID#: M-1987-166	MINERAL: Borrow	COUNTY: Morgan
INSPECTION TYPE: Monitoring	INSPECTOR(S): Jared L. Ebert	INSP. DATE: May 14, 2018	INSP. TIME: 10:45
OPERATOR: Westhoff Farms	OPERATOR REPRESENTATIVE: Joe Westhoff	TYPE OF OPERATION: 110c - Construction Limited Impact	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: IT.Bondcalculationtype.CD.Desc	BOND AMOUNT: \$3,000.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: May 24, 2018

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: Financial Warranty

PROBLEM: The financial warranty is not adequate to reclaim the site in accordance with the approved reclamation plan. This is a failure to maintain the proper financial warranty amount to complete reclamation of the affected lands pursuant to C.R.S. 34-32.5-117(4)(b) of the Act.

CORRECTIVE ACTIONS: By the corrective action due date, the Division must receive:

- 1.) The Request for Transfer of Mineral Permit and Succession of Operators Application
- or,**
- 2.) The Operator shall increase their financial warranty to the required \$54,120.00 amount.

CORRECTIVE ACTION DUE DATE: 7/23/18

OBSERVATIONS

This was a monitoring inspection of the Westhoff Farms site, DRMS Permit No. M-1987-166, operated by Joe Westhoff. I, Jared Ebert with the Colorado Division of Reclamation, Mining and Safety (Division) conducted the inspection. Mr. Joe Westhoff the landowner and operator as well as Bruce Bass the Public Works Director for Morgan County and John Goodman a Road Manager with Morgan County accompanied me during the inspection.

The site is a 110c mining operation for material used for maintenance of the county roads. The approved post mine land use is designated as cropland. The permit area is five acres in size. Morgan County is interested in taking over the permit from Mr. Westhoff. During this inspection we discussed the permit transfer process. Also, Morgan County would like to add some additional acreage to the west of the current permit area to expand the mining area further into the hill. Morgan County has surveyed a possible expansion area and had the proposed expansion area marked with metal survey rods. The Division collected the location of these survey posts using the ArcCollector Application. A map depicting the Division's findings is included at the end of this report. Mr. Bass indicated that the county has decided to expand the permit area in a different configuration than what was marked in the field. Mr. Bass sent me the enclosed e-mail and attachment with a map that depicts their revised proposed expansion area. In order to expand the permit boundary, a permit amendment or conversion application will need to be submitted and approved by the Division.

Backfilling and Grading:

The Division measured the highwall to be about six hundred feet in length and about 25 to 30 feet in height with near vertical slopes. The pit floor is relatively level, vegetated and stable.

Financial Warranty:

On March 23, 2016, the Division issued a required surety increase for the site. The total required surety for the site was set at \$54,120.00. The Operator currently has a \$3,000 financial warranty in place for this site. The increase in the financial warranty was never submitted to the Division within the required sixty day deadline. As indicated above, Morgan County is interested in having the permit transferred to them. Mr. Bass had a copy of the Succession of Operators/Permit Transfer application form partially filled out and indicated they intend to submit the permit transfer application in several weeks.

If the permit transfer does not occur, the required financial warranty will need to be increased in accordance with the notice of surety increase sent on March 23, 2016. The Division will need to either receive a permit transfer application or the required increase in financial warranty by the corrective action date cited at the beginning of this report.

Signs and Markers:

The permit boundary markers in place delineate an area of only 4.4 acres. The enclosed map depicts the correct permit boundary area.

PHOTOGRAPHS



Figure 1. From the northeast corner of the permit area looking southwest.



Figure 2. From the top of the highwall on the north end looking south.



Figure 3. From the south end of the highwall looking northeast.

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

Joe Westhoff
Westhoff Farms
2823 CR 3
Wiggins, CO 80654

Enclosure: 1.) May 14, 2018, Email from Bruce Bass to Jared Ebert, with Map
2.) DRMS Inspection Report Map

EC: Bruce Bass, Morgan County, bbass@co.morgan.co.us



STATE OF
COLORADO

Ebert - DNR, Jared <jared.ebert@state.co.us>

Morgan County Site Maps for Westoff Pit

Bruce Bass <bbass@co.morgan.co.us>

Mon, May 14, 2018 at 2:16 PM

To: jared.ebert@state.co.us

Jared

It was a pleasure meeting you today. Attached is the maps I said I would send you for the proposed new area and boundary points. Let me know if you have any questions or concerns.

Thank You

--

Bruce Bass

Public Works Director

Morgan County Government

970-542-3560



Google Maps of Area Revised.docx

8578K

Exhibit D

Westoff Farms Existing Permitted Area.

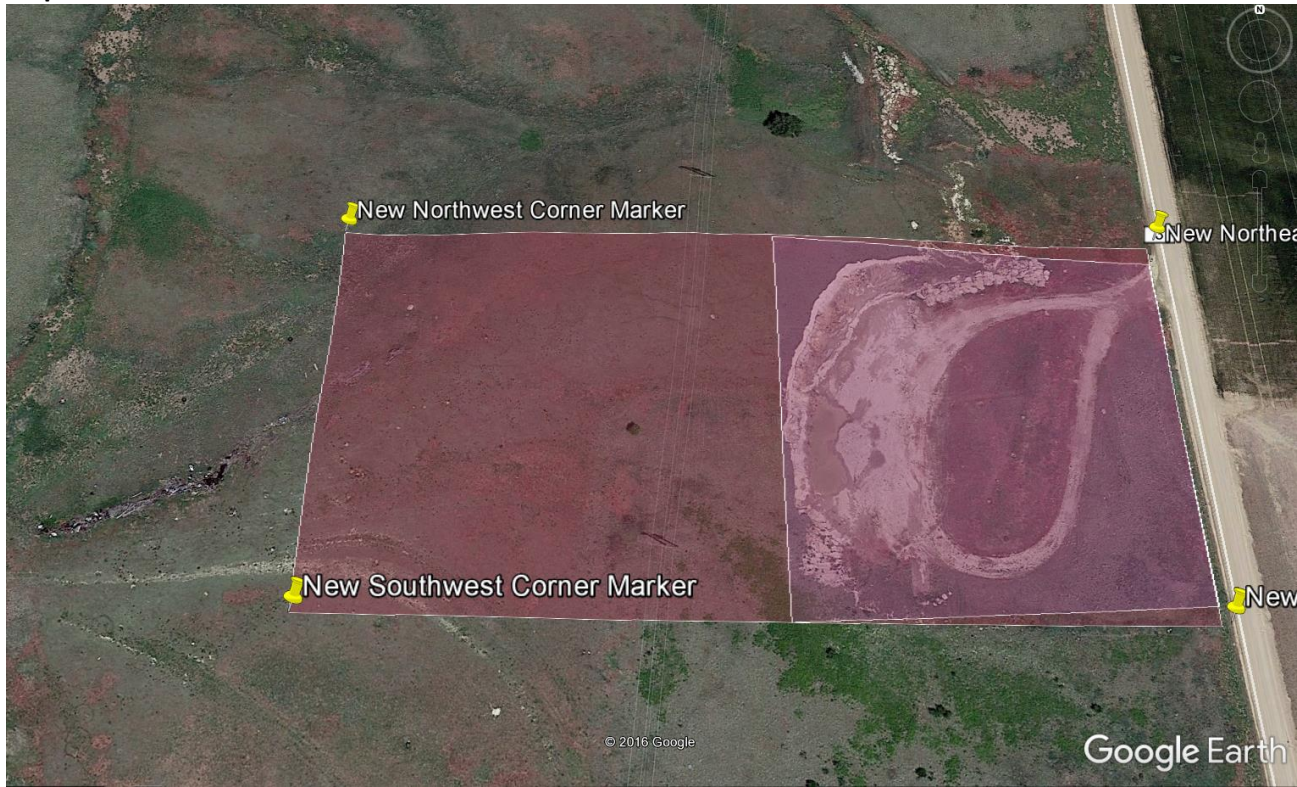


GPS Coordinates in Decimal Degrees for Markers
GPS Coordinates taken with a Jamar RAC Geo II with WAAS

Northeast Existing Corner	40.045055 Lat	-104.094233 Lon
Southeast Existing Corner	40.043935 Lat	-104.094225 Lon
Southwest Existing Corner	40.043877 Lat	-104.095840 Lon
Northwest Existing Corner	40.045105 Lat	-104.095840 Lon

Exhibit E

Proposed Amended Permit Area



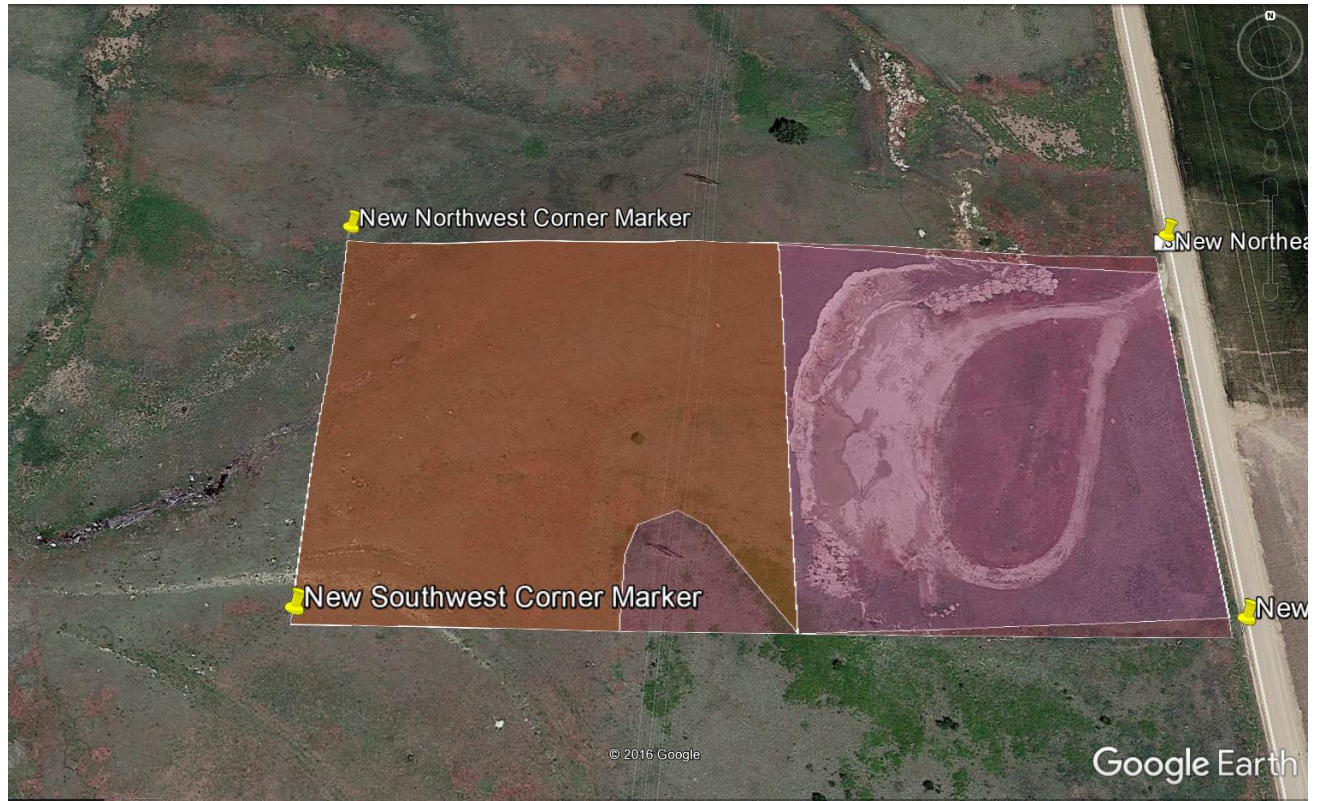
GPS Coordinates in Decimal Degrees for Markers

Northeast New Corner	40.045112	-104.094230
Southeast New Corner	40.043878	-104.094230
Southwest New Corner	40.043878	-104.097615
Northwest New Corner	40.045112	-104.097615

Estimated Acres 9.85

Exhibit F

Planned Excavation Area



Brown Area is Morgan County's idea of likely excavation area. Subject to change to meets the requirement of Western Area Power Administration.

Westhoff Farms, DRMS Permit No. M-1987-166

May 14, 2018 Inspection

