




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: True Grit	MINE/PROSPECTING ID#: M-2022-008	MINERAL: Sand/Gravel	COUNTY: Rio Grande
INSPECTION TYPE: Illegal(Unpermitted Operation)	INSPECTOR(S): Clayton Wein	INSP. DATE: February 18, 2022	INSP. TIME: 10:00
OPERATOR: True Grit Excavating	OPERATOR REPRESENTATIVE: Donald Burwell	TYPE OF OPERATION: NM - Not Mining	
REASON FOR INSPECTION: Citizen Complaint	BOND CALCULATION TYPE: None	BOND AMOUNT: No Bond Held	
DATE OF COMPLAINT: February 14, 2022	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
WEATHER: Cloudy	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: February 25, 2022	

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>N</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>N</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

OBSERVATIONS

On February 14, 2022 the Colorado Division of Reclamation, Mining and Safety (the Division) received a citizen's complaint regarding a possible illegal mining operation. The complaint was filed by Rebecca Fincham regarding the site located at 23 Prime Meridian, Rio Grande County, Colorado, T40N R5E, SWSE1/4 sec. 9, NWNE 1/4 sec. 16. The site located in Del Norte, Colorado is operated by True Grit Excavating. Observations provided to the Division by Ms. Fincham stated that for the past couple of weeks the landowners had been excavating on their property and selling the material off-site to a RV park that is located approximately 10 miles away from the site. The material removed from the site was sand and gravel. As many as 10 haul trucks were transporting the material. The Division was provided the operator at the site, True Grit Excavating.

Ms. Fincham provided the Division with additional observations via email of the True Grit Site on February 16, 2022. Ms. Fincham noted that the material being trucked off site was from loose stockpiled material, and that there weren't any excavations being created on the site. A photo accompanied the email (See Photo 1).

The Division contacted True Grit Excavating on the February 17, 2022. Discussions with Mr. Burwell (the Operator) informed the Division that the material being hauled off the site in Del Norte was preexisting stockpiled materials. The operator stated that no new excavations were being conducted at the site. Mr. Burwell had also stated that operations had halted due to snowy conditions. When operations resume, he estimated that only a day's worth of material remained to be hauled off site. Mr. Burwell filled out the Division's "is It Mining" Form and submitted it on February 17. The form further clarified that the material on the site being removed from the site was a dirt ridge on approximately ¼ of an acre. The form indicated that no explosives will be used and no groundwater will be exposed. The use for the site after the activities are completed will be for the development of a residence.

Photographs of the True Grit Site were taken on Friday February 18. Photos 2, 3 and 4 confirm the operator's statement of stockpiled materials from the dirt ridge were the only material being removed from the site. The photos also show that minimal material remains on site.

The Division concludes that the activities at the True Grit site do not constitute the definition of mining as per Colorado Law. Therefore the Division finds that the True Grit site does not need to file for a permit as per C.R.S. 34-32.5-110.

PHOTOGRAPHS



Photo 1: A photo taken by Ms. Fincham and given to the Division on February 16, 2022. The stockpiled material can be seen in the center of the photo.



Photo 2: A portion of the remaining stockpiled material at the True Grit site.



Photo 3: A section of the True Grit site where stockpiled material has been removed.



Photo 4: The remaining portion of the dirt ridge at the True Grit site, which is planned for removal.

Inspection Contact Address

Donald Burwell
True Grit Excavation
225 Hwy 149
South Fork, CO 81154

Enclosure

CC: Travis Marshall, Senior Environmental Protection Specialist
Rebecca Fincham, Concerned Citizen