




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: K-Bar-T Pit	MINE/PROSPECTING ID#: M-1978-221	MINERAL: Sand and gravel	COUNTY: Rio Blanco
INSPECTION TYPE: Surety-Related Inspection	WEATHER: Windy	INSP. DATE: November 2, 2022	INSP. TIME: 09:40
OPERATOR: #17 Enterprises, LLC	OPERATOR REPRESENTATIVE: None	TYPE OF OPERATION: 110c - Construction Limited Impact	
REASON FOR INSPECTION: Priority	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$12,798.86	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
INSPECTOR(S): Amy Yeldell	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: November 4, 2022	

GENERAL INSPECTION TOPICS

The following list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each

(AR) RECORDS----- <u>Y</u>	(FN) FINANCIAL WARRANTY----- PB	(RD) ROADS----- <u>Y</u>
(HB) HYDROLOGIC BALANCE----- <u>N</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>NA</u>	(SF) PROCESSING FACILITIES----- <u>N</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>N</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>Y</u>	(SC) EROSION/SEDIMENTATION--- <u>N</u>	(ST) STIPULATIONS----- <u>Y</u>
(AT) ACID OR TOXIC MATERIALS----- <u>NA</u>	(OD) OFF-SITE DAMAGE----- <u>Y</u>	

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

The following inspection topic(s) were identified as having a **Problem (PB)**, which includes correction actions and a deadline whereby the Operator must demonstrate compliance with the conditions of the Permit and the requirements of the Act and Rules. Failure to address the corrective actions by the deadline may cause the Division to escalate the Problem to a **Possible Violation (PV)** and schedule the issue for formal hearing before the Mined Land Reclamation Board (Board).

INSPECTION TOPIC: Financial Warranty

PROBLEM: The financial warranty is not adequate to reclaim the site in accordance with the approved reclamation plan. This is a failure to maintain the proper financial warranty amount to complete reclamation of the affected lands pursuant to C.R.S. 34-32.5-117(4)(b) of the Act.

CORRECTIVE ACTIONS: The operator shall submit adequate financial warranty, as determined by the Division. The Division will be sending a separate surety increase notice to the operator regarding the increase of the financial warranty. The operator will have 60 days from the date on the surety increase notice to post the additional financial warranty.

CORRECTIVE ACTION DUE DATE: 1/06/23

INSPECTION TOPIC: Right of Entry

PROBLEM: The Permittee is no longer the landowner. Failure to maintain legal right of entry per Rule 6.3.7.

CORRECTIVE ACTIONS: The permittee/operator must provide proof of legal right to enter and conduct mining and reclamation operations.

CORRECTIVE ACTION DUE DATE: 1/06/23

OBSERVATIONS

This inspection was conducted by the Colorado Division of Reclamation, Mining and Safety at the request of the Operator. The K Bar T Pit is a 110c permitted site located off of County Road 8, approximately five miles southeast of Meeker, Colorado in Rio Blanco County. The permitted area is 9.9 acres, of which approximately 2.5 acres has been affected by mining to date. Amy Yeldell of the Division conducted the inspection. No representative was present for the inspection however they were contacted ahead of time.

A mine identification sign was observed at the access road entrance from CR 8. The mine identification sign and affected area boundary markers are in place and in compliance with Rule 3.1.12

A quarter of a mile long access road leads to the pit which is located at the top of a hill. One highwall exists, it is a semicircle and approximately 200 LF. The highwall is 20-30 feet at its highest point then fades to approximate 10 feet high on either side. A portion of the highwall is vertical with some sloughing resulting in a 1H: 1V slope. There appears to be no designated topsoil stockpile. But there are some smaller (bucket size) piles of rocky debris located both above the highwall cut and a natural berm along the southern extent of the pad. Large timbers create a loading pad on the pit floor. Otherwise the site is free of debris, fuel, or other mining related structures/debris. Due to inactivity portions of the site have self reclaimed with mostly volunteer

native vegetation. Limited amounts of noxious weeds were observed.

The site was inactive at the time of the inspection. Based on comparisons to Google Earth satellite imagery very little has changed in the pit over the last ten years. From discussions with the Operator they have indicated a desire to reclaim the pit since the landowner does not want to take over the permit. If the site is not going to be fully reclaimed in the very near future it either needs to become active again or enter into temporary cessation. Active status requires mining annually more than 180 days. If the mine ceases production for more than a year it shall go into temporary cessation or enter into final reclamation pursuant to Rule 1.13.

#17 Enterprises, LLC is no longer the land owner. The property has been sold to K Bar T Ranch LLC. The Division does not have a lease agreement or other proof of legal Right of Entry to conduct mining and reclamation. This is cited as an inspection problem pursuant to Rule 1.16(2) and Rule 6.3.7. Please provide the Division with an updated Legal Right of Entry by the corrective action due date. Alternatively the Operator may also choose to transfer the permit to the new property owners through a Succession of Operators This request must be submitted to the Division by the corrective action due date.

The approved reclamation plan for this site is extremely dated. Attached is supporting documentation from the permit file for reference. In essence all highwalls are to be recontoured. 6-12" of topsoil shall be replaced. Then drill seed with the revised seed mix dated July 25, 1978. Historically fertilizer and straw mulching has been accounted for in the reclamation costs. Additionally, as is common practice, a weed treatment will be added to maintain reclaimed areas. The reclamation plan does not specifically address the access road. The Reclamation and pre-mining map are the same, in that the road shall be removed up to the pre-mining point. Given that this is private property if the operator has a use for the road post mining, it may remain. A technical revision to depict the final land configuration will be required.

The Division currently requires a financial warranty amount of \$12,798.86 for this site. The bond was last recalculated with SI-2 in 2014. In an effort to ensure the Financial Warranty adequately, reflects the actual current cost of fulfilling the requirements of the approved reclamation plan the Division has updated the reclamation cost estimate and found current bond to be insufficient. This is cited as a problem. The Division will send a Notice of Surety Increase under a separate cover.

Responses to this inspection report should be directed to: Amy Yeldell at the Division of Reclamation, Mining and Safety, Rm 215, 1001 E 62nd Ave, Denver Co 80216. Direct contact can be made by phone at 303-866-3567 Ext 8183 or via email at amy.yeldell@state.co.us

Inspection Contact Address

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Enclosure: Reclamation permit documents

CC:
Travis Marshall, Senior EPS, Grand Junction DRMS

PHOTOGRAPHS







