




**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.

|   |  |  |                             |
|---|--|--|-----------------------------|
| <b>MINE NAME:</b><br>Unknown                              | <b>MINE/PROSPECTING ID#:</b><br>M-2018-033   | <b>MINERAL:</b><br>unknown                 | <b>COUNTY:</b><br>Fremont   |
| <b>INSPECTION TYPE:</b><br>Illegal(Unpermitted Operation) | <b>INSPECTOR(S):</b><br>Timothy A. Cazier  | <b>INSP. DATE:</b><br>August 1, 2018       | <b>INSP. TIME:</b><br>08:00 |
| <b>OPERATOR:</b><br>Shane Cooper                          | <b>OPERATOR REPRESENTATIVE:</b><br>Shane Cooper  | <b>TYPE OF OPERATION:</b><br>ILL - Illegal |                             |
| <b>REASON FOR INSPECTION:</b><br>Citizen Complaint        | <b>BOND CALCULATION TYPE:</b><br>None  | <b>BOND AMOUNT:</b><br>No Bond Held        |                             |
| <b>DATE OF COMPLAINT:</b><br>July 5, 2018                 | <b>POST INSP. CONTACTS:</b><br>None  | <b>JOINT INSP. AGENCY:</b><br>None         |                             |
| <b>WEATHER:</b><br>Clear                                  | <b>INSPECTOR'S SIGNATURE:</b><br> | <b>SIGNATURE DATE:</b><br>August 13, 2018  |                             |

**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>NA</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>Y</u> | (TS) TOPSOIL----- <u>N</u>       |
| (MP) GENL MINE PLAN COMPLIANCE- <u>NA</u>   | (FW) FISH & WILDLIFE----- <u>Y</u>       | (RV) REVEGETATION---- <u>N</u>   |
| (SM) SIGNS AND MARKERS----- <u>NA</u>       | (SP) STORM WATER MGT PLAN---- <u>NA</u>  | (RS) RECL PLAN/COMP-- <u>N</u>   |
| (ES) OVERBURDEN/DEV. WASTE----- <u>N</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>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 inspection was prompted by a complaint received by the DRMS that a large amount of equipment and a track crusher was moved into a location just south of the intersection of S. 9th St. and Poplar Avenue. The complainant wished to remain anonymous and did not attend the inspection. Tim Cazier represented the DRMS for the inspection. Mr. Shane Cooper was present as the land owner.

### **Investigation:**

Mr. Cooper explained the equipment was brought in to sort the material (using screens) that had been mined previously (Reference DRMS Permit No. M-2005-056) which was brought before the Mined Land Reclamation Board (MLRB) on 8/31/2005, but was not considered to be mining as it was argued successfully that the material excavation was in support of house construction. Mr. Cooper further explained he was screening the large pile of excavated material (see **Photo 1**) for use on his planned commercial development at the site. Three screened piles were observed: coarse rock - greater than 2 inches (see **Photo 2**); ~2-inch minus; and fines (see **Photo 3**) all of which he said he intends to use for construction. Mr. Cooper stated none of the material had left the site and he has no plans to transport any material off site as he believes he can use it all on site. The Division observed no signs of heavy truck traffic required to have transported material offsite on the unimproved road leading to the site from the intersection of S. 9th and Poplar.

The Division contacted Matt Koch, Fremont County Planning Director. Mr. Koch confirmed Mr. Cooper has been in contact with the Fremont County Planning Department and they concur Mr. Cooper's development plans do not entail mining activity. Furthermore, Mr. Cooper is working with the County to get appropriate permits from them.

The Division is satisfied this operation is not mining as defined by C.R.S. 34-32.5(13) and Rule 1.1(27) of the Mineral Rules and Regulations of The Colorado Mined Land Reclamation Board for The Extraction of Construction Materials. As such, no mine reclamation permit is required at this time.

Mr. Cooper was advised to contact the Division if his plans change and he decides to transport material offsite.

Please contact Tim Cazier (303)866-3567 ext. 8169 or email at [tim.cazier@state.co.us](mailto:tim.cazier@state.co.us) if you have any questions regarding this report.

## **PHOTOGRAPHS**



Photo 1. Unsorted/unscreened pile from 2005 complaint.



Photo 2. Coarse rock stockpile (looking SW).

**PHOTOGRAPHS (cont.)**



Photo 3. Fines on left, 2-inch minus behind dozer (looking NW).

**Inspection Contact Address**

Shane Cooper  
Dirt Guy  
949 Shannon Road  
Cotopaxi, CO 81223

ec: Michael Cunningham, DRMS  
DRMS file  
Matt Koch, Fremont County Planning & Zoning