




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: Kiowa Clay Mine	MINE/PROSPECTING ID#: M-2007-009	MINERAL: Clay (general)	COUNTY: Elbert
INSPECTION TYPE: Monitoring	INSPECTOR(S): Elliott Russell	INSP. DATE: September 11, 2020	INSP. TIME: 12:45
OPERATOR: The Denver Brick Company	OPERATOR REPRESENTATIVE: Richard Murphy	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: None	BOND AMOUNT: \$244,932.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: November 10, 2020	

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>Y</u>	(FN) FINANCIAL WARRANTY----- <u>N</u>	(RD) ROADS----- <u>N</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>Y</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>Y</u>	(FW) FISH & WILDLIFE----- <u>Y</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- <u>Y</u>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(RS) RECL PLAN/COMP-- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</u>	(SC) EROSION/SEDIMENTATION--- <u>Y</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 part of the Division's routine monitoring program for permitted operations. Elliott Russell, with the Division, conducted the inspection while Richard Murphy, representing the Operator, accompanied the inspection. Based on the observations made during the inspection, the Division suggested the Operator submit a Release Request within 60 days of the inspection in order for this inspection to be considered the final inspection as required by Rule 4.17.2(2). The Operator submitted a Request for Full/Final Release of Entire Permit Area (SL-01) on October 13, 2020.

The Kiowa Clay Mine is a 112 Operation and is approved to affect 400 acres of land, however the operation never commenced. A small exploratory trench had been created in the southern portion of the permit (39°14'44.88"N 104°15'41.27"W) which the Operator has since backfilled, replaced topsoil, seeded, and mulched. The approved post-mining land use is rangeland which matches the current use of the land and the small reclaimed area. The mine is located approximately 12.5 miles southeast of Kiowa, Colorado. The Division met Mr. Murphy at the mine site entrance, located 2.2 miles south of Highway 86, on the west side of County Road 89.

Availability Of Records: The Anniversary Date for the permit is August 6th each year. The 2019-2020 Annual Report, Map, and Fee was accepted on July 29, 2020. The previous inspection was on November 14, 2018. There are no open infractions. After finding SL-01 complete, the Division notified the landowner, the Elbert County Commissions, Elbert County Community & Development Service, and the Kiowa Conservation District (Soil Conservation District) of the Operator's request to be released from reclamation responsibility, as required by Rule 4.17.2. To date, the Division has not received any comments nor objections to the full release request.

Hydrologic Balance: Impacts to the prevailing hydrologic balance appeared to have been minimized. No standing water nor exposed groundwater was observed during the inspection.

Backfilling and Grading: The small test trench appeared to be appropriately backfilled and/or graded. The Division and the Operator had difficulty determining where the exact location of the trench had been as the reclaimed topography matched the surrounding areas very well.

Sediment Control: The slopes of the small reclaimed test trench appeared stable and showed no signs of erosion.

Revegetation: The affected lands were starting to become revegetated grasses. Vegetative cover had already appeared to match adjacent off-site areas. No noxious weed infestations were observed. The Division recommended that prior to submitting a release request, the Operator should reseed and rake the reclaimed area to ensure the best chance of grass reestablishment. On October 8, 2020, the Operator submitted photographs demonstrating the small reclaimed area had been reseeded.

Reclamation Success: Reclamation efforts appeared to have been successful. Nothing observed during the inspection would prevent the Division from approving the release request.

The Division will approve the release request at this time. The Division is required to hold the final release paperwork and performance warranties for 30 days to allow for any appeals of the Division's decision. These documents will be sent to the Operator after the 30-day appeal period if no appeals are received.

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.

PHOTOGRAPHS



Photo 1. Mine site identification sign; looking west.



Photo 2. Sample photo of the reclaimed test trench; looking southwest.



Photo 3. Sample photo of the reclaimed test trench; looking south.



Photo 4. Sample photo of the reclaimed test trench; looking southeast.



Photo 5. Sample photo of adjacent undisturbed lands; looking east.

Inspection Contact Address

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