




**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>Ensminger Pit #2                     | <b>MINE/PROSPECTING ID#:</b><br>M-2010-036   | <b>MINERAL:</b><br>Clay, gravel, sand                              | <b>COUNTY:</b><br>Phillips  |
| <b>INSPECTION TYPE:</b><br>Pre-Operation Inspection       | <b>INSPECTOR(S):</b><br>Elliott R. Russell   | <b>INSP. DATE:</b><br>January 16, 2019                             | <b>INSP. TIME:</b><br>10:00 |
| <b>OPERATOR:</b><br>Rick Ensminger                        | <b>OPERATOR REPRESENTATIVE:</b><br>Rick Ensminger  | <b>TYPE OF OPERATION:</b><br>112c - Construction Regular Operation |                             |
| <b>REASON FOR INSPECTION:</b><br>Pre-Operation Inspection | <b>BOND CALCULATION TYPE:</b><br>None  | <b>BOND AMOUNT:</b><br>\$47,500.00                                 |                             |
| <b>DATE OF COMPLAINT:</b><br>NA                           | <b>POST INSP. CONTACTS:</b><br>None  | <b>JOINT INSP. AGENCY:</b><br>None                                 |                             |
| <b>WEATHER:</b><br>Cloudy                                 | <b>INSPECTOR'S SIGNATURE:</b><br> | <b>SIGNATURE DATE:</b><br>June 5, 2019                             |                             |

**GENERAL INSPECTION TOPICS**

This list identifies the environmental and permit parameters inspected. 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>Y</u>                 | (FN) FINANCIAL WARRANTY----- <u>N</u>    | (RD) ROADS----- <u>N</u>        |
| (HB) HYDROLOGIC BALANCE----- <u>N</u>      | (BG) BACKFILL & GRADING----- <u>N</u>    | (EX) EXPLOSIVES----- <u>N</u>   |
| (PW) PROCESSING WASTE/TAILING---- <u>N</u> | (SF) PROCESSING FACILITIES----- <u>N</u> | (TS) TOPSOIL----- <u>N</u>      |
| (MP) GENL MINE PLAN COMPLIANCE- <u>N</u>   | (FW) FISH & WILDLIFE----- <u>N</u>       | (RV) REVEGETATION---- <u>N</u>  |
| (SM) SIGNS AND MARKERS----- <u>Y</u>       | (SP) STORM WATER MGT PLAN---- <u>N</u>   | (RS) RECL PLAN/COMP-- <u>N</u>  |
| (ES) OVERBURDEN/DEV. WASTE----- <u>N</u>   | (SC) EROSION/SEDIMENTATION--- <u>N</u>   | (ST) STIPULATIONS----- <u>N</u> |
| (AT) ACID OR TOXIC MATERIALS----- <u>N</u> | (OD) OFF-SITE DAMAGE----- <u>N</u>       |                                 |

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

### **PROBLEMS/POSSIBLE VIOLATIONS**

None observed during the inspection.

### **OBSERVATIONS**

This inspection was conducted as a Pre-Operational inspection associated with Amendment AM-01, submitted to the Division on September 21, 2018. Elliott Russell, with the Division, conducted the inspection while Rick Ensminger, the Operator, accompanied the inspection.

The Ensminger Pit #2 is a Construction Materials 112c Operation which is approved to affect 52.9 acres of land. Amendment AM-01 proposed to add 55.1 acres for a total of 108 acres. Affected lands will be reclaimed to support a wildlife habitat post-mining land use. The site is located approximately 7 miles south-southwest of Haxtun, Colorado.

At 1000 hours, the Division met Rick Ensminger at the mine site which is located just south of County Road 16, between County Roads 1 and 3. The site was not active at the time of the inspection, however, the Division observed evidence of recent mining activity. Equipment on the site consisted of a bulldozer.

The mine site identification sign was observed at the entrance to the site and was in compliance with Rule 3.1.12(1). The boundary of the permit was delineated with t-posts. The required on-site public notice for AM-01 was also posted at the site entrance.

The current permit boundary straddled Sandy Creek between County Roads 1 and 3. Amendment AM-01 proposes to expand the permit boundary to the northwest to fully incorporate the lands from the southern side of Sandy Creek north to County Road 16. AM-01 also proposed to expand the size of Phase 2.

The Operator published the required public newspaper notice in the Holyoke Enterprise on December 6<sup>th</sup>, 13<sup>th</sup>, 20<sup>th</sup>, and 27<sup>th</sup>, 2018. The public comment period ended on January 16, 2019. During the review period, the Division generated one adequacy letter. The Operator addressed all of the Division concerns and AM-01 was approved on March 15, 2019.

The Operator has requested to be bonded only for Phase 1 and Phase 2, totaling 21.1 acres. As Phase 2 was increased in size with AM-01 the Division calculated a new financial warranty amount of \$59,000, an increase of \$11,500 from the current bond held. The Operator posted the additional financial warranty with the Division on March 26, 2019, thus AM-01 is approved and issued.

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](mailto:elliott.russell@state.co.us).

## PHOTOGRAPHS



**Photo 1.** Mine identification sign and on-site AM-01 notice; looking south.



**Photo 2.** AM-01 northwest corner; looking east along CR 16.





**Photo 3.** AM-01 northwest corner; looking south along CR 1.



**Photo 4.** Southwest portion of the site; looking north along CR 1.





**Photo 5.** Current Phase 2 excavation; looking north.



**Photo 6.** Sandy Creek (left) and current Phase 2 excavation (right); looking upstream to the southwest.



**Photo 7.** Sandy Creek (right) and current Phase 2 excavation (left); looking downstream to the northeast.

**Inspection Contact Address**

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Haxtun, CO 80731

CC: Michael Cunningham with DRMS