



## 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> Lamar West Pit	<b>MINE/PROSPECTING ID#:</b> M-1981-132	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> Prowers
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Amy Eschberger	<b>INSP. DATE:</b> October 20, 2021	<b>INSP. TIME:</b> 13:30
<b>OPERATOR:</b> VALCO, Inc.	<b>OPERATOR REPRESENTATIVE:</b> Tom Brubaker	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	

<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> \$7,160.00
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None
<b>WEATHER:</b> Clear	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> October 25, 2021

### 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>Y</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>Y</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

## **OBSERVATIONS**

This was a normal monitoring inspection of the Lamar West Pit (Permit No. M-1981-132) conducted by Amy Eschberger of the Division of Reclamation, Mining and Safety (Division). The operator was represented by Tom Brubaker during the inspection. The site is located in the northern part of Lamar, CO, west of Hwy 50. The site can be accessed from the east via Holly Street. **Photos 1-4** taken during the inspection are included with this report.

This is a 112c operation permitted for 67.4 acres (see enclosed Google Earth image of site) to mine sand and gravel via wet mining methods (dragline). The site is situated on a low alluvial terrace of the south bank of the Arkansas River. The northern portion of the permit area includes a portion of the river. However, a 50-foot mining buffer will be maintained from the southern edge of the river. The approved mining plan includes three primary mining phases, with the operation commencing in the southern portion of the permit area (in mine phase 1), and working generally northward (into mine phases 2 and 3). Mined material will be processed in the southeastern portion of the permit area, south of the mine phase 1 area. The operation will disturb no more than 15.8 acres at any time. The affected lands are owned by the operator.

The approved post-mining land use for the site is wildlife habitat. The reclamation plan calls for ultimately leaving two ponds, approximately 40 feet deep. A pond up to 15.8 acres in size will remain in the mining phase 1 area, and a pond up to 27.6 acres in size will remain in the area of mining phases 2 and 3. Pond shorelines will be graded to 3H:1V or flatter. Excess overburden, if available, will be used to add sinuosity to the shoreline. Topsoil will be replaced on disturbed lands at a depth of 9-15 inches, down to the waterline of the ponds. The revegetation plan for the site was revised through Technical Revision No. 1 (TR-1) in April of 2019 to include an updated grass seed mixture recommended by the NRCS. Access roads will remain for continued use by the landowner.

This site was in its first 5-year term of Temporary Cessation (TC) from October 23, 2012 through October 23, 2017. On November 7, 2017, the operator submitted a request for a second 5-year term of TC. The Division inspected the site on November 27, 2017 and found only a small portion of the permit area had been disturbed, in mine phase 1. This disturbance included an approximately 15 foot deep excavation estimated to be approximately 2.75 acres in size. The slopes of this excavation were graded to 3H:1V or flatter and the area was well-vegetated with grasses, forbs, and a few trees. While this area appeared to be reclaimed in accordance with the approved post-mining land use of wildlife habitat, there was exposed groundwater present, for which, the operator did not hold the appropriate water rights from the Division of Water Resources (DWR). Therefore, the Division cited a problem in its last inspection report, requiring the operator to either demonstrate compliance with the DWR with regard to the exposed groundwater on site, or backfill the pit to a minimum of two feet above the groundwater level. Additionally, after discussing the operator's plans for the site, which did not include recommencing with mining, the Division informed the operator the site did not qualify for a second term of TC, per Rule 1.13.3(1). The operator withdrew the TC request on November 29, 2017. Accordingly, the permit returned to Active status as of October 24, 2017, and the operator was required to complete final reclamation of the site within 5 years of this date, by October 24, 2022.

At the time of the inspection, the weather was warm and dry. A permit sign was posted at the main site entrance off of Holly Street. The permit boundary was delineated by a ditch/flood levee along its western edge, the Lamar Canal along its southern edge, and fencing along its eastern edge. This inspection was focused on the disturbance located in the southern portion of the permit area, as the northern portion of the permit area was never disturbed by the operation. The small pond observed in the southern portion of the permit area during the last inspection was backfilled in February of 2018 with material cut from the northern edge of the pit. A very shallow depression remains with slopes graded nearly flat. The exposed groundwater has been mitigated. The

operator seeded the newly created disturbance (estimated to cover approximately 3.5 acres) in early 2019 with the seed mixture approved in TR-1. The operator was able to preserve the existing trees around the perimeter of the backfilled pit. Vegetative cover of the disturbed area includes grasses, forbs, willow trees, and annual weeds (primarily kochia and wild sunflowers). Annual weeds were prevalent across the entire site, not just in the disturbed area. These weeds did not appear to be hindering the growth of the desired vegetation in the disturbed area. No state-listed noxious weed species were observed. The disturbed area appeared to be stable, with no erosion issues observed.

The Division believes the operator has reclaimed the small amount of disturbance at the site in accordance with the approved reclamation plan. Therefore, the site is eligible for release at this time. If the operator submits a release request (see attached form) within 60 days of this inspection date, by **December 19, 2021**, an additional inspection will not be necessary. The release request shall be submitted via Certified Mail separate from all other correspondence. All applicable portions of the form must be filled out, including the contact information for the owners of record (even if the operator is the owner of record), and the bottom of the form signed and dated.

This concludes the report.

*Any questions or comments regarding this inspection report should be forwarded to Amy Eschberger at the Colorado Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, via telephone at 303-866-3567, ext. 8129, or via email at [amy.eschberger@state.co.us](mailto:amy.eschberger@state.co.us).*



## **PHOTOGRAPHS**



**Photo 1.** View looking west across disturbed area in southern portion of permit area, with slopes graded flatter than 3H:1V and good vegetative cover.



**Photo 2.** View looking northwest across disturbed area in southern portion of permit area, with slopes graded flatter than 3H:1V and good vegetative cover. Annual weeds (mainly kochia and wild sunflowers) did not appear to be hindering growth of desired vegetation.





**Photo 3.** View looking north across disturbed area in southern portion of permit area, with slopes graded flatter than 3H:1V and good vegetative cover. Annual weeds (mainly kochia and wild sunflowers) did not appear to be hindering growth of desired vegetation.



**Photo 4.** View looking northwest across northern edge of disturbance area where material was cut for backfilling pit. Note slopes graded flatter than 3H:1V and good vegetative cover. Annual weeds (mainly kochia and wild sunflowers) did not appear to be hindering growth of desired vegetation.

**Inspection Contact Address**

Tom Brubaker  
VALCO, Inc.  
9121 Sunshine Meadow Pl.  
Parker, CO 81034

Encls: Google Earth image of site  
Release Request Form

CC: Michael Cunningham, DRMS



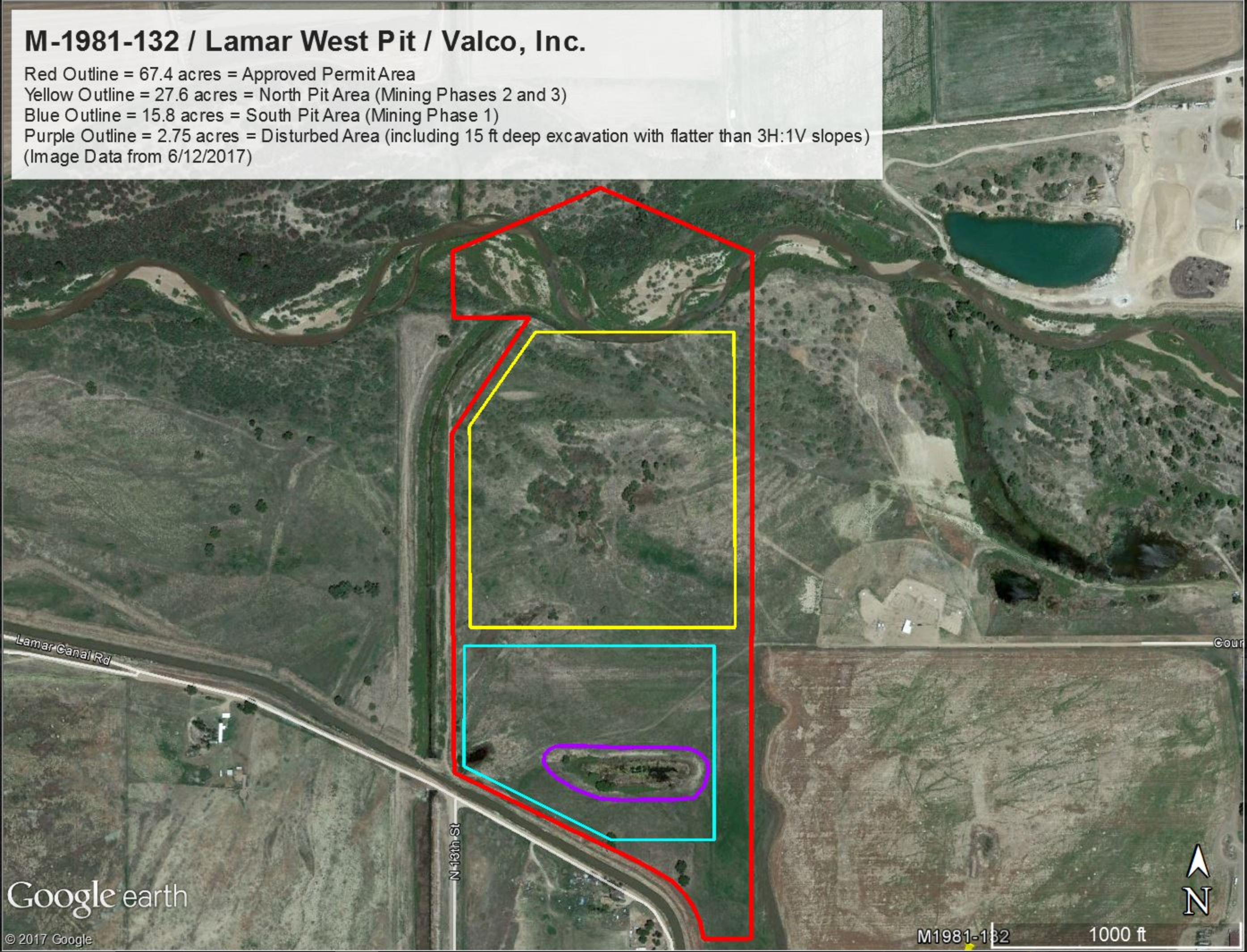
# M-1981-132 / Lamar West Pit / Valco, Inc.

Red Outline = 67.4 acres = Approved Permit Area

Yellow Outline = 27.6 acres = North Pit Area (Mining Phases 2 and 3)

Blue Outline = 15.8 acres = South Pit Area (Mining Phase 1)

Purple Outline = 2.75 acres = Disturbed Area (including 15 ft deep excavation with flatter than 3H:1V slopes)  
(Image Data from 6/12/2017)







**COLORADO**

**Division of Reclamation,  
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

**REQUEST FOR FULL OR PARTIAL RELEASE OF PERMIT AREA/SURETY REDUCTION**

Please indicate if you are requesting:

FULL/FINAL RELEASE OF ENTIRE PERMITTED AREA (per Rule 4.17)

\_\_\_\_\_

ACREAGE REDUCTION (PARTIAL RELEASE per Rule 4.17)

\_\_\_\_\_

I wish to release \_\_\_\_\_ acres at this time.

You will need to submit with this request: a map showing the acreage to be released from the current permit and updated mining and reclamation plan maps that will accurately depict the new permit boundary if the release is approved.

SURETY (Bond) REDUCTION (per Rule 4.14)

\_\_\_\_\_

If you are requesting a surety (bond) reduction you will need to include with this request a new estimate of the actual cost to reclaim the site based on what it would cost an independent contractor to complete reclamation, including unit costs for reclamation activities as appropriate to the operation to comply with the provisions of Rule 3.1 and the Permit's approved Reclamation Plan.

File No.: M \_\_\_\_\_

Site Name: \_\_\_\_\_

County: \_\_\_\_\_

Permittee: \_\_\_\_\_

Permittee Address: \_\_\_\_\_  
(Street Address)

\_\_\_\_\_  
(City) (State) (Zip)





Operator (If Other than Permittee): \_\_\_\_\_

Permittee Representative: \_\_\_\_\_

Certified Mail # \_\_\_\_\_

In accordance with Rule 4.17.1(2) the Operator shall include the names, addresses and phone numbers of all owners of record to the affected land. Please attach additional sheets for this information if required.

<u>Name</u>	<u>Address</u>	<u>Phone Number</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

In accordance with Rule 4.17.1(4), if requesting a partial acreage release the Operator or their agent MUST sign that they have complied with the following statement: “All applicable portions of the Reclamation Plan requirements have been satisfied in accordance with these Rules and all applicable requirements under the Act.”

\_\_\_\_\_  
Signature of Permittee, Operator or their authorized agent      Date

*Important: In accordance with Rules 4.14.2(a) and 4.17.1(3) This release request must be submitted to the Division via certified mail and separate from any other correspondence to the Division.*